MINUTES OF A REGULAR CITY COUNCIL MEETING HELD DECEMBER 5, 2019, 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, Kathy Bingham, Jared Clawson, Paul C. James, 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, City Treasurer Todd Perkins and 8 citizens. Deputy Recorder Diane Woolstenhulme recorded the minutes.

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

PLEDGE OF ALLEGIANCE: Council Member Adams led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: Councilmember Clawson

APPROVAL OF MINUTES:

ACTION **Councilmember Bingham made a motion to approve the minutes of a regular meeting held on November 21, 2019 as written. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, 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 Bingham made a motion to approve the agenda for December 5, 2019 as written. Councilmember Rasmussen seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.**

AGENDA

9. SCHEDULED DELEGATIONS:
   A. Fred Burr, Wiggins and Company – To present the 2018-2019 Audit Report.
   B. Tjaden Elliker – To request a Home Occupation Business License at 28 North 575 West for eyelash extensions and chemical peels.
   C. Joe Darger, Green Haven Homes - To request final plat approval for Phase I of Scenic Mountain Estates a Planned Unit Development consisting of 32 townhomes at 730 North 700 East.
   D. Friend Weller – To request funding for radio station software upgrades.
   E. Randy Godfrey, Sunray Properties - To request site plan approval for a light manufacturing building at 42 West 300 North.
10. INTRODUCTION AND APPROVAL OF RESOLUTIONS:
   A. Resolution 19-26 – A resolution accepting a 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).
11. OTHER BUSINESS:
   A. Consideration and award of bid for the Blacksmith Fork Design Bid.
   B. Mayor and City Council reports.
12. OFF-SITE:
   A. Tour of new fire station administration building – Adjacent to Council Chambers (30 North 100 West).
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.

SCHEDULED DELEGATIONS:

FRED BURR, WIGGINS AND COMPANY – TO PRESENT THE 2018-2019 AUDIT REPORT.

Fred Burr, representing Wiggins and Company presented the results of the 2018-2019 Audit report. Mr. Burr stated that the first three pages of the financial report states that the city is in accordance with Government auditing standards. The city is in an excellent financial position and envy of most cities. The financial report explains the assets, liability and surplus of the city funds. The city does an excellent job of paying as you go meaning the city does not finance projects, but has the assets to pay for projects as needed. The city unlike most entities has very little debt. In the business activity the city does well in making a profit. He presented the financial numbers showing the amounts each department contributed to the general fund. The operation funds report is different from other reports in that it explains how a government entity operates on the funds brought into the city and how the monies are used for individual departments. The finances brought into the city operate at a profit allowing for growth within the city. He explained the statement of revenues, expenditures and changes in the fund balance-Government funds. Mr. Burr provided information on the State Retirement system. He stated that the state retirement is underfunded and therefore the City's portion of the retirement system has seen an increase of nineteen million dollars in 2019. Mr. Burr discussed the findings as required each year. He explained that the city is in compliance with state requirements. The one finding of the audit stated that the city was not in compliance dealing with the matter of the purchase orders. Condition: cash disbursement testing that purchase orders are not used consistently for applicable purchases. Criteria: Ordinance 14-01 3.04.040 states that all equipment, materials, supplies and services must have a purchase order. There are exceptions for utilities and similar, taxes, bond and loan payments, authorized monthly travel, and professional or contractual services approved by council action. In addition, state law requires the City to use purchase orders. Cause of Condition: The City does not have a uniform purchase order form in place that all departments use and there is a lack of enforcement by management of the Ordinance. Potential effect: Not utilizing a purchase order system as required by city ordinance, puts the City at risk for unauthorized purchases and payables. Purchase orders are an integral part of the City's internal control system for expenditures and accounts payable. The city is not in compliance with state statutes and city ordinances, as well. Recommendation: We recommend the City develop a purchase order system that is uniform and enforceable and meets the needs of the City while satisfying the minimum qualifications required by the state. Response provided by the city states: the City has a purchase order system that meets State law and City ordinance. Management will review the ordinance with department heads to ensure all purchase orders are individually completed for each purchase of equipment, materials, supplies and services. Some blanket purchase orders that have been submitted by department heads in the past will no longer be accepted.

Mr. Burr stated that he appreciates the work of employees and the relationship his firm has with the city staff.

