

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MAY 4, 2017, AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Mayor Stephanie Miller

ROLL CALL: Councilmembers Kathy Bingham, Jared L. Clawson, Paul C. James, and Craig Rasmussen.

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 thirteen 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: Pastor Winters

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.

Mayor Miller recommended amending the agenda by adding under 13. Other Business "Preston Colver, Hyrum City's Arborist and Tree City USA Representative - To report on Tree City USA and outside watering management."

ACTION

Councilmember Clawson made a motion to approve the agenda for May 4, 2017 with the above amendment. Councilmember Bingham seconded the motion and Councilmembers Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

AGENDA

9. PUBLIC COMMENT

10. FILLING OF VACANT CITY COUNCIL SEAT:

A. Interview of Candidates:

I. Steve Adams

- II. Wanda Price Lewis
- III. Vicky McCombs
- B. Appointment of City Council Member.
- C. Oath of Office to Council Member.
- 11. PUBLIC HEARING:
 - A. To receive public comment in response to a petition filed by Bob M. and Melynda Ropelato proposing the annexation of one acre more or less of real property, located between approximately 340 North 900 West in Hyrum.
- 12. INTRODUCTION AND ADOPTION OF ORDINANCES:
 - A. Ordinance 17-06 - 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).
 - B. Ordinance 17-07 - An ordinance amending the Municipal Zoning Map and annexing certain real property and extending the Corporate Limits of Hyrum City, Utah (Bob and Melynda Ropelato).
 - C. Ordinance 17-08 - An ordinance amending Section 2.72.070 of Chapter 2.72 the Hyrum Senior Center Board of the Hyrum City Municipal Code to set the term limit for a Board Member to serve two - three year terms.
- 13. OTHER BUSINESS:
 - A. Preston Culver, Hyrum City's Arborist and Tree City USA Representative - To report on Tree City USA and outside watering management.
 - B. Presentation of the 2017-2018 Operating Budgets.
 - C. Mayor and City Council reports.
- 14. 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.

FILLING OF VACANT CITY COUNCIL SEAT:

INTERVIEW OF CANDIDATES: I. STEVE ADAMS, II. WANDA PRICE LEWIS, AND III. VICKY MCCOMBS.

Mayor Miller said City Councilmember Aaron Woolstenhulme has

resigned from the City Council due to his work schedule. Councilmember Woolstenhulme's 2nd and current term began on January 1, 2016. Since there are two years and seven months remaining on his term the vacancy must be filled by an interim appointment. The interim appointment will last until January 2018. The two years remaining will be filled through the election process since the vacancy occurred at least 14 days before the deadline for filing for election.

State Law is very specific and mandates the procedures of appointing someone to fill the vacant seat. A public notice had to be published in the newspaper identifying the date, time and place of the meeting where the vacancy is filled, applicant requirements and the deadline for submitting application. The candidate receiving the majority vote of the City Council will be appointed to fill the vacancy.

In compliance with Utah State Code Hyrum City published the notice for acceptance of application to fill a midterm vacancy on the Hyrum City Council. Hyrum City requested a letter stating why the applicant was interested in the position and a resume from those interested in filling the vacant seat. State Law requires in an open meeting to interview each person whose name was submitted for consideration and meets the qualifications for office.

If the City Council does not fill the vacancy within 30 days, then and only then does State Law require the two persons receiving the highest number of voted from tonight's meeting to appear before the City Council again for another vote.

Hyrum City received three applications for the position: Steve Adams, Wanda Price Lewis, and Vicky McCombs. Mayor Miller asked each candidate to take a moment and share with the City Council who they are and why they want to serve on the City Council.

Steve Adams said he has been a lifelong resident of Hyrum and loves the way Hyrum has grown responsibly over the past ten years and has been able to maintain its quaint rural feel. Hyrum is a great place to live and a safe place to raise his children. He built a home across the street from where he grew up and even though he has had opportunities through his work to move he has chosen not to take those promotions because he would have to move away from Hyrum. If appointed by the City Council he would give this position his complete attention and take the time to understand the issues so he can make the best decisions possible.

Wanda Price Lewis said she is a grateful to be a resident of Hyrum and feels she is qualified to serve the citizens of Hyrum. She has lived in Hyrum for over 13 years and she is dedicated and committed to Hyrum City. She is retired and has the time to spend to do what it takes to be an effective Councilmember. She has served on the Planning Commission in the community she lived in before she moved to Hyrum. She has been an EMT and is certified in Hazmat and OSHA. She has been a State Delegate for Precinct Chairman and Vice Chair. She has served in some civic capacity in every City that she has lived in. She has served on the Hyrum Museum Board and she also regularly attended meetings when Hyrum was amending its General Plan.

