

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD AUGUST 1, 2019, AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Mayor Stephanie Miller

ROLL CALL: Mayor Stephanie Miller, Councilmembers Steve Adams, Kathleen Bingham, Jared L. 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, Electric Department Superintendent Matt Draper and six citizens. City Recorder Stephanie Fricke recorded the minutes.

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

PLEDGE OF ALLEGIANCE: City Administrator Ron Salvesen led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: Councilmember Rasmussen

APPROVAL OF MINUTES:

ACTION

Councilmember Clawson made a motion to approve the minutes of a regular meeting held on July 18, 2019 as written. Councilmember Bingham 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 James made a motion to approve the agenda for August 1, 2019 as written. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

AGENDA

9. SCHEDULED DELEGATIONS:

- A. Michael Shea, Healthy Environment Alliance of Utah - To discuss the Carbon Free Power Project.
- B. Michael and Kenna Chalmers - To request a home occupation business license at 267 West 100 North for a porcelain business.
- C. Jake Thompson, CobbleCreek Townhomes - To request Final Plat Approval for CobbleCreek Townhomes a Planned Unit Development located at 230 North 800 East consisting of 27 townhome units, and a commercial area.

10. INTRODUCTION AND ADOPTION OF A RESOLUTION AND ORDINANCE:

- A. Resolution 19-16 - A resolution authorizing the Red Mesa Tapaha Solar Project transaction schedule under the power supply agreement with Utah Associated Municipal Power Systems; and related matters.
- B. Ordinance 19-07 - An ordinance amending the Municipal Zoning Map and annexing certain real property and extending the Corporate Limits of Hyrum City, Utah (Hyrum City Wastewater Annexation).

11. OTHER BUSINESS:

- A. Mayor and City Council reports.

12. 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.

OTHER BUSINESS:**MICHAEL SHEA, HEALTHY ENVIRONMENT ALLIANCE OF UTAH - TO DISCUSS THE CARBON FREE POWER PROJECT.**

Michael Shea with Healthy Environment Alliance of Utah said Utah cities and towns that are members of Utah Associated Municipal Power Systems (UAMPS) are being asked to buy into a proposed first of its kind small modular nuclear reactors (SMNRS) project. This project is being marketed as the Carbon Free Power Project (CFPP). This project is not in the best interest of the City, State and Environment. There are other alternative resources which include wind, solar, energy storage, market purchases, and natural gas. Healthy Environment Alliance of Utah contracted with Energy

Strategies to conduct an independent study. The study compares the cost of SMNRs to comparable portfolios of alternative resources that would similarly fill the projected electricity gap. The alternative resources considered include wind, solar, energy storage, market purchases, and natural gas. Alternative scenarios were all roughly 40% cheaper than SMNRs. Even at the lowest levelized cost for SMNRs, alternative portfolios are still less costly. Alternative scenarios represented between \$298M-\$355M in savings over 20-year period. As costs continue to decline for solar, wind, and battery storage, the likelihood increases that the resources will be even less costly than SMNRs. SMNRs are an unnecessary, high-risk project that Utah towns and cities should not be asked to commit to 40 years of speculative investment in them. There are cleaner, cheaper, and safer alternatives for these municipalities. SMNRs will cost municipal ratepayers hundreds of millions more over a 20-year period and could cost these ratepayers billions more over the possible 80-year lifetime of SMNRs. The study demonstrates the lack of cost competitiveness of the SMNR project. UAMPS members should delay further investment in the CFPP until an objective, independent cost comparison study is complete that includes all renewable options as would be done in any major utility.

Mayor Miller thanked Michael Shea for his concerns and the information he presented to the City Council.

MICHAEL AND KENNA CHALMERS - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 267 WEST 100 NORTH FOR A PORCELAIN BUSINESS.

Kenna Chalmers said she has a barn in her backyard that has an electrical connection but no water or sewer hook-up. She has purchased four kilns for her porcelain business. She wants to put the kilns in the barn. The kilns have protectors that if it gets too hot, they automatically shut off. She will not have the kilns located next to any walls. The porcelain is sold on line and she will not be having customers at her home.

ACTION

Councilmember James made a motion to approve a Home Occupation Business License at 267 West 100 North for a porcelain business. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

JAKE THOMPSON, COBBLECREEK TOWNHOMES - TO REQUEST FINAL PLAT APPROVAL FOR COBBLECREEK TOWNHOMES A PLANNED UNIT DEVELOPMENT LOCATED AT 230 NORTH 800 EAST CONSISTING OF 27 TOWNHOME UNITS, AND

A COMMERCIAL AREA.

Jake Thompson with Cobblecreek Townhomes said he was sorry that the City Council was not given the updated drawings for the Final Plat for Cobblecreek Townhomes at its last City Council Meeting. The revisions the City Council had suggested in June had been made to the plat.

Mayor Miller said after the last City Council Meeting she met with City Administrator Ron Salvesen, Jake Thompson and his dad Rod Thompson regarding this development and went over the changes that had been requested by the City Council in June.

