

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD SEPTEMBER 21, 2023  
AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

**CONVENED:** 6:30 P.M.

**CONDUCTING:** Mayor Stephanie Miller

**ROLL CALL:** Councilmembers Jared Clawson, Paul James, and Craig L. Rasmussen.

**EXCUSED:** Councilmembers Steve Adams and Vicky McCombs

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

**OTHERS PRESENT:** Zoning Administrator Matt Holmes, and seven citizens. Deputy Recorder Hailey Brown recorded the minutes.

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

**PLEDGE OF ALLEGIANCE:** Councilmember James

**INVOCATION:** Mayor Miller

**APPROVAL OF MINUTES:**

The minutes of a regular meeting on August 17, 2023 were approved as written.

**ACTION** Councilmember Clawson made a motion to approve the minutes of a regular meeting held on August 17, 2023 as written. Councilmember Rasmussen seconded the motion and Councilmembers Clawson, James, and Rasmussen voted aye. The motion passed.

The minutes of a joint meeting on September 14, 2023 were approved as amended.

**ACTION** Councilmember Rasmussen made a motion to approve the minutes of a joint meeting held on September 14, 2023 with the following change; on agenda approval to add the agenda was also distributed to the City Council. Councilmember James seconded the motion and Councilmembers Clawson, James, and Rasmussen voted aye.

**The motion passed.**

The minutes of a special meeting on September 19, 2023 were approved as written.

**ACTION**

**Councilmember Rasmussen made a motion to approve the minutes of a special meeting held on September 19, 2023 as written. Councilmember James seconded the motion and Councilmembers 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 September 21, 2023 with the following changes; on item 9B adding outdoor RV/boat storage, and moving item 11D to the next meeting. Councilmember James seconded the motion and Councilmembers Clawson, James, and Rasmussen voted aye. The motion passed.**

9. SCHEDULED DELEGATIONS

- A. Blanca Lopez - To request a Home Occupation Business License at 320 West 300 North for Mama Bee Beauty.
- B. Kirk Wilcox, Wilcox Landscaping and Storage - To request Site Plan approval for office and storage material yard, and outdoor RV/boat storage at 1673 Anvil Road in Blacksmith Fork Industrial Park.
- C. Josh Runhaar, Neighborhood Nonprofit Housing - To request Final Plat approval for Mountain View Estates South Phase 5 Subdivision located between 500 and 700 South along 1290 East for 24 single family building lots on approximately 7.6 acres.

10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES

- A. Ordinance 23-10 - An ordinance amending Title 8 Chapter 12 the Garbage and Collection and Disposal of the Hyrum City Municipal Code to include provisions for the collection of waste within Hyrum City limits.
- B. Resolution 23-20 - A resolution appointing UAMPS Member Representatives.
- C. Resolution 23-21 - A resolution setting Solid Waste Collection Fees.

11. OTHER BUSINESS

- A. Consideration and acceptance of public improvements for the following developments: Hidden Valley Phase 1, Mountain View Estates Phase 3, Mountain View Estates South Phases 1 and 2, Scenic Mountain Phase 1.
- B. Consideration and approval for JUB Engineers Inc. to submit Hyrum City's contract for acceptance of the Pipeline and Hazardous Materials Safety Administration (PHMSA) Technical Assistance Grant for 2023.
- C. Consideration and approval of a Natural Gas Facilities Agreement with Questar Gas Company dba Dominion Energy Utah.
- ~~D. Decision on maintenance and liability of the dirt road at 2200 West Highway 101 to 400 North.~~
- E. 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.

Amanda Butler with the Farm Kids Market asked to confirm a date to hold their Christmas market at the Elite Hall on December 9, 2023.

Deputy Recorder Hailey Brown said December 2<sup>nd</sup> and December 9<sup>th</sup> were reserved. The next available date was December 16<sup>th</sup>.

The City Council agreed to allow Amanda Butler with the Farm Kids Market to use the Elite Hall December 16, 2023 at no cost sponsored Hyrum City.

Electrical Superintendent Tom Cooper said this week he was at a Board Meeting with UAMPS. Hyrum City was presented with a plaque from the Red Mesa Tapaha Solar Project. The Navajo Nation gets services given to them. It shows the city's commitment to the community on green energy. Tom recommends the plaque to be hung in a public space for the community to see.

Jeremy and Ada Sowby voiced their concern over green waste collection. With it ending early, they usually fill three cans between Halloween and Thanksgiving. They are concerned about next year with green waste as there is no plan in place and they don't have a way to transport green waste to a facility.

Mayor Miller said she would like to mention that green waste was

going to end the last week of September, however, Waste Management has agreed to provide green waste service through the end of October at no extra charge. This winter once the garbage service is running, the consortium will meet to discuss green waste for next year as the city knows something needs to be done. There are different options to look at to find something affordable. If Hyrum City is not able to get green waste service for next year, the green waste can be put in the black cans.

