

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JANUARY 16, 2014 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor Stephanie Miller

ROLL CALL: Councilmembers Jared L. Clawson, Martin L. Felix, and Paul C. James present. Councilmember Scot M. Allgood participated after being sworn in at 6:45 p.m.

EXCUSED: Councilmember Aaron Woolstenhulme

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

OTHERS PRESENT: City Administrator Ron Salvesen and twenty citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Miller welcomed everyone in attendance.

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

INVOCATION: City Administrator Ron Salvesen

APPROVAL OF MINUTES:

The minutes of January 8, 2014 were approved as written.

ACTION Councilmember James made a motion to approve the minutes of January 8, 2014 as written. Councilmember Clawson seconded the motion and all three councilmembers present voted aye.

AGENDA ADOPTION: A copy of the notice and agenda for this meeting was faxed to The Herald Journal, mailed to each member of the governing body, and posted at the Civic Center more than forty-eight hours before meeting time.

ACTION Councilmember Felix made a motion to approve the agenda for January 16, 2014 as written. Councilmember Clawson seconded the motion and all three councilmembers present voted aye.

AGENDA

- 9. FILLING OF VACANT CITY COUNCIL SEAT.

- A. Interview of Candidates:
 - I. Scot Allgood
 - II. Angi Bair
 - III. Vicky McCombs
 - IV. Craig Rasmussen
 - V. Steven Sproul
- B. Appointment of City Council Member.
- C. Oath of Office to Council Member.
- 10. PUBLIC COMMENT
- 11. PUBLIC HEARING:
 - A. To consider potential projects for which funding may be applied under the CDBG Small Cities Program for the Program Year 2014. Suggestions for potential projects will be solicited, both verbally and in writing, from all interested parties. The expected amount of CDBG funds for this program year will be discussed along with the range of projects eligible under this program and a review of previously funded projects.
- 12. SCHEDULED DELEGATIONS:
 - A. Jeff Covert - To request renewal of his Home Occupation Business License for automobile repair at 260 South 700 East.
 - B. Rick Leetham, Logan Rotary Club - To present a donation to Hyrum City's Parks.
- 13. OTHER BUSINESS:
 - A. Comcast Cares Day.
 - B. Budget report.
 - C. Mayor and City Council reports.
- 14. ADJOURNMENT

FILLING OF VACANTY CITY COUNCIL SEAT:

DISCUSSION ON CANDIDATES: SCOT ALLGOOD, ANGI BAIR, VICKY MCCOMBS, CRAIG RASMUSSEN, AND STEVEN SPROUL.

Mayor Miller said she was elected Mayor but still had two years remaining on her City Council Term. 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. Since there are two years remaining on her term the vacancy will be filled by an interim appointment. The interim appointment will last until January 2016.

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.

At the last City Council Meeting the City Council voted to fill the vacated seat on the City Council. However, after further review and advice from the City Attorney and the Utah League of Cities and Towns Attorney it has been determined necessary by law to conduct the interview process and appointment again. State Law requires in an open meeting to interview each person whose name was submitted for consideration and meets the qualifications for office. This was the only section of the law that was not complied with to fill the vacancy.

The interview process will be conducted in alphabetical order with each candidate being asked the same question. Each candidate will receive three minutes to answer the question. The City Council will have the opportunity to ask additional questions if necessary. After the interviews the City Council will make a motion. The first motion appointing one of the candidates that receives three voted that candidate will be appointed.

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 five applications for the position: Scot Allgood, Angi Bair, Vicky McCombs, Craig Rasmussen, and Steven Sproul. Vicky McCombs was unable to attend tonight's meeting but wanted the City Council to know she appreciated their consideration and she supported their decision that was made at the last City Council Meeting.

Mayor Miller asked each candidate the same question, "How would it benefit the citizens of Hyrum by you being on the City Council?"

