

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JULY 20, 2023 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, and Craig L. Rasmussen.

**Excused:** Vicky McCombs

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

**OTHERS PRESENT:** Zoning Administrator Matt Holmes, and 18 citizens. Secretary Hailey Brown recorded the minutes.

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

**PLEDGE OF ALLEGIANCE:** Councilmember Rasmussen

**INVOCATION:** Councilmember James

**APPROVAL OF MINUTES:**

The minutes of a regular meeting on June 15, 2023 were approved as amended.

**ACTION**

Councilmember James made a motion to approve the minutes of a regular meeting held on June 15, 2023 with the following changes; Welcome: change Mayor Pro Tempore Miller to McCombs, action to close the public hearing to say Councilmember James seconded the motion and add Councilmember James to the motion, add Councilmember Rasmussen to the motion in Resolution 23-14, and on page 84 in the third paragraph change 130 cards to cars. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.

**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 July 20, 2023 with the following changes to remove letter 9A, 10B, and 11E from the agenda. Councilmember Rasmussen seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.**

## 9. SCHEDULED DELEGATIONS

- A. ~~Blake Leonelli, Waste Management - To discuss providing green waste services.~~
- B. Eric Petersen, RH Borden - To discuss contracting with RH Borden and its Sewer Lateral Rapid Assessment Tool.
- C. Ben Russell, Hyrum Real Estate Development - To request final plat approval for Canyon Estates Phase 6 located at approximately 1250 South 650 East consisting of 12 single family building lots.

## 10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES

- A. Resolution 23-14A - A resolution amending the Personnel Policies & Procedures Manual for Hyrum City Corporation to further clarify City's health insurance enrollment options.
- B. ~~Ordinance 23-07 - An ordinance adding Chapter 2.80 to Title 2 of the Hyrum City Municipal Code to establish the term and method of appointment to the Wastewater Treatment Plant Board and identifying responsibilities.~~

## 11. OTHER BUSINESS

- A. Discussion on contracting for vending machines in City parks.
- B. Discussion of maintenance and liability of the dirt road at 2200 West Highway 101 to 400 North.
- C. Consideration and approval of an agreement with Cache County for Building Inspection Services.
- D. Consideration and approval of an agreement to allow Blacksmith Fork Assisted Living Center to use the Senior Center as an evacuation center.
- E. ~~Consideration and approval of an agreement to allow Blacksmith Fork Assisted Living Center to use the Senior Center as an evacuation center.~~
- F. Consideration and approval of an agreement between Questar Gas Company dba Dominion Energy Utah and Hyrum City for a Natural Gas Facility.
- G. Consideration and approval of an Asset Purchase Agreement between Rocky Mountain Power and Hyrum City,

- Utah.
- H. Consideration and approval of a sole source bid for Job Analysis & Compensation Study.
  - I. Consideration and award of bid for Hyrum City's Auditing Services.
  - J. Consideration and acceptance of improvements for Auburn Hills Phase 6; Elk Mountain Phase 8-9, 10-11, 12, 13-14; and Rolling Hills Phases 7, and 8.
  - K. Budget Report.
  - L. Mayor and City Council reports.
12. ADJOURNMENT

**PUBLIC COMMENT:**

Mayor Miller asked if a citizen had a question or comment to please keep it under three minutes.

Janese Nielsen said big dump trucks have been going up and down Anderson Ave which has no sidewalk and a steep grade.

Councilmember James said there is a sign posted saying no vehicles over eight tons.

Janese Nielsen said she stopped the truck drivers who told her they were following google map directions. Janese got in touch with google maps to see if they could change the suggested route. The truck drivers were from West Jordan. She suggested they take Main Street instead.

Mayor Miller said Hyrum City will follow up on this situation.

Councilmember James agreed with the information Janese has provided.

Councilmember Rasmussen agreed and said the drivers are going in both directions to the site and back.

Councilmember James asked if the drivers were using engine brakes.

Janese Nielsen said a few weeks ago there was a transport truck that used the engine brake.

Councilmember James said the city limit sign needs to be moved.

Janese Nielsen said there was a Savage truck that couldn't stop at the bottom and had to honk at a car below so they could stop for

the truck driver.

Mayor Miller asked if the drivers could come down 300 North and point them in the direction of Kilgore on 600 East then take the highway.

Councilmember James said they need to take Highway 101.

Janese Nielsen said she spoke with Deputy Maughan who said he talked to the city and there wasn't anything that could be done.

