

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JANUARY 7, 2010 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor W. Dean Howard

ROLL CALL: Councilmembers Martin L. Felix Paul C. James, Stephanie Miller, and Craig L. Rasmussen.

EXCUSED: Councilmember Thomas C. LaBau

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 approximately 50 citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Howard welcomed everyone in attendance.

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

INVOCATION: City Administrator D. Brent Jensen

ADMINISTER OATH OF OFFICES:

Hyrum City Justice of the Peace Jack Stevens administered the Oath of Office to: Appointed Youth Councilmembers Zachary Baird, Taylor Baxter, Riley Eldridge, Ethan Fridal, Kelcee Kendrick, Marci Nielson, Kiera Peck, and Kelsie Steinmetz; Reelected Hyrum City Mayor W. Dean Howard; Reelected Councilmember Paul C. James; and Reelected Councilmember Craig L. Rasmussen.

APPROVAL OF MINUTES:

The minutes of December 3, 2009 were amended as follows: Page 3, paragraph 4, after "The City does" delete "not".

ACTION Councilmember Felix made a motion to approve the minutes of December 3, 2009 with the above amendment. Councilmember James 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, posted on the State of Utah Public Notice website, mailed to each member of the

governing body, and posted at the Civic Center more than forty-eight hours before meeting time.

Mayor Howard recommended amending the agenda by deleting items 11 B. Resolution 10-03 - A resolution authoring and approving the exchange of municipal irrigation water shares, and 11 C. Resolution 10-04 - A resolution authorizing the execution and delivery of an interlocal agreement for Justice Court services with Hyrum City.

ACTION Councilmember Miller made a motion to approve the agenda as amended. Councilmember Rasmussen seconded the motion and all four councilmembers present voted aye.

AGENDA

9. SPECIAL PRESENTATION:
 - A. Resolution 10-01 - A resolution honoring City Employee Vera Lynn Coulam upon retirement.
10. SCHEDULED DELEGATIONS:
 - A. Jeff Covert - To request renewal of his Home Occupation Business License for automobile repair at 260 South 700 East.
 - B. Todd Pignatero, Hidden Valley Planned Unit Development - To request a one-year extension for the recording of the final plat for Hidden Valley Planned Unit Development.
 - C. Reed Elder, Silver Willow Retirement Community - To request approval of the final plat for Silver Willow Planned Unit Development consisting of 22 retirement units and three single family dwellings at approximately 675 West and 90 North.
 - D. Associated Pipeline Contractors, Inc. - To request site plan approval for a temporary construction yard and employee parking at approximately 650 South Highway 165.
11. INTRODUCTION AND ADOPTION OF RESOLUTIONS:
 - A. Resolution 10-02 - A resolution authorizing a Councilmember to automatically succeed to the position of Mayor Pro Tempore.
 - B. ~~Resolution 10-03 - A resolution authorizing and approving the exchange of municipal irrigation water shares.~~
 - C. ~~Resolution 10-04 - A resolution authorizing the execution and delivery of an interlocal agreement for Justice Court Services with Hyrum City.~~
12. OTHER BUSINESS:

- A. Appointment of City Recorder and City Treasurer.
 - B. Consideration and approval of an easement granting Nibley City access for installation of a new waterline.
 - C. Stormwater update.
 - D. Mayor and City Council reports.
13. ADJOURNMENT

SPECIAL PRESENTATION:

RESOLUTION 10-01 - A RESOLUTION HONORING CITY EMPLOYEE VERA LYNN COULAM UPON RETIREMENT.

Mayor Howard presented City Treasurer Vera Lynn Coulam with a plaque and read Resolution 10-01 honoring her upon retirement from Hyrum City after 32 years of service.

ACTION Councilmember Felix made a motion to approve Resolution 10-01 honoring City Employee Vera Lynn Coulam upon retirement. Councilmember Miller seconded the motion and all four councilmembers present voted aye.