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

***SCHEDULED DELEGATIONS:***

**BLANCA LOPEZ - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 320 WEST 300 NORTH FOR MAMA BEEE BEAUTY.**

Mayor Miller said the application states that there will be two-three clients daily.

Councilmember Rasmussen asked if Blanca has been doing nails somewhere else.

Blanca Lopez said she is starting new in the nail business.

**ACTION**

**Councilmember James made a motion to approve a Home Occupation Business License at 320 West 300 North for Mama Beee Beauty. Councilmember Clawson seconded the motion and Councilmembers Clawson, James, and Rasmussen voted aye. The motion passed.**

**KIRK WILCOX, WILCOX LANDSCAPING AND STORAGE - TO REQUEST FINAL PLAT APPROVAL FOR OFFICE AND STORAGE MATERIAL YARD, AND OUTDOOR RV/BOAT STORGAE AT 1673 ANVIL ROAD IN BLACKSMITH FORK INDUSTRIAL PARK.**

Kirk Wilcox said he is looking to continue his landscape business. He previously owned the greenhouse by Logan High School.

Councilmember James said Logan Greenhouse has been around a long time.

Councilmember Rasmussen said the landscape plan looks great, but has a hard time reading the text on the plans. The Planning Commission has made a few recommendations including the plans to show the dimension/width of the two entry ways and to confirm the

setback distance from the property line to the office as it should be thirty feet. The shipping containers are innovative, Rasmussen asked if the Planning Commission had specific requirements on the containers.

Kirk Wilcox said the small twenty-foot container is new and the other two containers are used.

Councilmember Rasmussen asked if the containers were rusted.

Kirk Wilcox said they are not rusty, and he would like to paint them nicely. The Planning Commission had recommended privacy slats in the fence, and Kirk asked if that applies around the parameter of the property. He asked if the purpose of the privacy screen is to visually hide what is on the property.

Councilmember Rasmussen said his expectation for privacy relates to the storage area.

Kirk Wilcox said he could see the reason for privacy slats if the property was a junk yard. If the reason is vandalism, people will find out what is on the property and break in if they want to. If the property had a solid privacy screen, people wouldn't be able catch vandalism happening on the property. Kirk put a birm on the plans that he will landscape for screening and beautification. Other properties nearby there are not screened for privacy.

Councilmember Rasmussen asked about the storage space on the East side if there is a gate on the accessway.

Kirk Wilcox said the property is all gated with an electrical code.

Councilmember Rasmussen said that he doesn't see the need for a screened fence.

Councilmember James said landscape would be a better aesthetic. A screened fence will be hard with the wind in the area.

Zoning Administrator Matt Holmes said the Planning Commission discussed in the winter that the landscape won't provide any privacy.

Councilmember Rasmussen said he would like to see the entrance sizes. He also asked if there is a designated ADA parking stall and how parking is delineated from the storage area.

Kirk Wilcox said the Planning Commission wanted a hard surface on the storage area. He was going to lay asphalt by the small container.

Councilmember Rasmussen said one designated ADA stall would be needed by the office.

Zoning Administrator Matt Holmes said Kirk may want one stall for him, one extra stall, and one ADA stall.

Kirk Wilcox said the business is not a retail outlet and so ADA parking is not required.

**ACTION**

**Councilmember James made a motion to approve the final plat for office and storage material yard, and outdoor RV/boat storage at 1673 Anvil Road in Blacksmith Fork Industrial Park with recommendations from the Planning Commission excluding the privacy fence screening and to show dimensions of the entryways on the plans to ensure proper distances as approved by Zoning Administrator Matt Holmes. Councilmember Clawson seconded the motion and Councilmembers Clawson, James, and Rasmussen voted aye. The motion passed.**

**JOSH RUNHAAR, NEIGHBORHOOD NONPROFIT HOUSING - TO REQUEST FINAL PLAT APPROVAL FOR MOUNTAIN VIEW ESTATES SOUTH PHASE 5 SUBDIVISION LOCATED BETWEEN 500 AND 700 SOUTH ALONG 1290 EAST FOR 24 SINGLE FAMILY BUILDING LOTS ON APPROXIMATELY 7.6 ACRES.**

Kris Harrold is here on behalf of his boss Josh Runhaar. Kris said the plans have been reviewed before and this is final plat approval. Zoning Administrator Matt Holmes brought up a few small edits. Kris is proposing phase five to move forward.

Councilmember Clawson said the road along 6200 South/700 South is more of a city problem because one lane is asphalt, and the other lane is unpaved. Clawson said the city may want to look at finishing out that road like 300 South. As the other side develops the costs would need to be paid back by Neighborhood Non-profit Housing. The other side of 700 South is owned by Ross Jessop and is in the county.

Councilmember Rasmussen said Hyrum's ordinance doesn't have this requirement, but other cities require the developer to provide the center line plus ten feet. This makes it hard with the Jessop property, unless they participate. The development could exclude

curb and gutter on the North side of the road and pave to the planter strip to add more roadway for now.