Scott Allgood said he has lived in Hyrum for over 20 years and has been an active member of the community. He was head of the Lincoln School Community Assessment and then reading program that culminate with Rulon Gardner wrestling the Principal. The results of the Community Assessment showed a need for three things in Hyrum a safe community, greater education, and minority involvement in the City. He spoke with Hyrum City's former Mayor Olson at that time and discussed these things. After his discussion with Mayor Olson the Hyrum Safety Committee was formed and there was more emphasis in involving minority representation on City Committees. Since 2007 he has been serving on the Hyrum City Planning Commission and served as the Chairman. He knows and understands Hyrum City's Zoning Ordinances and development issues facing Hyrum City. He would appreciate the opportunity to

serve on the Hyrum City Council.

Angi Bair said she moved to Hyrum a couple of years ago from Bear Lake. She helped with the booths last year for the 4th of July Celebration. When she lived in Bear Lake she served on various committees in the Bear Lake Valley from the Chamber of Commerce to the Economic Development Committee. Her knowledge on land use development and as a realtor would be an asset to Hyrum City.

Craig Rasmussen said he served the past eight years on the Hyrum City Council. He has enjoyed being a member of the City Council and has extensive experience and knowledge with Hyrum City's ordinances, budget, and city governance. He is a civil engineer and his background has helped the City with development, growth, utility concerns, and overall planning issues. He appreciates the City Council and will support their decision of appointment whole heartedly.

Steven Sproul said he has lived in Hyrum for almost 22 years. He has ran for City Council before and has served on Hyrum City's Board of Adjustment and Hyrum City's Planning Commission where he had the opportunity to serve as Chairman. Serving on the Planning Commission has given him experience in dealing with difficult decisions. He is knowledgeable with City Ordinances. He believes in fiscal responsibility. He would love to serve on the Hyrum City Council.

Mayor Miller thanked all of the candidates for their support and dedication to Hyrum City.

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 Felix made a motion to appoint Scot Allgood to the vacated City Council seat. Councilmember Clawson seconded the motion and all three councilmembers present voted aye.

OATH OF OFFICE TO COUNCIL MEMBER.

Hyrum City Justice of the Peace Paul Larsen administered the Oath of Office to Appointed Councilmember Scot Allgood.

PUBLIC COMMENT:

Mayor Miller said if a citizen has question or would like to make a comment to please keep it under three minutes.

No public comment was given.

PUBLIC HEARING:

TO CONSIDER POTENTIAL PROJECTS FOR WHICH FUNDING MAY BE APPLIED UNDER THE CDBG SMALL CITIES PROGRAM FOR THE PROGRAM YEAR 2014. SUGGESTIONS FOR POTENTIAL PROJECTS WILL BE SOLICITED, BOTH VERBALLY AND IN WRITING, FROM ALL INTERESTED PARTIES. THE EXPECTED AMOUNT OF CDBG FUNDS FOR THIS PROGRAM YEAR WILL BE DISCUSSED ALONG WITH THE RANGE OF PROJECTS ELIGIBLE UNDER THIS PROGRAM AND A REVIEW OF PREVIOUSLY FUNDED PROJECTS.

Mayor Miller said Hyrum City will now open the Public Hearing for the 2014 Community Development Block Grant Small Cities program. The purpose of this hearing is to gain citizen input regarding community needs and potential CDBG projects.

Approximately \$700,000 is expected to be available in the Bear River Region for CDBG projects, \$450,000 of which will be available through competitive grants for projects that meet U.S. Department of Housing and Urban Development national objectives to benefit low and moderate income individuals. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures Manual in the City Office and interested parties can review it at any time. Projects may include local infrastructure projects such as water system improvements, construction of a fire station, or purchase of playground equipment; or projects that improve the availability and quality of housing for low and moderate income individuals and families such as purchasing land for subsidized housing, or rehabilitation of homes and apartments. Hyrum City has not applied for or received these funds in the past, but Nibley City received a grant in 2006 to provide assistance to low-income families to hook up to the city sewer. Hyrum City will list eligible activities in the City Capital Improvement List, which is also available for public review upon request.

