MINUTES OF A REGULAR CITY COUNCIL MEETING HELD APRIL 4, 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 and Craig L. Rasmussen, Paul James was absent.

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

OTHERS PRESENT: City Administrator Ron Salvesen, and 9 citizens. Secretary Diane Woolstenhulme 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 Craig Rasmussen

APPROVAL OF MINUTES:

ACTION **Councilmember Jared Clawson made a motion to approve the minutes of a regular City Council Meeting held on March 21, 2019 as written. Councilmember Kathy Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, 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 Kathy Bingham made a motion to approve the agenda for April 4, 2019 as written. Councilmember Jared Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, and Rasmussen voted aye. The motion passed.**

AGENDA

9. SCHEDULED DELEGATIONS:
   A. Breanna Burris – To request a Home Occupation Business License at 451 West 300 North for a Nail Salon.
   B. Dayton Crites, Cache County Trails Planner – To discuss bike lane options and alternatives for short term and long term goals for trail systems.
   C. Ron Hales, Canyon Estates – To request Final Plat approval for Phase 1 of Canyon Estates located at approximately 700 East 6600 South consisting of 14 residential single family building lots.
   D. Roy Savage, Hidden Valley Subdivision – To request Final Plat approval for Phase `1 of Hidden Valley Subdivision located at approximately 30 North 650 West consisting of 11 residential single family building lots.
10. INTRODUCTION AND APPROVAL OF RESOLUTIONS:
   A. Resolution 19-04 – A resolution authorizing the execution and delivery of an interlocal agreement for Justice Court Services for Nibley City.
   B. Resolution 19-05 – A resolution authorizing the execution and delivery of an interlocal agreement for Justice Court Services for Mendon Town.
   C. Resolution 19-06 – A resolution amending the Personnel Policies and Procedure Manual for Hyrum City Corporation to designate which positions within the City are eligible to exempt from the Utah Retirement Systems.
   D. Resolution 19-08 – A resolution setting an election declaration of candidacy filing fee of $25.00.
11. OTHER BUSINESS:
   A. Consideration and award of bid for Blacksmith Fork Canyon Trail.
   B. Consideration and approval of Daines and Jenkins for City prosecution services.
   C. 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.

SCHEDULED DELEGATIONS:

BREANNA BURRIS - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 451 WEST 300 NORTH FOR A NAIL SALON.

Breanna Burris explained that she has one client at a time and has an existing cliental, therefore does not advertise. She sees clients on Tuesdays, Wednesdays and Thursdays from 10-6. Ms. Burris explained that she has a concrete driveway and a gravel lot in front of her home.

ACTION **Councilmember Jared Clawson made a motion to approve a Home Occupation Business License for Breanna Burris at 451 West 300 North for a nail salon. Councilmember Kathy Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, and Rasmussen voted aye. The motion passed.**

Councilmember James arrived at the meeting at 6:54 pm.

DAYTON CRITES, CACHE COUNTY TRAILS PLANNER - TO DISCUSS BIKE LANE OPTIONS AND ALTERNATIVES FOR SHORT TERM AND LONG TERM GOALS FOR TRAIL SYSTEMS.

Dayton Crites appeared and discussed the alignment of bike trails from Hyrum north to Smithfield. he stated that he has taken into consideration the comments from his last meeting with the council. he stated that the path will go from 700 West to 200 East and then to 200 North Center and across Main Street to 500 South. This will remove parking on the east side of the road on Center Street, however, parking will exist on the unpaved section of the roadway. this will include marked bike lanes on Center Street and across Main Street. Mr. Crites stated that he has not been able to acquire funding at this time but anticipates applying for the necessary funding within the month. work will be done with county crews and therefore there will be no cost to Hyrum. Mr. Crites stated that he does not anticipate enforcement on the parking unless there is an influx of complaints. there will be the appropriate signage indicating bike lanes. Mr. Crites stated that he will be doing a public awareness campaign through mailers on the two blocks impacted on Center Street. this campaign will be contingent on funding. He is looking for a signed letter of support at this time in anticipation of an interlocal agreement. He anticipates receiving county funding on an annual basis. If this funding is not acquired he may come to the city for funding for marking of lanes, however, does not anticipate the need for city funding at this time. Mr. Salvesen stated that he would like to have this proposal included in the city newsletter.

ACTION **Councilmember Rasmussen made a motion to write a letter in support for Cache Bike way through Hyrum. Councilmember James seconded the motion and Councilmembers Adams, Bingham, James and Rasmussen voted aye Councilmember Clawson abstained. The motion passed.**

RON HALES, CANYON ESTATES – TO REQUEST FINAL PLAT APPROVAL FOR PHASE 1 OF CANYON ESTATES LOCATED AT APPROXIMATELY 700 EAST 6600 SOUTH CONSISTING OF 14 RESIDENTIAL SINGLE FAMILY BUILDING LOTS.