Russ Stenquist said he lives in Little Bear Creek. He came to talk about the easement on the back side of the development along the canal. Ron Salvesen told him that was planned to be a walkway to the reservoir.

Mayor Miller said it is still on future plans.

Russ Stenquist said the weeds along the canal are very tall.

Mayor Miller said weeds have been mowed and sprayed. The canal is on the city's capital projects list.

Councilmember James said that canal is on the Bureau of Land making any work go through a long approval process.

Clawson said the Bureau of Land is hard to get anything done in a timely manner and getting the money for the project.

Russ Stenquist said several other developments back up to the canal and he wanted to find out if there was a project timeline.

Mayor Miller said there is not a timeline for this year, it will have to be put in the budget. Hyrum City can put in for grants and is working with an engineering firm to help watch for grants.

Councilmember James said maybe the Cache County Trails crew would be willing to help with the project.

April Summers said they live on 15 North 500 West bordering the trail and storm drain. April asked what is going on with the storm drain, as Hyrum City mows the trail but not much the storm drain. Ron Salvesen said at one point they could purchase the property and then they couldn't. People put garbage in the storm drain and it's a nuisance to their property.

Councilmember Adams said he drove by, and it looks terrible.

Mayor Miller said she would check with the storm water department.

April Summers said Ron Salvesen told her at one time it would be enclosed.

Zoning Administrator Matt Holmes asked if she was referring to the swail behind the trail.

April Summers said that was correct.

Zoning Administrator Matt Holmes said Hyrum City is in process with a firm for plans to the trail.

Dan Scott asked who is responsible for maintaining the canal property. He maintains the canal around his house. There are three access hatches, two have locks and the other one has no way of securing it.

Councilmember Rasmussen said it is Bureau property so it's a great question who maintains that.

Councilmember James said the canal company takes care of it.

Mayor Miller asked which canal company is responsible.

Councilmember Clawson said that is the little feeder which falls under Hyrum Irrigation Company but also the Bureau.

Dan Scott said he put a lock on one hatch six years ago and nobody has ever asked about it.

Councilmember Clawson said he would follow up with the water master.

Dan Scott said he doesn't want the walking trail and enjoys using the space as an extension to his property.

There being no further public comment, Mayor Miller moved to the next agenda item.

***SCHEDULED DELEGATIONS:***

**ERIC PETERSEN, RH BORDEN - TO DISCUSS CONTRACTING WITH RH BORDEN AND ITS SEWER LATERAL RAPID ASSESSMENT TOOL.**

Eric Petersen is a member of the RH Borden board and brought his trusted partner Erin Denny.

Erin Denny said he helps with storm water systems and other systems. He services 80 cities throughout the state. He works for Twin D which is a company out of Layton.

Eric Petersen and Erin Denny have been out with Wastewater Superintendent Angela Pritchett to quickly assess Hyrum City's wastewater system. The agenda should say sewer line rapid assessment tool instead of sewer lateral. Lines need to be maintained and RH Borden uses a time-based protocol. They provide cleaning and inspection of sewer systems. Every pipe segment is cleaned regardless of the condition. Due to the city budget the entire system may not be reviewed every year. A fair amount of water is required to clean the lines. Eric Petersen asked if Hyrum City has a GIS mapping system. Data captured in other formats can be difficult to use. This is the time-based model that he had explained. They would like to move to condition based cleaning. The two devices provided in this meeting (SL-rapid assessment tool) are set on adjacent manholes. Eric Petersen and Erin Denny did a sample test in Hyrum City. How the process works: The transmitter sends sounds down the line to the receiver. The audio signal gets muffled. It is an 80 second process before moving to next manhole. The transmitter then provides a number on a scale of 0-10 for obstruction. 72% of pipes flow well with a good score. 11% of pipes generally need attention. There are GPS chips that can generate maps to the GIS system to allow them to know where to clean. Eric Petersen provided an assessment showing how it worked in Payson to focus strategic efforts on how they are taking care of sewer systems and cleaning.

Councilmember Rasmussen said in 2020 it looks like the whole system was analyzed and then mapped out.

Erin Denny said they can go through and clean a pipe and then it can have dirt in it the next year.

Councilmember James asked if roots affect the acoustics.

Eric Petersen said generally there is improvement over time with the effort of cleanouts, this process is economically cheaper and faster. RH Borden can also do manhole inspections as a add on feature. Cleaning only lines that need cleaned saves water. He asked if the Council had any further questions. Wastewater

Superintendent Angela Pritchett invited them to do an assessment on Hyrum City lines and he showed a map of the findings on the few lines examined.