SCHEDULED DELEGATIONS:

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

Zoning Administrator Ron Salvesen said on September 3, 2009 the City Council approved a one year extension for Jeff Covert's home occupation business license for automobile repairs at 260 South 700 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.

Mayor Howard said City staff has checked this property regularly and Jeff has been meeting the conditions of his license.

ACTION Councilmember Miller made a motion to renew Jeff Covert's Home Occupation Business License for automobile repair at 260 South 700 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 Felix seconded the motion and all four councilmembers present voted aye.

TODD PIGNATERO, HIDDEN VALLEY PLANNED UNIT DEVELOPMENT - TO REQUEST A ONE-YEAR EXTENSION FOR THE RECORDING OF THE FINAL PLAT FOR HIDDEN VALLEY PLANNED UNIT DEVELOPMENT.

Todd Pignatero said due to current economic conditions it is unfeasible for him to start construction on Hidden Valley Planned Unit Development. He asked the City Council to give him a one year extension on the final plat approval for Hidden Valley. He indicated that he is hoping to start construction this fall.

ACTION Councilmember James made a motion to approve a one year extension for the recording of the final plat for Hidden Valley Planned Unit Development. Councilmember LaBau seconded the motion.

Councilmember Rasmussen said Hyrum City's engineer has reviewed the plat and it does not conflict with any developments that have come forth.

Mayor Howard called for a vote on the motion and all five councilmembers voted aye.

REED ELDER, SILVER WILLOW RETIREMENT COMMUNITY - TO REQUEST APPROVAL OF THE FINAL PLAT FOR SILVER WILLOW PLANNED UNIT DEVELOPMENT CONSISTING OF 22 RETIREMENT UNITS AND THREE SINGLE FAMILY DWELLINGS AT APPROXIMATELY 675 WEST AND 90 NORTH.

Reed Elder said Silver Willow Retirement Community is divided into two phases. Phase 1A includes the three single family dwellings and Phase 1B includes the 22 retirement units.

ACTION Councilmember James made a motion to approve the final plat for Silver Willow Planned Unit Development consisting of 22 retirement units and three single family dwellings at approximately 675 West and 90 North. Councilmember Rasmussen seconded the motion.

Councilmember Rasmussen asked if a landscaping plan was submitted.

Zoning Administrator Ron Salvesen said the landscaping plan was approved with the preliminary plat.

Mayor Howard called for a vote on the motion and all four councilmembers present voted aye.

ASSOCIATED PIPELINE CONTRACTORS, INC. - TO REQUEST SITE PLAN

**APPROVAL FOR A TEMPORARY CONSTRUCTION YARD AND EMPLOYEE PARKING
AT APPROXIMATELY 650 SOUTH HIGHWAY 165.**

Zoning Administrator Ron Salvesen said on December 10, 2009 the Planning Commission approved (by a two-to-three vote) the site plan for a temporary construction yard and employee parking at approximately 650 South Highway 165 with the following conditions: 1) there is an understanding that the project is temporary and is to begin April 1, 2010 and be restored to original conditions by June 1, 2011; 2) covered dumpsters onsite for parking lot and trailers; 3) a list of all federal procedures and permits be provided; 4) must have UDOT approval for accesses; 5) a six foot privacy fence is required all around the site; 6) limited lighting that does not affect the surrounding property; 7) dust be kept under control along with all other storm water requirements maintained; 8) site be returned to original status; 9) a contact from Associated Pipe Line be provided to the City to field any complaints; and 10) investigate any other options in industrial sites.

ACTION Councilmember James made a motion to deny Associated Pipeline Contractors request for site plan approval for a temporary construction yard and employee parking at approximately 650 South Highway 165. Councilmember Rasmussen seconded the motion.

Councilmember Miller asked why the site plan was being denied.

