

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JULY 20, 2017, 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 L. Clawson, Paul C. James, and Craig 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 four citizens. City Recorder Stephanie Fricke recorded the minutes.

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

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

INVOCATION: Councilmember Bingham

APPROVAL OF MINUTES:

The minutes of a regular meeting of June 15, 2017 were approved as written.

ACTION

Councilmember Rasmussen made a motion to approve the minutes of a regular meeting on June 15, 2017 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 FAXED and 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 July 20, 2017 as written. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

AGENDA

8. PUBLIC COMMENT
9. SCHEDULED DELEGATIONS:
 - A. Matt Nielsen, Sierra Homes - To request final plat approval for South Cache Subdivision Phase 4 located at 100 South 500 West consisting of 18 single family building lots.
 - B. Jason Watterson, Utah Local Governments Trust - To present Hyrum City with its Trust Accountability Program Award.
10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:
 - A. Resolution 17-10 - A resolution accepting the Municipal Wastewater Planning Program and Reviewing the Self Assessment Report for 2016.
 - B. Resolution 17-11 - A resolution declaring certain Hyrum City Equipment as surplus and ordering the sale or disposal thereof.
 - C. Resolution 17-12 - A resolution setting Feed-In Tariff Fee Schedule.
 - D. Ordinance 17-11 - An ordinance amending Section 13.16.600 Feed-In Tariff of Title 16 of the Hyrum City Municipal Code to amend the requirements and conditions that allow an electric utility customer to install, maintain, and generate solar power and for Hyrum City to purchase the solar power.
 - E. Ordinance 17-12 - An ordinance amending the Municipal Zoning Map and Annexing Certain Real Property and Extending the Corporate Limits of Hyrum City, Utah (*KILGORE, JACK B. PARSON, CRAIG THORNLEY, AND HYRUM CITY ANNEXATION*)
11. OTHER BUSINESS:
 - A. Approval of Solar Power Generation Purchase Agreement Form.
 - B. Appointment to the Planning Commission.
 - C. Consideration and approval of an offer to purchase Hyrum City's Parcel 01-042-0032.
 - D. 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.

Michael Smith asked the City Council if it had a chance to look at the trees by Blacksmith Fork Villas on Main Street as he asked the City Council to do in June. He also wanted to know if the City is going to paint all the power poles black like the ones on around the City Office building.

City Administrator Ron Salvesen said he has asked Hulls Tree Service to look and trim the trees by Blacksmith Fork Villas and that is on their project list the next time it is in Hyrum. The City is in the process of obtaining a bid to paint all of the power poles on Main Street black.

There being no further public comment, Mayor Miller moved to the next agenda item.

SCHEDULED DELEGATIONS:

MATT NIELSEN, SIERRA HOMES - TO REQUEST FINAL PLAT APPROVAL FOR SOUTH CACHE SUBDIVISION PHASE 4 LOCATED AT 100 SOUTH 500 WEST CONSISTING OF 18 SINGLE FAMILY BUILDING LOTS.

City Administrator Ron Salvesen said the City Engineer and City Staff have reviewed the Final Plat for South Cache Subdivision Phase 4 and are recommending approval with the following conditions: 1. The Final Plat needs to include a statement that houses with basements need to have engineering approval for ground water verification; 2. The final storm water plan be approved by the City Engineer before construction begins that includes an interdevelopment agreement; and 3. Sierra Homes needs to submit payment in full for their financial participation in the piping of the little feeder ditch before the Final Plat is recorded.

Matt Nielsen with Sierra Homes said Sierra Homes is working with Leon and Roy Savage (neighboring property owners) to come up with a storm water plan for Sierra Homes property.

Councilmember Rasmussen said on the Final Plat under Notes item #13 states "The following easements were dedicated to Hyrum City as part of South Cache Phase 1." this note does not make sense and should probably be removed. There should be a minimum level above the highest groundwater expectation set for any basement, such as two feet above the highest groundwater expectation. There should be a minimum level above the groundwater level set so that a house isn't built at groundwater level again in this area.