We would like to ask that representatives of the public and non-profit organizations that are in attendance specifically for this hearing please sign the attendance roll, including your name, address, and telephone number. If you have questions or comments, we would like to invite you to share them. Please identify yourself by name before you speak.

ACTION

Councilmember James made a motion at 6:45 p.m. to open the public hearing to consider potential projects for which funding may be applied under the CDBG Small Cities Program for the Program Year 2014. Suggestions

for potential projects will be solicited, both verbally and in writing, from all interested parties. The expected amount of CDBG funds for this program year will be discussed along with the range of projects eligible under this program and a review of previously funded projects. Councilmember Allgood seconded the motion and all four councilmembers present voted aye.

Esterlee Molyneux said it was two years ago since the Child and Family Support Center was here asking for Hyrum City's support in its CDBG Grant to open a satellite Child and Family Support Center in Hyrum. The Child and Family Support Center received that grant and was able to open a satellite location in Hyrum with the official ribbon cutting ceremony taking place on October 21, 2013. Since opening the Hyrum location has already provided 420 session hours to parents; 288 session hours to children; and 161 hours in the nursery. The Hyrum Child and Family Support Center wants to expand its services to Hyrum citizens and those residents on the south end of Cache Valley. In order to do that it is seeking a second CDBG Grant in the amount of \$100,000 to purchase and upgrade equipment at the facility and to also expand the building for a crisis nursery.

Leigh Dean said she is grateful to Hyrum City for its ongoing support of the Child and Family Support Center. It is exciting to have a center on the southend of Cache Valley that is there to help and strengthen families. She hopes the City Council will continue to support the center.

Rachel Vance said she works for Child and Family Support Center. This grant will help the center so very much in providing the services needed by the citizens. The equipment and nursery are so needed on the southend of the Valley. She works with a lot of clients that don't have the resources they need to help themselves nor their children. She would appreciate the City Council's support for their grant.

Craig Rasmussen said he doesn't work for the Child and Family Support Center but he would like Hyrum City to apply for a grant to build a berm to make it easier to use the green waste bins. This would allow older people in the community to use the green waste bins because they would not have to lift the waste up and into the bins.

Councilmember James said anything that can people in need, is definitely welcome in Hyrum City.

Mayor Miller asked for further public comment, there being none she called for a motion to close the public hearing.

ACTION Councilmember Felix made a motion to close the public hearing at 6:52 p.m. Councilmember James seconded the motion and all four councilmembers voted aye.

JEFF COVERT - TO REQUEST RENEWAL OF HIS HOME OCCUPATION BUSINESS LICENSE FOR AUTOMOBILE REPAIR AT 260 SOUTH 700 EAST.

Mayor Miller said on January 3, 2013 the City Council approved a one year extension for Jeff Covert's home occupation business license for automobile repairs at 260 South 70 East with the following stipulations: 1. No more than four cars on his property at any one time excluding his personal vehicles; 2. No negative impact on the neighborhood; and 3. Jeff must appear annually before the City Council to request approval of his license before it can be renewed.

Councilmember James said he looked at Jeff's property on Google Maps and there were six cars in front, a wrecker and car in the driveway, and a truck and car on the front lawn for a total of ten vehicles in front of his house. The back of his property had a car, motorhome, boat, and a truck. There were 14 vehicles on his lot. A home occupation business license is not supposed to have any effect on a residential neighborhood. This definitely has a negative impact on the neighborhood and there are more than four vehicles at his house. He is not in compliance with the conditions of his business license. Over the past several years Hyrum City has received complaints from neighbors about the number of cars accumulating at his house.

Jeff Covert said most of those vehicles are his personal vehicles or friends and family. He rarely has had over four customer vehicles at his house at one time.

City Administrator Ron Salvesen said the City has received several complaints from one neighbor on the increasing number of cars at his residence.