Councilmember Rasmussen said a couple of people who live near the proposed site attended the Planning Commission meeting on December 10 and expressed concerns about the negative impacts this staging area would have on the neighborhood. He does not believe this would be a major impact on the residents in the area because it is only temporary. He seconded the motion based on City code not allowing gasoline storage of over 500 gallons in a residential neighborhood and that Associated Pipeline Contractors has found another site in an industrial zone as requested by the Planning Commission.

Mayor Howard called for a vote on the motion and all four councilmembers present voted aye.

INTRODUCTION AND ADOPTION OF A RESOLUTION:

**RESOLUTION 10-02 - A RESOLUTION AUTHORIZING A COUNCILMEMBER TO
AUTOMATICALLY SUCCEED TO THE POSITION OF MAYOR PRO TEMPORE.**

ACTION Councilmember Rasmussen made a motion to approve

Resolution 10-02 authorizing Councilmember James to automatically succeed to the position of Mayor Pro Tempore. Councilmember Felix seconded the motion and all four councilmembers present voted aye.

OTHER BUSINESS:

APPOINTMENT OF CITY RECORDER AND CITY TREASURER.

Mayor Howard recommended reappointing Stephanie Fricke as City Recorder, and appointing Todd Perkins as City Treasurer.

ACTION Councilmember Rasmussen made a motion to appoint Stephanie Fricke as City Recorder, and Todd Perkins as City Treasurer. Councilmember Felix seconded the motion and all four councilmembers present voted aye.

CONSIDERATION AND APPROVAL OF AN EASEMENT GRANTING NIBLEY CITY ACCESS FOR INSTALLATION OF A NEW WATERLINE.

ACTION Councilmember James made a motion to approve a 20' construction temporary easement and a 10' permanent easement to Nibley City for an 18" water line. Councilmember Felix seconded the motion.

Councilmember Rasmussen recommended eliminating the five foot gap between the 10' permanent easement and State Highway 165 by making the permanent easement 15'.

Councilmember James amended his motion to authorize City Administrator D. Brent Jensen to work with Nibley City to determine whether the permanent easement should be 10' or 15'. Councilmember Felix accepted Councilmember James' amendment to the motion and all four councilmembers voted aye.

STORMWATER UPDATE.

City Administrator D. Brent Jensen said after reviewing the Utah Department of Environmental Quality Stormwater Audit on Hyrum City and reading the new stormwater permit requirements, the City is going to have to hire either a consultant or full time employee to help correct the deficiencies in our stormwater program and to prepare our new stormwater permit. There is probably more work than a full time employee can handle and so it may be best for the City to hire a consultant until the City's program is up and running. JUB Engineering has experience with stormwater and wrote Hyrum City's first Stormwater Management

Program in April 2003. He met with JUB Engineering and requested an estimated cost for JUB to bring our program into compliance and then a quarterly review of our performance, records, etc. and help with our annual report. His main concern about using JUB is having one engineering company for stormwater and another for civil engineering.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember James said soccer sign-ups begin this month and baseball sign-ups will start the first part of March.

Councilmember Rasmussen said the Hyrum Irrigation Board will hold a meeting on January 20 to discuss Jared Clawson's request to put all of the O'Berry irrigation users onto Hyrum City's pressurized irrigation system. It will also be holding its regular board meeting on January 27.

Councilmember Miller said over 680 residents attended Hyrum's Holiday at Hardware Ranch. It started at 11:00 a.m. and didn't end until 3:00 p.m. Hyrum City Tree Committee Chairman Andy Beutler wants to celebrate Arbor Day in conjunction with the 4th of July activities. This year's tree will be Hyrum City's Sesquicentennial Tree. Hyrum City's pageant is scheduled for March 5, she is still in need of a director for the pageant. The Youth Council is attending Local Officials Day at the Legislature on January 27.

ADJOURNMENT:

**ACTION There being no further business before the City
 Council, the Council Meeting adjourned at 7:20 p.m.**

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: January 21, 2010

As Written