Councilmember Clawson asked if they have done a cost-based savings.

Eric Petersen said yes, they have.

Councilmember James said Hyrum City has spent lots of money on cleanouts where it ends up going back into homes causing sewer messes.

Eric Petersen said the white line is a clean block because it's on a significant line, most lines were green.

Wastewater Superintendent Angela Pritchett said the area in yellow is the area that previously had a backup. The line could now be investigated to see what is causing the blockage. Hyrum City cleans one-third of the city each year. Angela wondered if the yellow area cleaned this year is going to last for three more years before being cleaned again. The assessment provides historical data and is used to investigate if continual issues are seen.

Erin Denny said this process saves dollars which can then be used for repairs and chronic issues.

Mayor Miller said Hyrum City has been looking at options for cleaning lines. She asked if RH Borden is putting in an RFP to clean the pipes.

Wastewater Superintendent Angela Pritchett said Erin Denny and Val Kotter clean lines.

Eric Petersen said you will use an RFP to verify our cleaning after the system has been inspected.

Councilmember Adams asked what happens if there is a green line and the next day it plugs, is that line guaranteed.

Eric Petersen said the blockage could be a toy flushed down the toilet the next day. Eric has seen one of those situations happen.

Councilmember James said that doesn't mean the line wasn't clear at the time of inspection.

Erin Denny said most contractors don't guarantee their work if a

blockage happens after.

Councilmember Rasmussen asked is there a limit on how much flow goes through a pipe.

Eric Petersen said a line at 75% full provides a degraded score. Most pipes are not that full. There are other limitations, and smaller pipes work best while larger pipes keep clear better.

Councilmember Rasmussen said the pipes classified in yellow on the assessment have been in operation for years with the cities cleaning process. He would like to send a camera and find out if this is a flow issue or if a camera identifies an object. Hyrum's insurance company gives discounts by having a cleaning process.

Eric Petersen said they have spoken with the Utah Governments Trust and Irma. There is a box to check if acoustics are being used. Utah Governments Trust is using this as a device to help mitigate backups.

Councilmember Rasmussen doesn't see a benefit to this process if there isn't a cleaning system in place. He would like to see the system assessed to fix chronic problems.

Eric Petersen said year to year there are chronic problems. The advantage to doing this every year is a holistic look. It's a cost benefit analysis and there is a risk.

Councilmember Clawson asked how many cities in the region are using this process.

Eric Petersen said Hyrum City would be number 67 if the Council decided to proceed.

Councilmember James asked how many device setups they have.

Eric Petersen said they have approximately 22 sets. Hyrum City would be a three-four week project for the assessment and cleaning would be one-two months.

Wastewater Superintendent Angela Pritchett pointed out last year Hyrum City spent \$53,000 having Val Kotter clean the lines. With this system it would be about \$50,000 for the assessment and the cost to clean lines would bring the total to \$70,000. This process appeals to Angela because the city would have historical data each time. She doesn't know where the bellies in the system are, and



the wastewater plant has new operators. Angela is more technology based and looks at the advantage year to year. The test area in yellow was Hyrum's recent backup area. She had that assessed on purpose and it was sickening to see it in the yellow. There are always gives and takes to a process, but she would like to see the system assessed annually. After a few years the amount could possibly decrease.

Councilmember James said the whole yellow line is probably not the problem area but rather like ten feet of that line. If we decide to go forward, would Hyrum City recommend Millville City to use this process with them joining Hyrum's sewer system.

Eric Petersen said the data stays with the user and never goes anywhere.

Wastewater Superintendent Angela Pritchett has no info as far as manhole inspections other than they are done annually.

Councilmember Rasmussen asked if the assessment is done and then a file is sent to Hyrum City and how this interacts with the GIS system.

Eric Petersen said the file is given to those that manage the GIS.

Wastewater Superintendent Angela Pritchett said two pictures are taken of each manhole.

Eric Petersen said there is no charge to the city for the data.

Councilmember James asked if they took a camera image of the manholes.

Eric Petersen said it is a 3d image of the manholes.

There being no further discussion Mayor Miller moved to the next agenda item.

**BEN RUSSELL, HYRUM REAL ESTATE DEVELOPMENT - TO REQUEST FINAL PLAT APPROVAL FOR CANYON ESTATES PHASE 6 LOCATED AT APPROXIMATELY 1250 SOUTH 650 EAST CONSISTING OF 12 SINGLE FAMILY BUILDING LOTS.**

Mayor Miller said the final plat was approved in September of 2021. It has been brought back to renew the approval through the Council.