City Administrator Ron Salvesen said the City Council approved the Preliminary Plat with conditions and those conditions have been met. The City Council gave its approval and would be in a legal situation that it would most likely lose if the final plat isn't approved since they have met all the conditions of the preliminary plat approval.

Councilmember Clawson said Cobblecreek Townhomes has never met the open space required by City Code. Rather than approving something that is not allowed by City Code, Jake should reduce the number of units or the size of the units. He doesn't agree with the road widths and how the units are packed in as close as they can be. There will be problems with snow removal because of the roads not being wide enough and he is greatly concerned about this project.

City Administrator Ron Salvesen said the City Council approved the number of the units and the layout and it is too late to change it now.

Councilmember Clawson said there have been concerns from the very beginning with this project and the open space requirement was never met. There is always something that isn't right or that has changed that the Council wasn't aware of. He has not been in favor of this project since it began and he's still not in favor of it.

Councilmember James suggested that Jake try to buy 10' of property or an easement for 10' of property from the owners to the north.

Jake Thompson said he doesn't have more money to put into this project.

Ron Thompson said they have accommodated all of the City Council's conditions and the roads will be wide enough for snow removal.

Councilmember Rasmussen said from the beginning he has told Jake Thompson that the open space didn't meet City Code and Jake told the City Council repeatedly that he would make that correction. The open space is a problem along with several other things, but the thing that he is most concerned about is the Green Meadow Villas project that has numerous problems and Jake the developer hasn't addressed those concerns brought up by the homeowners living there. Some of these issues have went on for over two years. It is not the property management company's responsibility it is the developer's responsibility to take care of these issues. Residents have told Jake about these problems for over two years and they still aren't taken care of.

Jake Thompson said he takes pride in his developments but he can't please everyone and there are some people that will never be happy no matter what he does.

Councilmember Rasmussen said he would be more understanding of the situation if it were just one or two homeowners complaining but it isn't there are numerous residents complaining.

Rod Thompson said they will meet with the homeowners in Green Meadows and take care of the issues that the residents are complaining about. He is working with an attorney to make sure the lien on their property doesn't happen.

ACTION

Councilmember Rasmussen made a motion to approve the final plat for Cobblecreek Townhomes a Planned Unit Development located at 230 North 800 East consisting of 27 townhome units and a commercial area with the following conditions: 1. To remove or modify the open space in parcel B by eliminating the open space on the south sides of the storage sheds on lot 28 and it will require site modifications on site drawings that show the path coming into the place being revised; 2. An easement for the water line that runs through parcel 1 (the future commercial area) needs to be provided to the City; and 3. In exchange for the reduction of open space the developer must work with UDOT to pursue entryway improvements on Highway 165. Councilmember James seconded the motion and Councilmembers Adams, James, and Rasmussen voted aye, Councilmember Clawson voted nay, and Councilmember Bingham abstained. The motion passed.

INTRODUCTION AND APPROVAL OF A RESOLUTION AND AN ORDINANCE:

RESOLUTION 19-16 - A RESOLUTION AUTHORIZING THE RED MESA TAPAHA SOLAR PROJECT TRANSACTION SCHEDULE UNDER THE POWER SUPPLY AGREEMENT WITH UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS; AND RELATED MATTERS.

Electric Superintendent Matt Draper said Hyrum City's entitlement share in the Red Mesa Tapaha Solar agreement will be .4545% for 25 years providing the City 300kW at \$23.15 per MWH with an annual 2% escalator. He recommended the City Council approve the resolution.

ACTION

Councilmember Clawson made a motion to approve Resolution 19-16 authorizing the Red Mesa Tapaha Solar Project transaction schedule under the power supply agreement with Utah Associated Municipal Power Systems; and related matters. Councilmember James seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

ORDINANCE 19-07 - AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP AND ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF HYRUM CITY, UTAH (HYRUM CITY WASTEWATER ANNEXATION).

City Recorder Stephanie Fricke said Ordinance 19-07 will finalize the annexation of: Hyrum City's wastewater treatment plant; Ropelato's Dairy; Super T; Millers Compost Plant; 5M Farms; and Bill Christoffersen's property.

ACTION

Councilmember Clawson made a motion to adopt Ordinance 19-07 amending the Municipal Zoning Map and annexing certain real property and extending the Corporate Limits of Hyrum City, Utah (Hyrum City Wastewater Treatment Annexation). Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Adams said National Night Out Against Crime is Tuesday, August 6, 2019 at 6:00 p.m. He asked the City Council to be there at 5:30 to help cook hamburgers.

Councilmember Rasmussen said Fall Harvest is on September 7 at the Elite Hall. Museum Director Jami VanHuss is still working on the

Steps Program and implementing new policies. There will be an historic home tour on September 7.

Councilmember Clawson said Paradise Irrigation Company is considering charging Hyrum City Irrigation Company \$7 per share for a delivery charge for the water coming down the blackpipe.

Mayor Miller said Lt. Governor Spencer Cox will be at the Hyrum Senior Center tomorrow from 12:00 to 1:00.

ADJOURNMENT:

ACTION

**There being no further business before the City Council,
the Council Meeting adjourned at 7:50 p.m.**

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: August 15, 2019
As Written