

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD NOVEMBER 15, 2012
AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor W. Dean Howard

ROLL CALL: Councilmembers Paul C. James, Stephanie Miller, Craig Rasmussen, and Aaron Woolstenhulme present.

EXCUSED: Councilmember Martin L. Felix

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

OTHERS PRESENT: City Administrator D. Brent Jensen, Zoning Administrator Ron Salvesen and seven citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Howard welcomed everyone in attendance.

PLEDGE OF ALLEGIANCE: City Administrator D. Brent Jensen

INVOCATION: Councilmember James

APPROVAL OF MINUTES:

The minutes of November 1, 2012 were approved as written.

ACTION Councilmember James made a motion to approve the minutes of November 1, 2012 as written. Councilmember Woolstenhulme seconded the motion and all four 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 Rasmussen made a motion to approve the agenda for November 15, 2012 as written. Councilmember Miller seconded the motion and all four councilmembers present voted aye.

AGENDA

8. SCHEDULED DELEGATIONS:

A. Andy Beutler, Hyrum City Tree Committee Chairman - To

- report on Tree City USA and to request approval of an Arbor Day Proclamation.
- B. Steven Parkinson, Valley Event Center - To request site plan approval at 290 West Main Street for an event center.
 - C. Eric Hunter, Chapman and Cutler - To explain Resolution 12-12 authorizing the issuance of up to \$625,000 of water revenue bonds; and related matters.
9. INTRODUCTION AND ADOPTION OF A RESOLUTION:
- A. Resolution 12-12 - A supplemental resolution authorizing the issuance of up to \$625,000 of water revenue refunding bonds; and related matters.
10. OTHER BUSINESS:
- A. Approval of Certificate of Determination containing final terms of \$1,517,000 of Sales Tax Revenue Refunding Bonds, Series 2012.
 - B. Comcast Care days.
 - C. Closed Session - To discuss the purchase of real property.
 - D. Purchase of real property.
 - E. Mayor and Council reports.
11. Adjournment

SCHEDULED DELEGATIONS:

ANDY BEUTLER, HYRUM CITY TREE COMMITTEE CHAIRMAN - TO REPORT ON TREE CITY USA AND TO REQUEST APPROVAL OF AN ARBOR DAY PROCLAMATION.

Andy Beutler said this is the eighth 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.

Mayor Howard read and signed the Proclamation Declaring the Celebration of Arbor Day.

ACTION **Councilmember Rasmussen made a motion to approve the Proclamation Declaring the Celebration of Arbor Day. Councilmember James seconded the motion and all four councilmembers present voted aye.**

STEVEN PARKINSON, VALLEY EVENT CENTER - TO REQUEST SITE PLAN APPROVAL AT 290 WEST MAIN STREET FOR AN EVENT CENTER.

Casey Parkinson said his father is Steven Parkinson and he was unable to attend tonight's meeting. They purchased the building at 290 West Main Street for an event center that people can reserve for parties, conferences, dances, etc. The upstairs will be remodeled into an apartment so Casey can live there and manage the facility. In the last couple of weeks the parking lot has been resealed, the interior of the building was painted, and some electrical work was completed. They have hauled in over 50 loads of pit run to help maintain the wet lands around the building. The weeds on the property have been removed and the trees have been trimmed. A fence will be installed around the property to serve as a buffer between the residential houses and the event center. The site plan includes an addition of a 140' or smaller storage building near the existing building.

ACTION

Councilmember Rasmussen made a motion to approve Steven Parkinson's site plan for an event center and an upstairs apartment at 290 West Main Street, with the following conditions: 1) All recommendations from the Fire Official and Building Inspector be met; 2) All City Ordinances such as noise, parking, etc. be followed; and 3) A landscaping plan for the property be submitted and must be approved by City Staff. Councilmember Miller seconded the motion all four councilmembers present voted aye.

ERIC HUNTER, CHAPMAN AND CUTLER - TO EXPLAIN RESOLUTION 12-12 AUTHORIZING THE ISSUANCE OF UP TO \$625,000 OF WATER REVENUE BONDS; AND RELATED MATTERS.

