

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD OCTOBER 20, 2022 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, Jared Clawson, Paul James, Vicky McCombs, and Craig L. Rasmussen

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

**OTHERS PRESENT:** City Administrator Ron Salvesen, Zoning Administrator Matt Holmes, Power Superintendent Matt Draper, and 48 citizens. City Recorder Stephanie Fricke recorded the minutes.

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

**PLEDGE OF ALLEGIANCE:** Councilmember Adams

**INVOCATION:** Councilmember Clawson

**APPROVAL OF MINUTES:**

The minutes of a regular meeting on September 15, 2022 were approved as written.

**ACTION** Councilmember James made a motion to approve the minutes of a regular meeting held on September 15, 2022 as written. Councilmember McCombs seconded the motion and all five councilmembers voted aye.

**AGENDA ADOPTION:** A copy of the notice and agenda for this meeting was 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 September 15, 2022 as amended above. Councilmember James seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and

**Rasmussen voted aye. The motion passed.**

8. PUBLIC COMMENT
9. PUBLIC HEARING
  - A. To receive public comment to set the salary of the Mayor for fiscal year 2022-23 and amending Section 2.12.010 of the Hyrum City Municipal Code.
10. SCHEDULED DELEGATIONS
  - A. Maddie Soto, CAPSA - To report on Domestic Violence Awareness Month of October.
  - B. Hyrum City Fire Chief Tony Stauffer - To present and request approval of the new Fire Department logo.
  - C. Matt Draper, Hyrum Power Superintendent - To request site plan approval at 355 West 700 North for an electrical substation and power generation plant.
  - D. Jordan Mathis, Bear River Health Department - To request Preliminary Plat approval of a two lot commercial subdivision located at 750 East 730 North.
  - E. David Madsen, Harvest Valley Court P.U.D. - To request Preliminary Plat approval for Harvest Valley Court P.U.D. located at approximately 43 North 300 East consisting of 28 patio home units on 3.75 acres.
11. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES
  - A. Resolution 22-17 - A resolution adopting the Hyrum City Water Management and Conservation Plan.
  - B. Ordinance 22-04 - An Ordinance amending Chapter 2.12, Section 2.12.010 A. of the Hyrum City Municipal Code, to provide for the adjustment in the Mayor of Hyrum City's Salary.
12. OTHER BUSINESS
  - A. Consideration and approval of the Cache Waste Consortium Interlocal Agreement between Cache County and the Municipalities of Cache County for creation of an entity for County and Municipal Solid Waste Disposal.
  - B. Discussion on Pressurized Irrigation Rates.
  - C. Discussion on Hyrum City's Canyon Campground rental fees.
  - D. Discussion on decreasing Culinary Water residential base rate gallons usage.
  - E. Budget report.
  - F. Mayor and City Council reports.

**PUBLIC COMMENT:**

Donald Cawdry said he is a resident of Hyrum and lives directly across the street from Hyrum City's new skateboard park. He was

aware he bought his home by a park and he has helped pick up litter at the park and even on his lawn that was blown from the park. He has even helped monitor the park while various amenities were under construction. However, since the skateboard park has been built he has heard foul language, loud music with vulgarities in it, and he has even been yelled out at and sworn at when he has asked the skateboarders to quiet down. He is frustrated and it is out of control. He can't open his windows anymore or be outside because of the profanity. He asked the City Council to close the skateboard park at dark and to install security cameras.

Jonathon Howell said he lives close the skateboard park and he really likes the park but it has brought more people and more noise. Since the skateboard park opened he has had a scooter stolen from his front yard, excessive noise, and people speeding on the street. He asked if the City Council would consider planting trees and installing security cameras to help patrol the park.

Asher Guvera said he loves and appreciates the new skateboard park. His parents and siblings all skateboard and this is the best park in the State. This park is not a local skateboard park it is attracting skaters from all over. Which is great since it will attract skateboarding families that create a community. The skateboarding community will teach skateboarders etiquette and also mentor new skateboarders. Things will get better as time goes on. There are a lot of great families that skateboard and you will find them picking up litter, fixing the park, and helping in anyway they can. He is excited for this level of a skateboard park and hopes the City Council will allow the park to be open until 10:00 p.m. since that allows families to come out together to skateboard. Most parents work until 6:00 p.m. and then have dinner then head to the skateboard park when it cools down in the summer.