ACTION

Councilmember Rasmussen made a motion to approve the

Final Plat for South Cache Subdivision Phase 4 located at 100 South 500 West consisting of 18 single family building lots with the following conditions: 1. The Final Plat needs to include a statement that houses with basements need to have engineering approval for ground water verification; 2. The final storm water plan be approved by the City Engineer before construction begins that includes an interdevelopment agreement; 3. Sierra Homes needs to submit payment in full for their financial participation in the piping of the little feeder ditch before the Final Plat is recorded and 4. All basements must be at a minimum level of two feet above the highest groundwater expectation. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed

JASON WATTERSON, UTAH LOCAL GOVERNMENTS TRUST - TO PRESENT HYRUM CITY WITH ITS TRUST ACCOUNTABILITY PROGRAM AWARD.

Jason Watterson with Utah Local Governments Trust said Utah Local Government Trust provides Hyrum City with its employee life insurance policies, workers compensation policy, and its personal and real property liability insurance policies. Automobile accidents are the biggest claims and sewer back-ups are the second largest claims against cities. A few years ago the Trust developed a program to help its insured clients reduce risks and limit liability which is called Trust Accountability Program (TAP). Hyrum City is a participant of the TAP Program and receives reduced rates for it. Hyrum City has an active safety committee that meets monthly, it reviews employees' driver license records to ensure there are no employees with excessive citations, and it conducts annual inspections of the sewer systems including manholes. He then presented Hyrum City with the Utah Local Government Trust's Trust Accountability Program Award for its participation in the program.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

RESOLUTION 17-10 - A RESOLUTION ACCEPTING THE MUNICIPAL WASTEWATER PLANNING PROGRAM AND REVIEWING THE SELF ASSESSMENT REPORT FOR 2016.

Waste Water Superintendent Kevin Maughan said this is an evaluation he does every year and it is required by the State. The City is still in negotiations with Nibley and Providence for a Sewer District but for future projections he can only base it off of the current numbers.

ACTION Councilmember James made a motion to approve Resolution 17-10 accepting the Municipal Wastewater Planning Program and reviewing the self-assessment report for 2017. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

RESOLUTION 17-11 - A RESOLUTION DECLARING CERTAIN HYRUM CITY EQUIPMENT AS SURPLUS AND ORDERING THE SALE OR DISPOSAL THEREOF.

Mayor Miller said this resolution will declare the two vans at the Hyrum Senior Center as surplus. These vans are no longer used since the City received a van from a private group of donors. The donor is requiring the proceeds of the sale of the vans be given to the donors.

ACTION Councilmember James made a motion to approve Resolution 17-11 declaring certain Hyrum City equipment as surplus and ordering the sale or disposal thereof and for the proceeds from the sale of the vans be given to the private donors. Councilmember Bingham seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

RESOLUTION 17-12 - A RESOLUTION SETTING FEED-IN TARIFF FEE SCHEDULE.

ACTION Councilmember James made a motion to approve Resolution 17-12 setting the Feed-In Tariff Fee Schedule. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

ORDINANCE 17-11 - AN ORDINANCE AMENDING SECTION 13.16.600 FEED-IN TARIFF OF TITLE 16 OF THE HYRUM CITY MUNICIPAL CODE TO AMEND THE REQUIREMENTS AND CONDITIONS THAT ALLOW AN ELECTRIC UTILITY CUSTOMER TO INSTALL, MAINTAIN, AND GENERATE SOLAR POWER AND FOR HYRUM CITY TO PURCHASE THE SOLAR POWER.

Councilmember Rasmussen said there is a minor correction under 13.16.600 Feed In Tariff "20 year Power Purchase Agreement..." should be changed to "5 year Power Purchase Agreement...".

ACTION Councilmember Rasmussen made a motion to adopt Ordinance 17-11 amending Section 13.16.600 Feed-In Tariff of Title 16 of

the Hyrum City Municipal Code to amend the requirements and conditions that allow an electric utility customer to install, maintain, and generate solar power and for Hyrum City to purchase the solar power with the following change to Section 13.16.600 change "20 year Power Purchase Agreement" to "5 year Power Purchase Agreement". Councilmember James seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

ORDINANCE 17-12 - AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP AND ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF HYRUM CITY, UTAH (KILGORE, JACK B. PARSON, CRAIG THORNLEY, AND HYRUM CITY ANNEXATION).