Councilmember Rasmussen said the plat shows irrigation easements and asked if this was an area there had been fencing problems with.

Councilmember Clawson said irrigation is piped down the west side of the property. He would like to eventually put a high-pressure line down that easement. The issue that they have had is fenceposts being drilled through the pipe which needs to be protected.

**ACTION**

**Councilmember James made a motion to approve final plat approval for Canyon Estates Phase 6 located at approximately 1250 South 650 East consisting of 12 single family building lots. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.**

Councilmember Rasmussen said Zoning Administrator Matt Holmes has noted questions on ownership.

Zoning Administrator Matt Holmes said the errors have been corrected on the mylar.

***INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:*****RESOLUTION 23-14A - A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR HYRUM CITY CORPORATION TO FURTHER CLARIFY CITY'S HEALTH INSURANCE ENROLLMENT OPTIONS.**

Mayor Miller said Resolution 23-14A fixes the ordinance allowing employees who have their own private health insurance to put up to 75% of what the city would pay and have that put into an HSA account as one of the options.

Councilmember James said only so much money can be put into an HSA. If the employee doesn't have insurance, money can't be put into an HSA. They would be over the annual amount if donating 75%. Councilmember James asked what the city is currently doing.

Mayor Miller said the other option is contributing to a 401K. Hyrum City has several employees doing this now.

Councilmember James said the city could make it an improved HSA. Putting money into a Roth IRA is counted as taxed income.

Councilmember Clawson asked if they could put half and half in different accounts.

Mayor Miller said the city allows money to be split up between accounts.

Councilmember Rasmussen said if an employee is not on the city health insurance but rather on their own high deductible plan it makes it equal to those on the city health insurance plan to contribute to the HSA. If a part-time employee wants to put money into an hsa, this allows them to do that.

**ACTION**

**Councilmember Rasmussen made a motion to approve Resolution 23-14A amending the Personnel Policies and Procedures Manual for Hyrum City Corporation to further clarify City's health insurance enrollment options. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.**

***OTHER BUSINESS:*****DISCUSSION ON CONTRACTING FOR VENDING MACHINES IN CITY PARKS.**

Mayor Miller said Hailey Brown called other cities to see if they allowed vending machines to be placed in city parks and no other cities allowed it.

Councilmember James said if Hyrum City agrees to this there needs to be an RFP sent out. The city is liable if something happens to the vending machine on city property.

Councilmember Adams asked who owns the machine at the Senior Senter.

Councilmember James said it is owned by Pepsi.

Mayor Miller said people in the past have asked permission to place a vending machine and Hyrum City said no. How would the city go about it now if the Council decides to approve vending machines. The machine would be plugged into power so a flat fee would need to be paid annually for the power. The vending machines take business away from the established businesses nearby.

Councilmember James said he would like to follow what other cities are doing and have business sent to local businesses.

Mayor Miller said Mathew Coltrin is here tonight and wanted to present this idea to the Council.

Mathew Coltrin owns Coltrin Vending Solutions. His family comes to ball games at East Park. They hate to cross the highway to get a drink and then go back later cause his other kid wants a drink. He is also a business and believes competition is good for business. Mathew believes the vending machines at East Park are a safer way for people to get drinks.

Councilmember James asked if the machines are anchored down.

Mathew Coltrin said with city permission he could. The machines are 500 pounds, and his company does insure them. If they tip over, it is a bigger issue that someone didn't get what they want.

Councilmember Rasmussen said he has mixed feelings. Generally, people bring a drink to the game knowing it is hot. He didn't know there was a machine at the Senior Center and thought it was asked to be taken away because it attracted skaters and seniors weren't happy about it.

Councilmember Adams said the machine is by the bathrooms at the ball diamonds. It is convenient but on the other hand puts counteractants in the park with soda and goodies where people get exercise.

Mathew Coltrin said his machines also have water and propel.

Councilmember James said Smithfield City has a great recreation program with no vending machines.

Mathew Coltrin said he would love to put one by the skatepark for the boarders.

Councilmember James said if the Council approves, it should be bid out for others as well.

Janese Neilsen asked if the city could do a trial run and see how it works out.

Mathew Coltrin asked if the city could allow him a trial run before opening an RFP.

Councilmember James likes how Smithfield City is set up with fountains or people bring their own drink. He is not against vending businesses.

Mathew Coltrin asked how business works with J-Dogs at the Hyrum Hornet games.

Councilmember Adams said J-Dogs is sponsoring Hyrum City and the Hyrum Hornets.