Zach Shephard with Directive Boardshop in Logan said he helped the City with the design and construction of the skateboard park. Hyrum City built the biggest and best skateboard park within a 300 mile radius and so it is bringing in a lot of out of town boarders. The park has been busy he has been there almost every day since its opened and there are always families and new skateboarders there. The skateboard community understands the excitement of the new park but it also comes with new challenges. A new park can bring people in that may not have the best language or aren't really there to skate. But the skateboard families will teach and influence those people and it will either improve or those people

will go somewhere else to cause problems. It's no different than any public place that is supervised or unsupervised. The skateboard community will police, educate, and enforce etiquette. This is why Hyrum's Skateboard Park is going to be such a success and benefit to the residents is because the skateboarding community will watch over the park. Skateboarders coming from larger cities may not realize Hyrum is a small community and they may forget there are residents and young children around and the skateboarding community will be there to help remind them where they are at. He has spoken with the City about lights and security cameras and having the cameras on a website so anyone can see what is happening at the park.

Dusin Alier said he is a Hyrum resident and agrees lights should be installed at the skateboard park. The lights would help deter vandalism and trespassing after hours. There should be a posted set of rules that include no pets, no litter, no alcohol, no smoking, no motorcycles, etc. Having a set of rules gives something for the adults to use to enforce a better environment. There is profanity and people doing things they shouldn't be at any public park. You can be at a playground and the preteens will be swearing because their parents aren't around supervising them. It is upto the local skateboard community to teach skateboarding etiquette and it only takes a little bit of time before people understand the things that won't be tolerated at the park.

Isaac Ralph said his family is a skateboarding family. He told his daughter he would buy her a new board if she practiced 50 hours and she did. Having his children skateboard with him is the best family activity. His family usually skateboards every day. Having a big park like this the local skateboarders will have an opportunity to really improve their skills.

***PUBLIC HEARING:***

**TO RECEIVE PUBLIC COMMENT TO SET THE SALARY OF THE MAYOR FOR FISCAL YEAR 2022-23 AND AMENDING SECTION 2.12.010 OF THE HYRUM CITY MUNICIPAL CODE.**

Mayor Miller asked for a motion to open the public hearing to set the salary of the Mayor for Fiscal Year 2022-2023 and amending Section 2.12.010 of the Hyrum City Municipal Code.

**ACTION**

**Councilmember Clawson made a motion to open the public hearing at 6:47 p.m. to receive public comment to set the salary of the Mayor for Fiscal Year 2022-2023 and**

amending Section 2.12.010 of the Hyrum City Municipal Code. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

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

**ACTION** Councilmember Clawson made a motion to close the public hearing at 6:48 p.m. Councilmember James seconded the motion and Councilmembers Clawson, James, McCombs, Adams, and Rasmussen voted aye. The motion passed.

***SCHEDULED DELEGATIONS:***

**MADDIE SOTO, CAPSA - TO REPORT ON DOMESTIC VIOLENCE AWARENESS MONTH OF OCTOBER.**

Maddi Soto with CAPSA was not in attendance, this item was not discussed.

**HYRUM CITY FIRE CHIEF TONY STAUFFER - TO PRESENT AND REQUEST APPROVAL OF THE NEW FIRE DEPARTMENT LOGO.**

Hyrum City Fire Chief Tony Stauffer presented the newly designed Hyrum Fire and EMS Department logo for the Hyrum City Council's approval. The new logo stands out more since it has several colors and is not black and white.

**ACTION** Councilmember Clawson made a motion to approve the new Hyrum Fire and EMS logo. Councilmember Adams seconded the motion and Councilmembers Clawson, James, McCombs, Adams, and Rasmussen voted aye. The motion passed.