Vicky McCombs said she moved to Hyrum 18 years ago because she like the small town feel of Hyrum. For many years she has wanted to serve on the Hyrum City Council because she feels like she has strengths and experiences that would be a great asset to the citizens and the City Council. Hyrum is rapidly changing and there is new growth everywhere. She wants to be part of the process in planning and making Hyrum City a great place to live for future generations. She is enthusiastic, a great listener, and a problem solver. If appointed to the City Council she would give 110% by being dependable, cheerful, and a hard worker.

Mayor Miller thanked each candidate for their interest and contributions to Hyrum City. She then asked the City Council if it had any questions for the applicants.

Councilmember Bingham said she was impressed with each applicant and his/her sincerity and desire to serve Hyrum City. Being a City Council Member is a big job and she appreciates their willingness to come forward and volunteer to serve.

Councilmember Clawson asked each candidate to tell the City Council what they have learned or are learning in their community volunteer work.

Wanda Price Lewis said when she was on the Planning Commission she learned it was important to listen and to ask the old farmers for advice about water issues, rivers, streams, canals, flood zones, etc. before approving development because things look different in dry/wet years. She enjoyed being part of creating new laws and having an influence in the way the City grew. She learned that all people are good people if you take the time to get to know them or understand their problem. Also that people need to serve if they can and have the time, she is in a place in her life where

she has the time and she wants to serve.

Vicky McCombs said she has learned to have patience with people and to try to be a good listener. When listening to people she tries to keep an open mind and not to be judgmental. It is difficult for some people to express themselves and if you want to learn or understand what they are trying to say then you have to give them your full attention and listen and try to see it from their point of view. Working for the City she understands people hold you to a high standard of excellence and it is important to speak the truth and be cautious in the little things you say. The City is a busy place with things constantly going on and as a City Official people will depend and rely upon you for the truth, guidance, and direction.

Steve Adams said he has learned a lot through volunteering and watching his parents volunteer. His parents were heavily involved in the Lions Club and the Lions Club was based on service, volunteer work, and to aid others. His father was in a wheelchair so he was able to see both sides of helping others through service given and service received. He has tried to teach his children the importance of volunteering and sense of community like his parents taught him. His son and he did volunteer work at Salt Hollow Park almost every day while it was being built. He has learned great things can be accomplished when residents take pride in the community they live in. Residents working together to mitigate problems or to build something great make a community stronger.

Councilmember James said Hyrum City is facing hard decision on growth and with growth the question always arises about property rights for the developer and property rights for the current residents. He asked each applicant to express their opinion on property rights.

Steve Adams said if someone owns a piece of property and that person meets all of Hyrum City's zoning requirements then the City needs to follow its ordinances. If the ordinances allows the development then the City needs to abide by its ordinances even if it is a project that is causing contention.

Vicky McCombs said property owners have rights to develop their property to City code. If the developer meets all of the requirements then the City should not tell them no they cannot build it. However, it is important for the Planning Commission and City Council to listen to its citizens and have ordinances that comply with the citizens visions to prevent something from

being approved that maybe wasn't what was wanted by the citizens or in the best interest of Hyrum.

Wanda Price Lewis said she believes in private property rights. She attended many meetings when Hyrum City was working on its General Plan. Hyrum City's General Plan should be the vision of its citizens and represent what the citizens want their City to look like. There is a need for housing units that people can afford and there is a need for commercial and manufacturing areas. However, it is important that the City has a strong General Plan and stick to it because that is where roads, sidewalks, zoning, parks, etc. are planned for different types of growth. When there is development there is a need for additional or main roads and it is important to have more than one road in and out of a neighborhoods, commercial, and manufacturing areas. She would love to see the future growth of Hyrum planned and not just happened.

Councilmember Rasmussen said he has a different question for each applicant.

Councilmember Rasmussen said the Federal Government has three levels of government, so in City Government who fills those roles and when would a City Councilmember act in those roles.

Vicky McCombs said the three levels of government are administrative, legislative, and executive. The City Council would take an active role in all of these things, but more so in the legislative part. The City Council is responsible to approve zoning laws and also they need to have knowledge and understanding on how these laws will affect people.

Councilmember Rasmussen asked applicant Wanda Price Lewis what the primary purpose of local government was and how she proposed to meet that as a City Councilmember.

Wanda Price Lewis said the main role she sees for local government is public safety and responsibility to provide public participation and opportunities in the City wherever possible. It is important for every age group to be able to volunteer in the community.

Councilmember Rasmussen asked applicant Steve Adams how the three branches of government are represented in Hyrum.

Steve Adams said the City Council is the Legislative body, the Mayor is the Executive/Administrative that runs the City, and the Judicial would be the City Administrator who is responsible for ensuring Hyrum City's code is current and enforceable.