TJADEN ELLIKER – TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 28 NORTH 575 WEST FOR EYELASH EXTENSIONS AND CHEMICAL PEELS.

Tjaden Elliker appeared before the council requesting a Home Occupation Business License. The name of her business will be "Lash by Jade". Ms. Elliker stated that she is a licensed eye lash technician and now works in Logan and hopes to build her clientele in Hyrum. She is in the Mt. Sterling Development and is waiting for approval from the HOA.

ACTION **Councilmember James made a motion to approve a Home Occupation Business License for Tjaden Elliker at 28 North 575 West for eyelash extensions and chemical peels with the following condition that Ms. Elliker receives approval from the Mt. Sterling HOA. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.**

KEN COLEMAN, GREEN HAVEN HOMES - TO REQUEST FINAL PLAT APPROVAL FOR PHASE I OF SCENIC MOUNTAIN ESTATES A PLANNED UNIT DEVELOPMENT CONSISTING OF 32 TOWNHOMES AT 730 NORTH 700 EAST.

Council Member Rasmussen recused himself as he is the engineer on the project.

Ken Coleman appeared before the council representing Green Haven Homes. Planning and zoning administrator Matt Holmes stated that they are still working on a public utility easement for the water main and that will be maintained by the city and an emergency plan for egress of the property. The easement is still on going as far as the water main placement. Mr. Holmes also stated that addresses are currently reversed. Mr. Salvesen stated that the final plat designate that this is for Phase 1.

Craig Rasmussen discussed the access road that currently cuts across 4400 South. Currently, this is a private road and Green Haven will maintain till further development. This road has been designated as a possible future East/West access road to Highway 165. Mr. Rasmussen stated that future development of the storage sheds that access not be allowed onto 4400 South but 650 East. Future development of the Swenson property also be accessed from 650 East rather than 4400 South. Phase 2 and storage unit expansion, whichever is developed first be responsible for the paving of the road or a cost sharing between parties. There needs to be an inter-local agreement between parties on the maintenance of the road. In respect to the Boundary location there will need to be a signature line for the Heiner's family designating a right-away for a private road or public street depending on how the street is dedicated in the future. At present the road at 650 East will be maintained by the HOA.

Mr. Rasmussen and Mr. Salvesen discussed the placement of the water meters and benefits of whether lines would come in closer to the street or closer to the buildings. In respect to easements there needs to be a designation for common space. Utility easements in respect to Phase 1 and 2 should be limited to Phase 1 and Phase 2 be recorded as Phase 2 is dealt with by the Council at a later date. However, Mr. Rasmussen stated that easements would be best dealt with at this time, allowing the developer to come back to the city and amended the plat rather than beginning the process from the beginning.

Mr. Rasmussen also discussed the 750 East Street and the fill that will need to be brought in. The discussion with Ron Salvesen and Mike Larsen is to shift the road 10 feet east allowing minimal impact on the Larsen property. This will have minimal impact on the intersection from Highway 165.

Councilmember Clawson discussed the issues with the irrigation company. Mr. Rasmussen stated that Blacksmith Fork Irrigation Company has not signed the water easement to date. The irrigation company has stated they want to see final construction drawings prior to signing the easement. Mr. Rasmussen stated that he has an email dealing with the easement from the Irrigation Company.

ACTION **Councilmember Clawson made a motion to approve the Final Plat for Phase 1 of Scenic Mountain Estates a Planned Unit Development consisting of 32 Townhomes at 730 North 700 East with the following conditions: 1. Common space be for utility easements; 2. Gravel road at 650 East be maintained for emergency vehicles; 3. Addresses be corrected; 4. Signature block for Heiner's for right-of-way; 5. Irrigation easement; 6. Water main carried to**

the west property and 650 East to the North for future expansion; 7. Road moved 10 feet to the east; and 8. 650 East road maintained by the HOA. Councilmember James seconded the motion and Councilmembers Adams, Bingham, Clawson, and James voted aye. Councilmember Rasmussen abstained. The motion passed.

FRIEND WELLER - TO REQUEST FUNDING FOR RADIO STATION SOFTWARE UPGRADES.