**MATT DRAPER, HYRUM POWER SUPERINTENDENT - TO REQUEST SITE PLAN APPROVAL AT 355 WEST 700 NORTH FOR AN ELECTRICAL SUBSTATION AND POWER GENERATION PLANT.**

Mayor Miller said the Planning Commission reviewed the site plan for a Hyrum City electrical substation and power generation plant on October 13, 2022 and is recommending approval with no conditions.

Matt Draper with Hyrum City Power requested site plan approval at 355 West 700 North for an electrical substation and power generation plant. Due to the nature of substations these are

typically kept clear of trees and taller vegetation. The generation facility will include a metal building to house three 2.5 megawatt generators. The Generators will be powered by natural gas. There will be room for an additional two generators in the future.

**ACTION**

Councilmember Clawson made a motion to approve the site Plan for Hyrum City an Electrical Substation and Power Generation Plant at 355 West 700 North as submitted. Councilmember James seconded the motion and Councilmembers Clawson, James, McCombs, Adams, and Rasmussen voted aye. The motion passed.

**JORDAN MATHIS, BEAR RIVER HEALTH DEPARTMENT - TO REQUEST PRELIMINARY PLAT APPROVAL OF A TWO LOT COMMERCIAL SUBDIVISION LOCATED AT 750 EAST 730 NORTH.**

Mayor Miller said the Hyrum Planning Commission reviewed the Bear River Health Departments request for preliminary plat approval of a two lot commercial subdivision located at 750 East 730 North on October 13, 2022, and is recommending approval without any conditions.

**ACTION**

Councilmember Rasmussen made a motion to approve Bear River Health Departments Preliminary Plat for a two lot commercial subdivision located at 750 East 730 North as submitted. Councilmember Adams seconded the motion and Councilmembers Clawson, James, McCombs, Adams, and Rasmussen voted aye. The motion passed.

**DAVID MADSEN, HARVEST VALLEY COURT P.U.D. - TO REQUEST PRELIMINARY PLAT APPROVAL FOR HARVEST VALLEY COURT P.U.D. LOCATED AT APPROXIMATELY 43 NORTH 300 EAST CONSISTING OF 28 PATIO HOME UNITS ON 3.75 ACRES.**

David Madsen with Harvest Valley Court P.U.D. requested preliminary plat approval for Harvest Valley Court P.U.D. located at approximately 43 North 300 East consisting of 28 patio home units on 3.75 acres. After reviewing the property boundary on the east side and determining the City's right-of-way they were able to reduce the size of the units and change spacing to keep the same number of units. He will be receiving a right-of-way for an overflow pipe to go through the neighbors properties on the north of the property.

Councilmember Rasmussen said the motion he made at the September

1, 2022 City Council was to table the approval of the preliminary plat until the following conditions had been addressed: 1. To include evergreens in the landscaping groups in the corners; 2. Shrubs should be added to rear of the units to help break up the building lines and screen air conditioning units; 3. Mature trees along Main Street shall be kept; 4. An arrangement or agreement be made to replace sidewalks along Main Street; 5. Utilities should be updated on the plans to reach all of the units; 6. Retention basin should have a contingency built in to prevent overflow to neighboring houses; 7. Retention basin should have a transition to facilitate the snow it is to receive; 8. Developer has an easement with adjacent property owner(s) to install an overflow pipe from retention pond; 9. Signed letter from irrigation company allowing storm water overflow pipe to drain into irrigation ditch on 100 North; 10. Pet restrictions should be included in the CC&Rs; 11. A Public Utility Dedication with a prescriptive easement by metes and bounds for the irrigation pipe to Hyrum City; 12. Provide Irrigation Company with the flow calculations and pipe size of the pipe being installed; 13. The Hyrum City Right-of-Way line on 300 East be reviewed and verified with Surveyor Jeff Nielsen for verification of property lines (The Gardner Engineering provided by Harvest Valley Court is most likely incorrect and shows conflicting information. The area noted in writing on the survey matches the Block 22 Plat A at 3.75 acres. However, what has been drawn, extending eastward into the right of way does not match that. The line work is closer to 3.84 acres, showing the extra property picked up in the 300 East right of way), if the survey lines are incorrect then the developer will need to remove lots/units 1, 19, and 28. The developer has not addressed all of the above conditions including: 1. (13) Removal of units 1, 19, and 28; 2. (12) Provide irrigation company with flow calculations and pipe size; 3. (9) Signed letter from irrigation company allowing stormwater overflow pipe to drain into irrigation ditch on 100 North; and 4. (11) A Public Utility Dedication with a prescriptive easement by metes and bounds for the irrigation pipe to Hyrum City. He specifically asked the developer if they were okay with the lots being removed if the public easement was not where they had it shown on the plat and the developer was adamant about being willing to remove the lots if the City Council approved the preliminary plat. The City Council already approved the preliminary plat with the conditions that were stated on September 1, 2022.