Mathew Coltrin asked if his vending machine was placed if he could have a chance to sponsor the Hyrum Hornets as well.

Councilmember Clawson said the Council will think about that request.

Councilmember Rasmussen said the city can look into posting a poll at the pickleball courts and skatepark to see if people would be interested in this service being available.

**DISCUSSION ON MAINTENANCE AND LIABILITY OF THE DIRT ROAD AT 2200 WEST HIGHWAY 101 TO 400 NORTH.**

Mayor Miller said on Highway 101 there is a home owned by Clay Buttars with a private access road outside of city limits. Two other homes in the county use that road for access. Mayor Miller attached previous Council and Planning Commission meeting minutes on this topic.

Councilmember James said it was previously discussed that Hyrum City would grade the road annually and would not provide snow removal.

Clay Buttars said in 2018 items were discussed that he believes did not get investigated. July 8<sup>th</sup> before annexation there were two pieces that were deeded to Hyrum City.

Mayor Miller said that piece was in front of Clay Buttars home.

Councilmember Clawson asked if the circle in front of Clay's house in the road is an emergency turn around.

Clay Buttars said that is correct. His home should not have been annexed. The property across the road put in a water line and Cache County has been maintaining the road. If annexed, the city would take care of the road as mentioned in previous minutes because of the deed. The only way to get into High Valley Park is that road.

Mayor Miller said the park is obtained by the HOA.

Clay Buttars said that is correct. The thirty-three foot right of way was deeded to Hyrum City if the annexation passed. If a home is built on private property, Hyrum City is required to maintain the lane off Highway 101 because the property is deeded to Hyrum City with its own tax id.

Councilmember Rasmussen said that the road is not on the city's right of way going north and south. There is a section right off the road that is in the city right of way, but the remainder is not on city property.

Clay Buttars said the intent of annexing the home is to have a road to get to the property.

Councilmember James said a motion was made in 2018 that Hyrum City would grade the road once annually but not provide snow removal.

Councilmember Rasmussen said there is another community situation consistent with what Hyrum City is doing. The community has a single lane road that they will pave annually but not provide snow removal. Hyrum City is not inconsistent with other cities.

Councilmember James said the city owns a portion of his driveway but doesn't shovel it.

Clay Buttars said on the July 15, 1999 Council meeting Hyrum City resumed responsibility for the road.

Councilmember Rasmussen said if what is said in the minutes is the intent, the Council was probably trying to help someone by giving them a permit. Hyrum City could have de-annexed instead of deeding the road.

Clay Buttars said on page 109 of July 15, 1999 minutes highlighted in red, it states Hyrum City will be responsible for maintaining the lane. The motion passed with contingencies.

Councilmember Clawson said Hyrum City will have an attorney look at this.

Mayor Miller said that would be a good idea.

Councilmember Rasmussen believes the statement of maintaining the lane needs to be defined. Hyrum City isn't interested in providing thoroughfare. Rasmussen recommended attorney review but said Hyrum

City is not inclined to approve of this.

Clay Buttars said a possible solution could be to take some tailing from resurfacing of other city roads and roll it on the road for a surface.

Councilmember James said it would be nice for the city to say let's take care of the road but there may be other lots that want the same situation and then it is setting a precedence.

Nicole Buttars said they have lived there since 2004 and don't have the money to purchase equipment to maintain the road.

Gaylene Jensen said ever since city staff created a problem with this road, he deeded the road to Hyrum City from East to West.

Councilmember James said the lane on top is deeded to Hyrum City.

Gaylene Jensen said he assumed the road coming in was owned by Hyrum City and there were two houses it served then he built one. He could have extended the subdivision and it would have included those two lots. Gaylene doesn't see the entitlement to not have the road cleared like everyone else.

Councilmember Rasmussen said there are other right of ways Hyrum City doesn't maintain.

Clay Buttars asked what he is paying in taxes for maintenance of the road.

Councilmember Rasmussen said those taxes include maintenance for Clay to drive on other city roads.

Mayor Miller said this discussion will be taken to Hyrum City's attorney to receive a recommendation.

Clay Buttars asked what the timeline would be for that.

Mayor Miller said it can be sent on Tuesday. Generally, the process is a few weeks depending on the extent of the research, then the Council will discuss it again.

**CONSIDERATION AND APPROVAL OF AN AGREEMENT WITH CACHE COUNTY FOR BUILDING INSPECTION SERVICES.**

Councilmember Clawson said this agreement has been ongoing for a

long time.

**ACTION**

Councilmember James made a motion to approve of an agreement with Cache County for Building Inspection Services. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.