Friend Weller appeared before the Council requesting reimbursement for funding for upgrades to the radio station software. FEMA and Homeland Security changed the protocol for how emergency information is to be relayed with a deadline of November 18, 2019. With this upgrade, a major rewrite of the software had to be accomplished and the cost would be $349 to the providers. This amount was paid by Mr. Weller to ensure compliance. Transfer of the radio station to Mr. Weller is scheduled to be complete by Oct. 24, 2020. This transfer will allow Mr. Weller to do underwriting, receive funding and be designated as a non-profit entity. Mr. Weller stated he has a significant public following and provides alerts to the public as needed.

ACTION **Councilmember James made a motion to approve the reimbursement of $349 to Friend Weller for upgrades to the radio station for software. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, James and Rasmussen voted aye. The motion passed.**

RANDY GODFREY, SUNRAY PROPERTIES - TO REQUEST SITE PLAN APPROVAL FOR A LIGHT MANUFACTURING BUILDING AT 42 WEST 300 NORTH.

Councilmember Clawson requested information on the parking issues that was discussed in a previous meeting.

Councilmember Rasmussen stated that when he has gone to the facility the west parking lot has been full. Mr. Godfrey stated that the parking lot has never been full.

Fire Chief Kevin Maughan stated that he has been to the facility multiple times for inspections and that there is sufficient parking on the east and west side of the building.
Councilmember Rasmussen also discussed the storm water and inquired if this issued has been addressed.

City Engineer Matt Holmes stated he will check into the issue.

City Administrator Ron Salvesen also addressed the easement for utilities issues. Mr. Godfrey stated that he has addressed the issue.

ACTION **Councilmember Rasmussen made a motion to approve the Site Plan for a light manufacturing building at 42 West 300 North. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.**

INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ADOPTION OF ORDINANCE:

RESOLUTION 19-26 – A RESOLUTION ACCEPTING A 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 Hyrum City has received a petition for annexation from Western Dairy located at approximately 700 West 700 North (County Address 4600 South 1700 West). Approval of this resolution is not guaranteeing annexation but is only approving Hyrum City Council to consider annexing it. If the resolution is approved the Hyrum City Recorder will have 30 days to certify the annexation petition to ensure it meets all the requirements of the law.

Mr. Thornley stated that this location is ideal as they currently run trucks out of the location. His company would like to build their own property to centralize his operations. Mr. Thornley stated they are working on the water shares, for use of fresh and non-potable water for washing of trucks. Kevin Maughan stated that the cleaning of trucks into the sewer system is not cohesive to the sewer plant. He will need a report of concentrations and must meet regulations. Mr. Thornley stated that he has spoken to Miller Company about use of the bays as he has no use for them. He stated that he may try to sell part of the property as they don’t have use of the entire ten acres.

Councilmember Rasmussen stated that the name and ownership be properly documented with the County.

ACTION **Councilmember James made a motion to approve Resolution 19-26 – A resolution accepting a 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 Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:

CONSIDERATION AND AWARD OF BID FOR THE BLACKSMITH FORK DESIGN BID.

ACTION **Councilmember Bingham made a motion to remove Blacksmith Fork Park Design Bid from the agenda Councilmember Rasmussen seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.**

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Adams said there is still an issue with the auto pedestrian crossing at JBS. He stated the lighting is poor and people continue to cross without looking for automobiles.

Councilmember Rasmussen said Holiday at Hardware Ranch was a huge success over 740 people took advantage of the free wagon rides. He thanked the City Council, Youth Council, and City Staff for their support.

Councilmember Bingham said the Youth Council will be holding its winter party next month.

City Administrator Ron Salvesen said the City received $20,000 from the Hyrum Saddle Club to go towards the purchase of new bleachers. The sewer plant bids will go out next week and the opening of the bids will be on January 8, 2020.

ON-SITE TOUR:

TOUR OF NEW FIRE STATION ADMINISTRATION BUILDING - ADJACENT TO COUNCIL CHAMBERS (30 NORTH 100 WEST).

Fire Chief Kevin Maughan conducted a tour of Hyrum City's new Fire Station Administration Building that is adjacent to the City Office property at 30 North 100 West.

ACTION **There being no further business before the City Council, the Council Meeting adjourned at 8:05 p.m.**

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Stephanie Miller
Mayor

ATTEST:

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Stephanie Fricke
City Recorder

Approved: January 2, 2020
As Amended