David Madsen said the approval of the preliminary plat was conditional and they want the City Council to review those conditions since their property line was not where it was

originally shown on their plat. He doesn't want to lose 3 units when the plan still meets all other conditions set by City Council.

Councilmember Rasmussen said there was no conditional approval it was approval with conditions. The developer has chosen not to address the conditions in the motion of approval. This is a new preliminary plat submittal that should have to be reviewed by the Planning Commission before bringing it to the City Council for approval.

**ACTION**

**Councilmember James made a motion to approve the Preliminary Plat for Harvest Valley Court P.U.D. located at approximately 43 North 300 East consisting of 28 patio home units on 3.75 acres with the following conditions: 1. Provide Hyrum Irrigation Company with the flow calculations and pipe size of the pipe being installed; 2. A public utility dedication with a prescriptive easement by metes and bounds for the irrigation pipe to Hyrum City; 3. Provide irrigation company with flow calculations and pipe size; 4. Signed letter from irrigation company allowing stormwater overflow pipe to drain into irrigation ditch on 100 North; and 5. A Public Utility Dedication with a prescriptive easement by metes and bounds for the irrigation pipe to Hyrum City. Councilmember McCombs seconded the motion.**

Councilmember Clawson said Hyrum Irrigation Company can not assume responsibility for the stormwater from this property draining into the ditch. If Hyrum City agrees to maintain that portion of the ditch and assumes liability for it if it floods someone's property then the irrigation company will agree to the stormwater being drained into the irrigation ditch. A statement that the overflow will be responsibility of the City needs to be placed on the Final Plat.

**Councilmember James and McCombs agreed to amend the motion to include 3. A statement be placed on the final plat that Hyrum City will be responsible for maintenance of the ditch where the stormwater overflows. Councilmembers Adams, Clawson, James, and McCombs voted aye, and Councilmember Rasmussen abstained. The motion passed.**

Councilmember Rasmussen said the landscaping plan changed this afternoon and it removed street trees, which is not in compliance with City Code. The landscaping plan should have been submitted



earlier for the City Councils review. The City Administrator has told us numerous times that if we approve it in the preliminary plat it can't be changed or added onto the final plat, so he just wants to make sure it is right before approving it.

***INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:***

**RESOLUTION 22-17 - A RESOLUTION ADOPTING THE HYRUM CITY WATER MANAGEMENT AND CONSERVATION PLAN.**

Mayor Miller said Resolution 22-17 adopts the Hyrum City Water Management and Conservation Plan.

**ACTION** Councilmember James made a motion to approve Resolution 22-17 - A resolution adopting the Hyrum City Water Management and Conservation Plan. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

**ORDINANCE 22-04 - AN ORDINANCE AMENDING CHAPTER 2.12, SECTION 2.12.010 A. OF THE HYRUM CITY MUNICIPAL CODE, TO PROVIDE FOR THE ADJUSTMENT IN THE MAYOR OF HYRUM CITY'S SALARY.**

**ACTION** Councilmember Clawson made a motion to adopt Ordinance 22-04 - An ordinance amending Chapter 2.12, Section 2.12.010 A. of the Hyrum City Municipal Code, to provide for the adjustment in the Mayor of Hyrum City's Salary. Councilmember James seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

***OTHER BUSINESS:***

**CONSIDERATION AND APPROVAL OF THE CACHE WASTE CONSORTIUM INTERLOCAL AGREEMENT BETWEEN CACHE COUNTY AND THE MUNICIPALITIES OF CACHE COUNTY FOR CREATION OF AN ENTITY FOR COUNTY AND MUNICIPAL SOLID WASTE DISPOSAL.**

Mayor Miller said the Cache Waste Consortium Interlocal Agreement between Cache County and the Municipalities of Cache County for creation of an entity for county and municipal solid waste disposal is being reviewed by the attorney's and should be ready for final approval in the next month. However, in the mean time the consortium is asking that each Mayor receive approval from its City Council that the Mayor be allowed to give approvals before

the agreement is finalized.