**CONSIDERATION AND APPROVAL OF AN AGREEMENT TO ALLOW BLACKSMITH FORK ASSISTED LIVING CENTER TO USE THE SENIOR CENTER AS AN EVACUATION CENTER.**

Mayor Miller said the agreement came back from Hyrum City's attorney and he made the suggested changes.

**ACTION**

Councilmember James made a motion to approve of an agreement to allow Blacksmith Fork Assisted Living Center to use the Senior Center as an evacuation center. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.

**CONSIDERATION AND APPROVAL OF AN AGREEMENT BETWEEN QUESTAR GAS COMPANY DBA DOMINION ENERGY UTAH AND HYRUM CITY FOR A NATURAL GAS FACILITY.**

Mayor Miller asked Matt Draper to talk about this agreement.

Matt Draper said Questar Gas is trying to figure out a way to acquire a 100-foot piece. The parcel is unable to be sold without opening to bids. Matt Draper asked about a 99-year lease and Dominion Energy said no. Brad Simmons of Utah, Idaho, and Wyoming said if Hyrum City can provide a permanent easement, they could work with that. There is a price in the agreement which was sent to Hyrum City's attorney John Jenkins. John Jenkins was concerned about the dollar amount, but he put contingencies in the agreement. \$780,000 was an approximate amount to extend the line from six inch to eight inch. UAMPS will cut a check and put that money into the plant.

Councilmember Rasmussen asked if they could get a better cost by going to suppliers. Other than the betterments it doesn't specify how credits are given back. It's a large amount of money for approval. The Council recognizes the estimated cost, and wondered if they could estimate the credit back. He doesn't want Hyrum City to lose the betterment credit.



Matt Draper said Hyrum City will be guaranteed 30% volume on that pipe.

Councilmember Rasmussen said that is an important part to the agreement that should be added.

Matt Draper said he will forward the contact for Brad Simmons to the Council. The power plant completion is scheduled for November 15th.

Councilmember Rasmussen said there are things with liability to the easement that are a big improvement to protect the city. Is that 30% volume of the eight-inch line?

Councilmember James said this is not an agreement to have natural gas supplied.

Matt Draper said Hyrum City will go through someone else for a smaller cost on gas with the supplied line.

Councilmember Rasmussen asked if the 30% capacity is in another agreement.

Matt Draper said he may have missed that in the agreement.

**ACTION**

**Councilmember Rasmussen made a motion to continue an agreement between Questar Gas Company dba Dominion Energy Utah and Hyrum City for a Natural Gas Facility until the 30% volume and betterments are addressed. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.**

**CONSIDERATION AND APPROVAL OF AN ASSET PURCHASE AGREEMENT BETWEEN ROCKY MOUNTAIN POWER AND HYRUM CITY, UTAH.**

Mayor Miller said this agreement is for Rocky Mountain Power to sell Hyrum City a power line including the poles which would give Hyrum City two new customers.

Councilmember Rasmussen said it would provide Hyrum City with Cache County and Kilgore.

Councilmember James said those are two large customers.

Mayor Miller said this is being done to loop transmission.

Councilmember Rasmussen said most of the line would be in the right of way.

Zoning Administrator Matt Holmes said he believes that is correct.

Councilmember Rasmussen said Rocky Mountain Power has easements and asked if they are transferable to Hyrum City.

Councilmember James believes the easements would be transferred.

Zoning Administrator Matt Holmes said generally easements are transferred.

Mayor Miller asked what the expense would be as the contracts says at buyers' expense.

Councilmember Rasmussen said this states Hyrum City must pay for the transfer. Hyrum City needs to be sure they don't get poles on property without access to maintain them (section 7.7 in the agreement). Councilmember Rasmussen also had a question on section 3.3 that Hyrum City must pay for the cost to disconnect those lines. Is there an estimated cost? Rasmussen assumes Hyrum Power will cover the tie in but wondered what would be the disconnect costs. Neither of these items would hold up approving the agreement but need to make sure Hyrum City is aware of it.

Mayor Miller said those items will be discussed with Blake Ballard to get clarification.

**ACTION**

**Councilmember Rasmussen made a motion to approve of an Asset Purchase Agreement between Rocky Mountain Power and Hyrum City, Utah with the recommendation that Hyrum City pursue right of way transfers or acquisitions by agreement and pursue estimate of disconnect costs by Rocky Mountain Power. Councilmember James seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.**

**CONSIDERATION AND APPROVAL OF A SOLE SOURCE BID FOR JOB ANALYSIS & COMPENSATION STUDY.**

Councilmember James asked if this is the same company Amy at Cache County uses.