Ron Hales of Canyon Estates presented an update stating that they have received comment from UDOT that extends the road 250 feet however this will shorten the shoulder. They anticipate this will take the irrigation ditch out from underneath the road and are waiting for comment from UDOT. They have also received comment back from Aqua engineering. Mr. Hales stated that he still has items to work out with Hyrum City and feels confident that they are ready to move forward. Councilmember Rasmussen inquired about the irrigation pipe on the north side of 6600 South. Councilmember Clawson stated that he had spoken with Mike Taylor and the plan was to move the diversion pipe to the South side of 6600. Discussion continued concerning the use of a 12 inch pipe, however Councilmember Clawson expressed concerns that an 18-24 inch pipe may be needed. Mr. Hales stated that at this time they are not sure of the usage and amount of flow. Councilmember Clawson stated that the engineering needs to be done to accommodate flow as needed. Mr. Hales stated that Boring of the diversion line has been budgeted for, however the issue is the amount of the flow of water. Mr. Taylor stated that the plan is to have a cross pipe installed across 6600 to the south of the intersection and there is to be an easement granted to the property owner. Councilmember Rasmussen inquired whether there would be an open ditch or piped. Preference would be to pipe the ditch on lot 1 for safety and liability.

Councilmember Rasmussen commented on the easements that are not shown on the plats, however Mr. Taylor stated that they are shown on the construction documents but not on the plats and should be included. Mr. Taylor stated that Engineering has not been done on the diversion pipe at this time and this needs to be done and the property owner needs to be included whether to do flood irrigation or pressurized irrigation. Councilmember Rasmussen stated that irrigation needs to be coordinated with the shareholder and the irrigation company and all has to be approved by the board. Councilmember Clawson stated to go ahead with the piping of the diversion and piping of the entire ditch.

Ron Salvesen stated that they are still working the figures for the distribution of power and should have those numbers in the near future.

Councilmember Clawson stated that push out of water is preferred by May 1, however must be in the ditch by May 15 as this impacts the entire city. Mr. Hales stated that work is contingent on receiving right of way permits from UDOT and requested the city's assistance in receiving those permits from UDOT. Mr. Hales stated that they anticipate having the work completed within a week of receiving permits from UDOT.

ACTION **Councilmember Rasmussen made a motion to approve the Final Plat for Canyon Estates Phase 1 located at approximately 700 East 6600 South consisting of 14 residential single family building lots with the following conditions: 1.UDOT approval of acceleration lanes, 2. Access management of acceptable piping of irrigation and diversion structures. 3. Easements included on the plat for turnarounds. Easements as needed on lot 1 included on the plat. 4. Storm water design. Councilmember Steve Adams seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.**

ROY SAVAGE, HIDDEN VALLEY SUBDIVISION - TO REQUEST FINAL PLAT APPROVAL FOR PHASE `1 OF HIDDEN VALLEY SUBDIVISION LOCATED AT APPROXIMATELY 30 NORTH 650 WEST CONSISTING OF 11 RESIDENTIAL SINGLE FAMILY BUILDING LOTS.

Roy Savage appeared to discuss Hidden Valley Subdivision. He stated he had been to City Council a year ago and needed to follow up on items from that meeting. He has met with the irrigation company concerning fencing and an easement. he stated he has met with the Wellsville East Field Irrigation Company and after several revisions he has found the irrigation company difficult to deal with as far as compromising. He appreciates the work the city has done and is looking for final approval in order to acquire financing. the fencing is the issue at present with the irrigation company. Mr. Savage requested the city waive the fencing requirement at this time as per city code. Fencing as agreed with the irrigation company would be 10 feet from the bank of the canal.

City Administrator Ron Salvesen stated that the fencing is the issue and the city has been working with the irrigation company concerning plants and what needs to be done along the canal.

City Attorney Jon Jenkins stated he has received an email from the irrigation company requesting an additional fee in order to cover costs of utilities that may be installed, and will allow the culvert to be installed at the present time.

Roy Savage stated at the board meeting of April 3, 2019 a design had been approved which would allow the culvert to be installed and tearing down of the bridge. The fence and utilities are the issue. There was discussion concerning ownership of the property which was established to be property owned by Hyrum City not the irrigation company.

City Attorney Jon Jenkins stated that the city may take the property not owned by the city by imminent domain, but are trying to resolve the issue.

Roy Savage stated that there is verbiage wanted on the plat that will notify the homeowners along the canal of proper usage. Hyrum city owns property west of the canal and has intention of building a retention pond which would deal with storm water issues. Utility work will need to be done in the future, but at present he could proceed without the utility installation. The fence as per ordinance would need to be a six foot non combustible fencing, chain link. When he originally came before the Planning Commission the fencing was not required, however the council required the fencing.