Mayor Miller said on May 4, 2017 the Hyrum City Council adopted Ordinance 17-06 annexing this property, however, Jack B. Parson Company wanted further clarification on environmental standards in its annexation agreement. In order to add the language that Jack B. Parson is requesting be added to its annexation agreement the ordinance will need to be readopted.

ACTION Councilmember James made a motion to adopt Ordinance 17-12 amending the Municipal Zoning Map and annexing certain real property and extending the Corporate Limits of Hyrum City, Utah (Kilgore, Jack B. Parson, Craig Thornley, and Hyrum City). Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:

APPROVAL OF SOLAR POWER GENERATION PURCHASE AGREEMENT FORM.

ACTION Councilmember James made a motion to approve the Solar Power Generation Purchase Agreement Form. Councilmember Clawson seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

APPOINTMENT TO THE PLANNING COMMISSION.

Mayor Miller said Blake Foster has been asked to serve on the Hyrum City Planning Commission. Blake will be replacing Steve Adams.

ACTION Councilmember Rasmussen made a motion to appoint Blake Foster to the Hyrum City Planning Commission. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham,

Clawson, James, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPROVAL OF AN OFFER TO PURCHASE HYRUM CITY'S PARCEL 01-042-0032.

Mayor Miller said Hyrum City has received an offer of \$45,000 for its lot #01-042-0032 located on 85 East Main.

ACTION

Councilmember James made a motion to approve the sale of Hyrum City's Parcel #01-042-0032 located at approximately 85 East Main for \$45,000 with the conditions that buyer will have to pay all connection and impact fees, and the house needs to front Main Street. Councilmember Adams seconded the motion and Councilmembers Adams, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Adams said the 4th of July Parade went well. He learned a lot from this year's parade and will be ready to do it again next July 4th. He has been busy working on the National Night Out Against Crime that is on Tuesday, August 1, 2017.

Councilmember Rasmussen said the Armor Combat League wants to do a show on the square during National Night Out Against Crime. They thought there would be more people on the square during National Night Out Against Crime and since it is in the evening the temperature will be cooler than during the day on the 4th of July. The Cache County Community Fair Booth theme this year is Stirrup Some Fun at the Cache County Fair. He has put a post on Facebook asking people for help with putting together the booth. The Historic Flag Display held on the 4th of July at the Elite Hall had over 400 visitors come in to see the flags. The Museum will ask Steve Downs to do it again next year.

Councilmember James said Hyrum Irrigation Company is looking at a big increase in water share assessments in the future. Part of the cost of the repairs to Hyrum Dam have to be paid by the irrigation shareholders.

Councilmember Bingham said there are still a few parades that the Hyrum City Princess' will be in over the next couple of months. The Youth Council has been very busy this summer and will continue to stay busy this fall. The Youth Council Members do a great job.

Councilmember Clawson said next year for the 4th of July he is going to rearrange the booth layout and move the entertainment more to the center near the volleyball courts. The Library Summer Reading Program ends tomorrow and it is hosting a party at the Logan Pool again.

Mayor Miller thanked the City Council for its great job and hard work on the 4th of July Celebration. Ryan Reeves the developer of the senior housing Blacksmith Fork Villas on Main Street is looking at purchasing additional property near McDonalds in Hyrum to build additional senior housing. She has heard several negative comments about Hyrum City not helping or making donations to the Hyrum Saddle Club's Rodeo. She is very discouraged and upset since they have met with the Saddle Club before and discussed Hyrum City's participation and the costs associated to the City, such as, Hyrum City provides insurance, free rental of rodeo grounds, free advertisement on poster, use of City equipment (tractor, rake, etc.) before and during rodeo, rental fees for portable toilets, cost of electricity for the lights for the rodeo, city staff time, fire department to spray down arena, additional dumpsters, free use of the hamburger stand, etc. She is going to meet with the Rodeo Club to discuss this issue and to inform them that Hyrum City will no longer be a sponsor to its Rodeo and it will have to pay a rental fee to use the rodeo grounds and hamburger stand, provide its own insurance, rent dumpsters, contract for ambulance service, pay for portable toilets, use its own equipment to spray and rake rodeo grounds, etc.

ADJOURNMENT:

ACTION

**There being no further business before the City Council,
the Council Meeting adjourned at 8:45 p.m.**

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: August 17, 2017
As Amended