Mayor Miller said this company helps most cities in Cache Valley and the Wasatch Front. This gives them data to compare Hyrum City's information with.

**ACTION** Councilmember James made a motion to approve of a sole source bid for Job Analysis & Compensation Study. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.

Councilmember Rasmussen asked if Hyrum City is up to date on rewriting job descriptions.

Mayor Miller said Hyrum City's job descriptions are not up to date and it makes it hard to write new job descriptions. The company will interview each superintendent, then every employee on what their job consists of and put that into a classification. When it comes time to hire for a position there will be an updated job description.

**CONSIDERATION AND AWARD OF BID FOR HYRUM CITY'S AUDITING SERVICES.**

Mayor Miller reviewed bids thoroughly and checked references with Treasurer Todd Perkins and City Recorder Stephanie Fricke. Most of the lowest bids go up in price through the years. HBME works with cities covering similar utilities.

Councilmember James asked if the cost is close to what Wiggins charged.

Mayor Miller said it is within range but slightly more.

**ACTION** Councilmember Clawson made a motion to award the bid for Hyrum City's Auditing Services to HBME. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.

Councilmember Rasmussen pointed out that Allred Jackson and HBME estimate hourly rates and give discounts. HBME said their actual costs are higher, but they will give a 34% discount. They must be able to make a good profit from their hourly rates. They have locked in proposed costs for five years.

**CONSIDERATION AND ACCEPTANCE OF IMPROVEMENTS FOR AUBURN HILLS PHASE 6; ELK MOUNTAIN PHASES 8-9, 10-11, 12, 13-14; AND ROLLING**

**HILLS PHASES 7, AND 8.**

Mayor Miller said Hyrum City code requires city approval to release bonds. This is a retroactive acceptance and then all other release of bonds in the future come to the Council for approval.

**ACTION**

**Councilmember Rasmussen made a motion to accept the improvements for Auburn Hills Phase 6; Elk Mountain Phases 8-9, 10-11, 12, 13-14; and Rolling Hills Phases 7, and 8. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.**

**BUDGET REPORT.**

Mayor Miller went through and highlighted some points of focus in the 4<sup>th</sup> quarter budget report. In the general fund, sales tax is ahead of projected. Energy and sales tax are way above projected. There were two large contributions given to the library and the museum from someone out of state in Washington. Recent city expenditures include window cleaning, door repairs, hvac work, and the roof on the West Civic Center pavilion replaced. The water department revenues are in line with expected and expenditures are lower with one less employee. The cash reserves water fund is at a good amount. Sewer fund expenditures are down because drying beds aren't complete. Electric expenditures are just under budgeted. Irrigation revenues are expected. Impact fees are  $\frac{3}{4}$  of what was anticipated. The 900 West project is not completed. Storm water fund revenues are on with the budgeted amount and the expenditures are low. \$1.5 million from the general fund cash allocation was transferred to capital projects. \$50,000 was rolled to next years shop budget for a forklift. The museum is over budget due to travel. The cemetery budget is over due to the house purchase for cemetery expansion. JBS gave Hyrum City a check today for the purchase of a new fire truck.

**ACTION**

**Councilmember Clawson made a motion to approve the budget report. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.**

**MAYOR AND CITY COUNCIL REPORTS.**

Mayor Miller said the skatepark ribbon cutting will be held August 21<sup>st</sup> at 11 am. The event will be before school starts and all the work should be nearly complete. If that works for the Council, the

Mayor will move forward with it. Mayor Miller also let Councilmember James know she has received several calls for fall softball inquiries.

Councilmember James received an email inquiry as well from a local citizen. He said it is an idea to look at but may be something to combine with other cities on. James said not all the kids playing now are going to be continuing so Hyrum would need to combine with Nibley and Wellsville to get enough kids. James feels that Hyrum City is getting to a size that would benefit from a recreation director.

Mayor Miller said from her understanding visiting with Nibley City Mayor, it wouldn't be much more for the person doing their program to add Hyrum city.

Councilmember James said they have good marketing on recreation programs. Smithfield City combines with Richmond. Councilmember James will talk with Chad at Nibley City about a fall league. They have flag football and fall soccer.

Mayor Miller said JD at West Point Dairy has offered to schedule to take city employees on a tour of the plant.

Councilmember Clawson asked if someone could send a google poll to pitch times for the tour.

Zoning Administrator Matt Holmes said JD can accommodate several different times for a tour.