Councilmember Rasmussen thanked each applicant for his/her response. He said he would have had a hard time answering those questions before he was on the City Council. He said learning the responsibilities of government comes from attending trainings and asked each applicant if they would be willing or able to attend training.

Steve Adams said he has 30 days of vacation a year and would be more than willing to attend conferences and training. It is important that he understands his role as a City Councilmember and knows the laws.

Vicky McCombs said she is willing to give it her all and in order for her to be an effective Councilmember she would be willing to learn as much as she can. She would attend any training that would be beneficial to her job as a City Councilmember.

Wanda Price Lewis said attending training and conferences is just one part of the civic duty of a Councilmember. She would be willing to do whatever is necessary to help her understand the roles and responsibilities of city government.

APPOINTMENT OF CITY COUNCIL MEMBER.

Mayor Miller asked the City Council if it had questions, there being none she called for a motion.

ACTION

Councilmember Clawson made a motion to appoint Steve Adams to the vacated City Council seat. Councilmember James seconded the motion and Councilmembers Bingham, Clawson, and James voted aye, and Councilmember Rasmussen voted nay. The motion passed.

OATH OF OFFICE TO COUNCIL MEMBER.

City Recorder Stephanie Fricke administered the Oath of Office to Appointed Councilmember Steve Adams.

PUBLIC HEARING:

TO RECEIVE PUBLIC COMMENT IN RESPONSE TO A PETITION FILED BY

BOB M. AND MELYNDA ROPELATO PROPOSING THE ANNEXATION OF ONE ACRE MORE OR LESS OF REAL PROPERTY, LOCATED BETWEEN APPROXIMATELY 340 NORTH 900 WEST IN HYRUM.

Mayor Miller said on March 16, 2017 the City Council approved a resolution accepting an annexation petition filed by Bob M. and Melynda Ropelato proposing the annexation of one acre of property at 340 North 900 West. On March 30, 2017 the City Council accepted the certification of the annexation petition. The next step by law is to hold a public hearing and after the public hearing the City Council can adopt an ordinance approving the annexation.

Mayor Miller asked for a motion to open the public hearing.

ACTION

Councilmember Clawson made a motion to open the public hearing at 7:05 p.m. regarding a petition filed by Bob M. and Melynda Ropelato proposing the annexation of one acre more or less of real property located between approximately 340 North 900 West in Hyrum. Councilmember Bingham seconded the motion and Councilmembers Adam, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

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

ACTION

Councilmember James made a motion to open the public hearing at 7:06 p.m. regarding a petition filed by Bob M. and Melynda Ropelato proposing the annexation of one acre more or less of real property located between approximately 340 North 900 West in Hyrum. Councilmember Clawson seconded the motion and Councilmembers Adam, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

INTRODUCTION AND ADOPTION OF ORDINANCES:

ORDINANCE 17-06 - 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 Ordinance 17-06 will annex 182.39 acres on the east side of Hyrum. The Hyrum City Council asked Kilgore's to annex the remainder of its property as a condition to Ordinance 16-04 that annexed 3 acres of Kilgore's property on July 7, 2016.

However, in order for Kilgore to annex the remainder of its property the law required the properties owned by Jack B. Parson, Hyrum City, and Craig Thornley to be annexed also. There are three different annexation agreements included in this ordinance - one for each property owner.

Councilmember James said on the Kilgore Annexation Agreement under Section 8 he would like the word irrigation to be removed in the first sentence, "Kilgore shall not be required to deed ~~irrigation~~ water rights to Hyrum as part of this annexation." and in the last sentence, "...would need to comply with any ~~irrigation~~ water dedication requirements at that time." It shouldn't state irrigation since Kilgore's will need to comply with whatever water requirements Hyrum City requires at the time of development.

ACTION

Councilmember James made a motion to adopt Ordinance 17-06 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) with the following amendment to the Kilgore Annexation Agreement Section 8 first sentence should read, "Kilgore shall not be required to deed water rights to Hyrum as part of this annexation." and the last sentence should read, "...would need to comply with any water dedication requirements at that time.". Councilmember Rasmussen seconded the motion and Councilmembers Adam, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

ORDINANCE 17-07 - AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP AND ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF HYRUM CITY, UTAH (BOB AND MELYNDA ROPELATO).

Mayor Miller said Ordinance 17-07 will annex one acre of property at 340 North 900 West.

ACTION

Councilmember James made a motion to adopt Ordinance 17-07 amending the Municipal Zoning Map and annexing certain real property and extending the Corporate Limits of Hyrum City, Utah (Bob and Melynda Ropelato). Councilmember Clawson seconded the motion.