Councilmember Rasmussen stated that the fencing needs to be installed for safety and liability purposes.

Councilmember Clawson suggested that the canal be piped.

Roy Savage stated that would be cost prohibitive.

Mayor Miller stated that the motion needs to include installation of a lift station.

Roy Savage stated he is looking into different designs and working with Kevin Maughan.

ACTION **Councilmember Rasmussen made a motion to approve the Final Plat for Hidden Valley Subdivision Phase 1 located at approximately 30 North 650 West consisting of 11 residential single family building lots with the following conditions: 1. City staff review and approval of waste water lift station; 2. Notation addressing adjacent owner responsibility; 3. Location of fence adjusted on the plat and set back reflected on the plat for fencing on the property line; and 4. Easement for temporary turnaround. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.**

INTRODUCTION AND APPROVAL OF RESOLUTIONS:

RESOLUTION 19-04 - A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERLOCAL AGREEMENT FOR JUSTICE COURT SERVICES FOR NIBLEY CITY.

ACTION **Councilmember James made a motion to approve Resolution 19-04 authorizing the execution and delivery of an interlocal agreement for Justice Court services for Nibley City. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.**

RESOLUTION 19-05 - A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERLOCAL AGREEMENT FOR JUSTICE COURT SERVICES FOR MENDON TOWN.

ACTION **Councilmember James made a motion to approve Resolution 19-05 authorizing the execution and delivery of an interlocal agreement for Justice Court services for Nibley City. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.**

RESOLUTION 19-06 - A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURE MANUAL FOR HYRUM CITY CORPORATION TO DESIGNATE WHICH POSITIONS WITHIN THE CITY ARE ELIGIBLE TO EXEMPT FROM THE UTAH RETIREMENT SYSTEMS.

ACTION **Councilmember Rasmussen made a motion to approve**

Resolution 19-06 amending the Personnel Policies and Procedures Manual for Hyrum City Corporation to designate which positions within the City are eligible to exempt from the Utah Retirement Systems. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

<u>RESOLUTION 19-08 – A RESOLUTION SETTING AN ELECTION DECLARATION OF CANDIDACY FILING FEE OF $25.00.</u>

ACTION **Councilmember Clawson made a motion to approve Resolution 19-08 setting an Election Declaration of Candidacy Filing Fee of $25.00. Councilmember James seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.**

OTHER BUSINESS:

<u>CONSIDERATION AND AWARD OF BID FOR BLACKSMITH FORK CANYON TRAIL.</u>

ACTION **Councilmember James made a motion to award the Blacksmith Fork Canyon Trail to Staker Parson in the amount of 555,509.11. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.**

<u>CONSIDERATION AND APPROVAL OF DAINES AND JENKINS FOR CITY PROSECUTION SERVICES.</u>

ACTION **Councilmember Rasmussen made a motion to approve Daines and Jenkins for Hyrum City's Prosecution Services. Councilmember James seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.**

<u>MAYOR AND CITY COUNCIL REPORTS.</u>

Councilmember Adams stated that the trail at Salt Hollow Park is in poor condition. Mr. Salvesen stated that the budget has included laying of asphalt.

Councilmember Rasmussen stated he attended a workshop with Jamie Huss and have put in a proposal for a Smithsonian exhibit on waterways as a joint sponsorship with the DUP museum in Logan/Hyrum and Bear River Museum with a date of April-June 2021.

Councilmember James beginning preparation for 4th of July.

Councilmember Bingham stated that the youth council has been busy with projects, water packet on Monday, Easter egg hunt, Teen Easter egg hunt at 9:00 p.m. with flashlights, fun runs for Canyon and Lincoln Elementary, and preparing for the 4th of July.

Councilmember Clawson stated candy has been ordered and as soon as it arrives he will get together with Kathy. He ordered 1000 prefilled eggs with toys. He has checked into the diversion pond pipe that will bypass Kartchners and it looks like it is going to work out well. The measuring device has been removed and will talk to Cory about the measuring device under the bridge. As soon as it stops raining he will start pressuring for canal prep so the canal will be ready for water.

Mayor Miller stated that there have been issues with the road outside city limits and Ron has received phone calls about road and snow removal and were told that the city is no longer providing that service. The city agreed to grade the road once a year, however home owners are complaining about work being done. Paul stated that home owners could annex in and pay taxes to the city and would receive services.

Ron Salvesen stated that Tom Broadbent has acquired a cannon and would like to set it off as part of the 4th of July flag raising celebration. Water from the sewer is being diverted to the irrigation ponds and water is available on the west end of town. He also mentioned the cougar that was captured on Glenwood.

ADJOURNMENT:

ACTION **There being no further business before the City Council, the Council Meeting adjourned at 7:56 p.m.**

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Stephanie Miller
Mayor

ATTEST:

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Stephanie Fricke
City Recorder

Approved: _____