Mayor Miller said Jeff Jorgenson gave final employment notice on Monday with his last day being July 28<sup>th</sup>. Tom Broadbent retires in January. Very few applications have come in for the open Wastewater position. Wastewater Superintendent Angela Pritchett interviewed two people and is waiting to hear if one of them accepts the job. If Angela Pritchett feels Hyrum City needs something more than what was advertised, the job may be reposted. It was posted at a wage of \$21-\$25. If the city raises the rate to \$27-\$30, auditors require to repost the job to give other people opportunities to apply if they didn't because of wage. The individual they are waiting on to see if he accepts the job or not, works at South Weber Water Reclamation and lives in Hyrum City.

Councilmember Adams asked if a job analysis has been done for this job.

Mayor Miller said yes, the job analysis shows the job is slightly above what was advertised. Hyrum City needs to look at the people who have worked in the city for years and paying more for a new employee will cause a ripple effect. Extra money is in the budget for raises and it will take time to get to the point. City Recorder Stephanie Fricke is putting together a date for crossing guard training. Mayor Miller said there were four individuals who met the minimum requirements for the power superintendent. Interviews will be held next Wednesday with the interview committee consisting of a power superintendent from Brigham City, Councilmember Rasmussen, Councilmember Adams, Mayor Miller, Yoda Voth from the power department, and City Recorder Stephanie Fricke.

Councilmember Adams wanted to thank Hyrum City staff for their help with the 4<sup>th</sup> of July. Lots of people have committed to the Night Out Against Crime. The fire department has life flight attending.

Mayor Miller said Wastewater Superintendent Angela Pritchett is going to put up a booth to educate people on flushing of items into the sewer system.

Councilmember Adams said Waste Management is setting up a booth. Adams asked if the storm water trailer was coming.

Mayor Miller said the water trailer may or may not be coming if they can get the trailer running.

Councilmember Adams asked if Councilmember James could ask the Youth Council to help with pop.

Mayor Miller said she appreciates the time Steve Adams and his wife put into the 4<sup>th</sup> of July parade and appreciates the recommendations for next year.

Councilmember Rasmussen said the July meeting is canceled for the museum. Rasmussen said he is impressed with how the founding members of Hyrum are coming along. The patriotic flag display is growing every year with over 400 people attending this year. Rasmussen spoke with the Haviland's about a Hyrum City Day at Hardware Ranch. The Haviland's asked if the city can pay a lump sum group fee which Hyrum City hasn't paid for in the past as it was a donated service. That ended the discussion with them unless the city works out a group rate which could be \$4,000-\$7,000 dollars. Rasmussen said he prefers not to hold an event on Thanksgiving weekend.

Mayor Miller said December 2<sup>nd</sup> would be a good date.

Councilmember James said earlier in the day would be best.

Councilmember Adams asked if Councilmember James can check with Mr. Claus. He would like to move forward with the Transportation Plan. The city has said there isn't interest in accepting annexations.

Mayor Miller asked if that would be done with the General Plan.

Councilmember Rasmussen it can be concurrent or separate. The Transportation Plan can be done without the General Plan, but the General Plan can't be done without the Transportation Plan. 500 South going into River Heights comes off the highway and goes to a minor subdivision. It turns into a one lane dirt road connecting to 100 East. The city owns the right of way and is in a similar situation as the road with Clay Buttars. The city said they don't want to encourage traffic there, but the homeowners want it maintained. The city will grade the road once a year and fix potholes, and if snow is very deep, they will run a plow truck down the road after the other routes are done. Jon Jenkins has been involved with that situation.

Councilmember James asked if the city could get reimbursed by the two homes in the county.

Councilmember Rasmussen said that would not happen.

Councilmember James said the abatement is spraying mosquitoes Monday night.

Councilmember Clawson asked if they are spraying around the city pond. The mosquitoes near there will carry you away. Councilmember Clawson asked if Hyrum City could give them a code to the gate.

Councilmember James said the spray covers a perimeter of 300 feet.

Councilmember Clawson said 6600 South was supposed to be stripped last year and it needs done close to the intersection because people don't know where they are supposed to be.

Councilmember James said it made a big difference to put the stripe down 300 North. He also wanted to thank the Hyrum Fire Department and city staff for all the work put into the 4<sup>th</sup> of July.

**ADJOURNMENT:**

**ACTION**

There being no further business before the City Council,  
the Council Meeting adjourned at 9:03 p.m.

ATTEST:

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Stephanie Miller  
Mayor

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Stephanie Fricke  
City Recorder

Approved: August 3, 2023  
As Written