**ACTION**

**Councilmember James made a motion to authorize Mayor Miller to be able to give approvals before the agreement is finalized. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.**

**DISCUSSION ON PRESSURIZED IRRIGATION RATES.**

Mayor Miller said Hyrum City is classified as a fifth-class city in the State of Utah and with the State of Utah's new mandate on all secondary water suppliers in a fifth class city install and maintain a meter of the use of pressurized secondary water by each user (commercial, industrial, institutional, or residential) receiving secondary water by January 1, 2030 the City will need to increase irrigation rates. She suggested initially increasing it around \$2.00 or 20% a month. The City will have to have more money than what it has to help pay for the 70/30 matching grant by the State of Utah to help pay for the installation of meters. A resolution to increase rates will be on a future City Council agenda.

**DISCUSSION ON HYRUM CITY'S CANYON CAMPGROUND RENTAL FEES.**

Mayor Miller said City Staff is recommending increasing the Canyon Campground rental fees to be more comparable with the Forest Service. Hyrum City's Canyon Campground offers electricity, water, and has a public restroom. A resolution will be on the next City Council agenda to increase the Canyon Campground Rental Fee from \$10.00 to \$20.00 per night for residents; and \$20.00 to \$40.00 per night for nonresidents.

**DISCUSSION ON DECREASING CULINARY WATER RESIDENTIAL BASE RATE GALLONS USAGE.**

Mayor Miller said Hyrum City still has a base rate gallons usage for upto 10,000 gallons per month per residential connection. City Staff is recommending rather than increase culinary water rates to lower the residential base rate to 6,000 gallons.

The City Council discussed decreasing the culinary water residential base rate gallons usage and was not in favor of decreasing the base rate gallon usage at this time.

**BUDGET REPORT.**

Mayor Miller reviewed the General Fund and Utility Funds revenues and expenditures in detail. Everything is tracking to be on schedule of what was budgeted for this fiscal year.

**MAYOR AND CITY COUNCIL REPORTS.**

Councilmember Rasmussen said there is still some repair issues, such as, mortar and sealant, that need to be addressed on the exterior of the Elite Hall building. A proposal is being sent on what needs to be repaired and the cost to do so. There will be a New Years Eve Celebration at the Elite Hall on New Years Eve.

Councilmember James said the mosquito abatement is finished for the season and there was only one case of West Nile Virus in Cache County this year. The CVTD is looking at additional options for public transportation which includes a micro transit system with smaller buses.

Councilmember McCombs said the Senior Center is getting ready for it's craft fair in December. They have had so many people sign up for the Thanksgiving Dinner that it is not going to open it up to the public and reservations are required.

Councilmember Clawson said Hyrum Irrigation Company wants Hyrum City to contact the property owners along the canal on 800 East regarding the vinyl fences that have been installed. Vinyl fences were not allowed by Hyrum City due to the irrigation company's easement and being able to burn the canal. This is Hyrum City's responsibility, and it needs to be addressed immediately. If the City doesn't address, it then the City will have the liability to maintain the ditch.

Zoning Administrator Matt Holmes said he will contact the property owners and make them aware of the fence restrictions.

Mayor Miller said City Administrator Ron Salvesen's last day is November 10, 2022 and an open house will be held that day from 2:00 to 3:00 p.m.

**ADJOURNMENT:**

**ACTION**

**There being no further business before the City Council,  
the Council Meeting adjourned at 8:30 p.m.**

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ATTEST:

Stephanie Miller  
Mayor

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Stephanie Fricke  
City Recorder

Approved: November 17, 2022  
As Written