Councilmember Rasmussen recommended amending Councilmember James' motion to include, "with the condition that the west property line is accurate and that in the future the road right-of-way be dedicated at

the width of the road as needed." Councilmember James and Clawson accepted Councilmember Rasmussen's amendment to the motion. Councilmembers Adam, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

ORDINANCE 17-08 - AN ORDINANCE AMENDING SECTION 2.72.070 OF CHAPTER 2.72 THE HYRUM SENIOR CENTER BOARD OF THE HYRUM CITY MUNICIPAL CODE TO SET THE TERM LIMIT FOR A BOARD MEMBER TO SERVE TWO - THREE YEAR TERMS.

Councilmember James said the Senior Center Board is recommending changing the term limits for a board member to serve two consecutive three year terms rather than just one term.

ACTION

Councilmember James made a motion to adopt Ordinance 17-08 amending Section 2.72.070 of Chapter 2.72 The Hyrum Senior Center Board of the Hyrum City Municipal Code to set the term limit for a board member to serve two - three year terms with the following amendment: add "consecutive" after the word "two" and before the words "three year terms.". Councilmember Bingham seconded the motion and Councilmembers Adam, Bingham, Clawson, James, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:

PRESTON CULVER, HYRUM CITY'S ARBORIST AND TREE CITY USA REPRESENTATIVE - TO REPORT ON TREE CITY USA AND OUTSIDE WATERING MANAGEMENT.

Preston Culver said this is the 13th year Hyrum City has earned this award. In order for Hyrum City to be designated as a Tree City the City has to meet four conditions: 1. Have an active Tree Committee; 2. Adopt a Tree Care Ordinance; 3. Have an annual budget of at least \$2 per Capita for the planting and maintenance of trees; and 4. Observe Arbor Day and pass the Arbor Day Proclamation. Hyrum City values its trees in its community and does an excellent job in maintaining them. Preston also discussed the importance of deep watering trees and to not overwater lawns. It is better for both trees and grass to be watered for longer lengths of time than being watered every day. Watering your lawn everyday causes grass roots to be shallow and will dry out quicker. He asked for the City to emphasize to people to adjust their sprinkler systems every month to the amount of water that is necessary since the temperature and rainfall amounts vary monthly.

Mayor Miller and the Hyrum City Council expressed their appreciation to Preston for his service and dedication to the City and the numerous hours he has put into serving as Hyrum City's Arborist.

PRESENTATION OF THE 2017-2018 OPERATING BUDGETS.

Mayor Miller distributed a copy of the 2017-2018 Operating Budgets proposal. If the City Council has any questions on the budget they can contact City Administrator Ron Salvesen. A Budget Workshop will be held on May 18, 2017 at 5:30 p.m. in the Hyrum City Council Chambers.

MAYOR AND CITY COUNCIL REPORTS.

Mayor Miller asked Councilmember Adams if he would be able to meet with her in the next two weeks to discuss his City Council assignments.

Councilmember Rasmussen said the Smithsonian Exhibit at the Museum ends Saturday, May 13. The last event will be held that Saturday and will be a tour of historic homes in Hyrum. The Museum is planning a quilt show at the Elite Hall in September along with the Harvest Festival. He also asked if an article regarding reserving spaces for the July 4th parade until 5:00 a.m. the day of the parade would be included in the next newsletter.

Councilmember James said the softball and baseball recreation teams will start practicing in May. He is excited about the American Festival Choir and the Children's Choir performing for the Patriotic Program on July 2. There is a band that is interested in performing on the soccer fields the night of the fireworks. He usually has the radio station broadcast patriotic music during the fireworks.

Councilmember Bingham said the Youth Council has been busy it helped with Canyon Elementary's Fun Run and will be opening the candy cabins on Tuesday, Thursday, and Saturday in June. The cabins will be open until the middle of August. She has also had Big O Tire offer to drive the Hyrum City Princess float in the parades this year.

Councilmember Clawson said the Library Summer Reading Program kickoff date is June 12. Due to the wet year the irrigation

companies have not been able to get the canals cleaned. The Cache Water District is working on Interlocal Agreements and is trying to get a budget adopted.

Mayor Miller said she has been getting calls about the dog park and the fence that divides the large and small dog space. A scout has agreed to put fencing down into the ground as his Eagle Scout Project. Also a sign will be installed that provides the animal control's number in case there is a problem. Lincoln Elementary would like to use the old City Office building parking lot as a drop-off and pick-up area for students. There have been several kids that have almost been hit where the students are being currently dropped off. She will work with Lincoln on developing a plan for a drop off and pick up zone.

ADJOURNMENT:

ACTION

**There being no further business before the City Council,
the Council Meeting adjourned at 8:40 p.m.**

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: May 18, 2017
As Written