Eric Hunter with Chapman and Cutler said he is the Bond Counsel for the issuance of the bonds. After approving the refinancing of the Library and Museum Building last month, Hyrum City representatives have met with Zions Bank to discuss refinancing the Water Reuse Recycling Project. Hyrum City would issue \$625,000 principal amount of sales tax revenue refunding bonds for the purpose of refunding all or portion of the City's currently outstanding Water Revenue Bonds from 2011. Reissuing the bonds will lower the interest rate by approximately one percent. In order to start the bonding process Resolution 12-12 has to be approved. State Law has changed and there is no longer the requirement for the City Council to approve a Master Resolution if it approves the Supplemental Resolution that sets forth the parameters and those parameters are met.

INTRODUCTION AND ADOPTION OF A RESOLUTION:

RESOLUTION 12-12 - A RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$625,000 OF WATER REVENUE BONDS; AND RELATED MATTERS.

ACTION Councilmember James made a motion to approve Resolution 12-12 authorizing the issuance of up to \$625,000 of Water Revenue Bonds; and related matters. Councilmember Woolstenhulme seconded the motion and all four councilmembers present voted aye.

OTHER BUSINESS:

APPROVAL OF CERTIFICATE OF DETERMINATION CONTAINING FINAL TERMS OF \$1,517,000 OF SALES TAX REVENUE REFUNDING BONDS, SERIES 2012.

Eric Hunter with Chapman and Cutler said when the City Council approved the refinancing of the Library and Museum Building last month, it did so based on the condition that the final terms of the Sales Tax Revenue Refunding Bond be approved by the City Council. The bonds for the Library and Museum Building will mature on June 15, 2026 and shall bear interest payable semiannually at the interest rate of 2.49% per annum. The Bonds shall be sold to Capital One Public Funding, LLC at an aggregate price of \$1,517,000. By approving the final terms of the bond there will be a total savings of \$112,000 or \$9,300 a year.

ACTION Councilmember Miller made a motion to approve the Certificate of Determination Containing Final Terms of \$1,517,000 of Sales Tax Revenue Refunding Bonds, Series 2012. Councilmember James seconded the motion and all four councilmembers present voted aye.

COMCAST CARES DAY.

The City Council discussed the various projects that could be done as part of Comcast Cares Day. Hyrum City's Engineer will design the northwest corner of the Blacksmith Park so that water lines and sprinkler systems could be installed. Councilmember Woolstenhulme would like the Blacksmith Park to be his project that he oversees.

Councilmember Rasmussen said he is interested in making improvements to the City's Left Hand property.

CLOSED SESSION - TO DISCUSS THE PURCHASE OF REAL PROPERTY.

Mayor Howard recommended not going into a closed session to discuss the purchase of real property.

PURCHASE OF REAL PROPERTY.

Mayor Howard said the City has the opportunity to purchase 58 acre-feet of water out of the Little Bear River for a fairly low price. Greg Hansen says it's possible to change the point of diversion to our canal and City Engineer Craig Neeley said the right is an 1866 priority and it looks good to him. If the City makes an offer, it should be subject to state approval of the change application.

ACTION **Councilmember James made a motion to approve the purchase of 58 acre-feet of water out of the Little Bear River. Councilmember Woolstenhulme seconded the motion and all four councilmembers present voted aye.**

Mayor Howard said Jeff Richards of Cache Valley Ranch Associates wants the City to purchase the remainder of its water rights. It still holds 241 acre-feet that is already approved by the state engineer for use through Hyrum's culinary wells. Hyrum City initially paid \$2,000 per acre-foot for this water, but he invited us make an offer. He'll take any reasonable amount. If the water isn't used the City could be at risk of future forfeiture through non-use.

The City Council decided to not make an offer to purchase the water from Cache Valley Ranch Associates as offered by Jeff Richards.

MAYOR AND CITY COUNCIL REPORTS

Councilmember Miller said Hyrum's Holidays at Hardware Ranch is December 8, 2012 from 11:00 to 2:00 p.m. She has arranged for sleigh rides, treats, photographs, and Santa Claus. The Elk Festival at Hardware Ranch is Saturday December 15. She received 34 applications from boys and girls wanting to serve on the Youth Council.

ADJOURNMENT:

ACTION **There being no further business before the City Council, the Council Meeting adjourned at 7:10 p.m.**

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: December 6, 2012
As written