Ron said he has received several complaints from one neighbor.

ACTION Councilmember James made a motion to extend Jeff Covert's Home Occupation Business License for six months to give him time to relocate his business. After six month's his Home Occupation Business License is terminated due to him violating the conditions of his license: 1. No more than four cars on his property at any one time excluding his personal vehicles; and 2. No negative impact on the neighborhood.

Jeff Covert said he doesn't have the money to build a shop or lease a space for his business. He could sell the vehicles he owns but he financially can't move his business. He has never heard any of his neighbors complain.

Mayor Miller asked for a second on the motion. There being none the motion failed.

ACTION

Councilmember Felix made a motion to extend Jeff Covert's Home Occupation Business License for one year to give him time to relocate his business. After December 31, 2014 his Home Occupation Business License is terminated and will not be renewed due to him violating the conditions of his license: 1. No more than four cars on his property at any one time excluding his personal vehicles; and 2. No negative impact on the neighborhood. Councilmember James seconded the motion and all four councilmembers voted aye.

RICK LEETHAM, LOGAN ROTARY CLUB - TO PRESENT A DONATION TO HYRUM CITY'S PARKS.

Rick Leetham said the Logan Rotary Club is the second largest Rotary Club in the State of Utah. It was founded in 1917 and has members from Hyrum to Cub River. Several years ago the Logan Rotary Club provided every student in third grade a dictionary that attended Lincoln and Canyon Elementary Schools. Last year the Logan Rotary Club secured a grant from the Sorensen Foundation to send students to Mexico on a humanitarian project. Hyrum resident Gerald Miller heard about the project and volunteered to help with the project. After Gerald went to Mexico and volunteered his services he came home and continued his service. Gerald was able to get a truck load of wheelchairs, and other handicap equipment donated as part of the humanitarian project. While Gerald was down in Mexico he talked about Salt Hollow Project and the volunteer labor that has went into the project. Upon completing the humanitarian project the Logan Rotary Club had \$900 remaining. The Club thought of projects that this money could go towards and everyone agreed they wanted to donate to Hyrum City's Salt Hollow Park in honor of Gerald Miller. Gerald is an amazing man who is dedicated and provides numerous hours of community service and he has done this his entire life. Gerald is an example to everyone.

Mayor Miller thanked Rick and the Logan Rotary Club for it donation. She then expressed her appreciation to Gerald Miller for all of his hard work and commitment in making Hyrum City a

great place to live. Salt Hollow is a wonderful park and Gerald's enthusiasm and dedication is why it has been built by volunteers.

OTHER BUSINESS:

COMCAST CARES DAY.

City Administrator Ron Salvesen said Comcast wants a list of projects ready by February 5. Projects on the list include: Blacksmith Park planting trees; clean-up planter strips along highways; gravel around restrooms at East Park, edging of baseball diamonds, Salt Hollow Park, cleaning Canyon Campground, cleaning headstones and cutting grass around headstones at Cemetery, and clean and fence Left Hand Fork property.

BUDGET REPORT.

City Administrator Ron Salvesen reviewed the 2013-2014 General Fund and Utility Funds expenditures and revenues in detail. Most of the departments are on target for the year and should remain under budget for the remainder of the Fiscal Year.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Felix said the Hyrum Library Book and Bake Sale is February 7 and 8. The Museum will be holding for the second year Hot Wheels and Hot Dogs at the end of May.

Mayor Miller said the Play Unplugged Program is going valley wide. She is meeting with several cities next week and the Chamber of Commerce. She has asked Councilmember Felix to take over the program as one of his City Council assignments. She will be meeting with each City Councilmember over the next two weeks to discuss City Council assignments. City Council pictures will be on February 6 at 6:15 p.m.

ADJOURNMENT:

ACTION

There being no further business before the City Council, the Council Meeting adjourned at 7:45 p.m.

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: February 6, 2014
As written