Kris Harrold said curb and gutter is already placed throughout phase five and that might create a safety issue. Zoning Administrator Matt Holmes brought up on 1330 East that some of the addresses have the same numbers as on another street, and it is good to change numbers up on different roads for emergency purposes.

**ACTION**

**Councilmember James made a motion to recommend Final Plat approval for Mountain View Estates South Phase 5 Subdivision located between 500 and 700 South along 1290 East for 24 single family building lots on approximately 7.6 acres with city staff comments and comments made by the developer on the map. Councilmember Rasmussen seconded the motion and Councilmembers Clawson, James, and Rasmussen voted aye. The motion passed.**

***INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:*****ORDINANCE 23-10 - AN ORDINANCE AMENDING TITLE 8 CHAPTER 12 THE GARBAGE AND COLLECTION AND DISPOSAL OF THE HYRUM CITY MUNICIPAL CODE TO INCLUDE PROVISIONS FOR THE COLLECTION OF WASTE WITHIN HYRUM CITY LIMITS.**

Councilmember James asked if this was written by the Cache Waste Consortium.

Mayor Miller said yes, and the City Attorney made one change.

Councilmember Clawson said he had a question on the overage section.

Councilmember Rasmussen said he doesn't agree with the overage because some weeks the cans are less empty and sometimes a stick or handle may lift the lid slightly.

Councilmember James said sometimes the wind will flip the garbage lid over.

Councilmember Rasmussen had a question on paragraph G page five. This doesn't allow Rupp's to have an existing contract for a roll-off bin to pick up waste.

Mayor Miller said that was changed so that another company doesn't

come provide services for a lower cost. For a construction site they can continue with their existing contract.

Councilmember Rasmussen asked if all those in the community with existing contracts can continue as so.

Councilmember James said he spoke with Waste Management, and they are in business for residential trash. Businesses need to have some sort of franchise to take care of their dumpsters.

Councilmember Clawson said the document needs to define a strictly limited basis in paragraph G.

Councilmember James said this makes it so someone can't come in and contract to haul garbage off for a duration with a franchise fee.

Councilmember Rasmussen asked how to find out if anyone currently has a contract fee.

Mayor Miller said there are two companies that have their own bins and that is their livelihood, the contract made it so that people can do their business but still protect commercial business.

Councilmember James asked if a clause could be added to say that existing contracts with other companies are grandfathered in.

Councilmember Clawson asked if this contract is for all towns and if one item is changed if it is changed for everyone.

Mayor Miller said she will check with Waste Management to make sure they approve if the Council makes a change in wording.

Councilmember Clawson would like the definition of a strictly limited basis to be clarified in paragraph G.

Councilmember Rasmussen would like to add a grandfather clause for those with existing garbage contracts.

Councilmember James agreed to add those items to the motion.

Mayor Miller said Waste Management is taking over the business that Logan City did and protecting it.

**ACTION**

**Councilmember James made a motion to approve Ordinance 23-10 amending Title 8 Chapter 12 the Garbage and**



Collection and Disposal of the Hyrum City Municipal Code to include provisions for the collection of waste within Hyrum City Limits to clarify the definition of what a strictly limited basis is for third party hauling, check on the paragraph regarding can overage, and a clause to allow businesses with existing garbage contracts. Councilmember Clawson seconded the motion and Councilmembers Clawson, James, and Rasmussen voted aye. The motion passed.

**RESOLUTION 23-20 - A RESOLUTION APPOINTING UAMPS MEMBER REPRESENTATIVES.**

Mayor Miller is proposing to appoint the new Power Superintendent Tom Cooper as the representative with Quentin Voth as the first alternate and Blake Ballard as the second alternate as Hyrum City's UAMPS Representatives.

**ACTION** Councilmember Clawson made a motion to approve Resolution 23-20 appointing UAMPS Member Representatives. Councilmember James seconded the motion and Councilmembers Clawson, James, and Rasmussen voted aye. The motion passed.

**RESOLUTION 23-21 - A RESOLUTION SETTING SOLID WASTE COLLECTION FEES.**

Mayor Miller said in the past Hyrum City has included an extra percentage to cover the costs for billing.

Councilmember James said the extra percentage is also used for the spring clean-up.

Mayor Miller said rates are currently at \$16.50 and will be \$20 with Waste Management. The 5% fee added raises it to \$22 and is currently charged at \$18.75 with 5% added.

Councilmember James asked if this would allow the city to continue the spring clean-up.

Mayor Miller said yes that is included.

Councilmember Clawson asked if the 5% covers Hyrum City's cost.

**ACTION** Councilmember James made a motion to approve Resolution 23-21 a Resolution setting Solid Waste

**Collection Fees. Councilmember Clawson seconded the motion and Councilmembers Clawson, James, and Rasmussen voted aye. The motion passed.**

Councilmember Rasmussen asked if the rates with Waste Management are set for a specified period or if they are reviewed annually.

Mayor Miller believes there is a built-in automatic increase.

Councilmember Rasmussen said he is concerned if these costs escalate too high.

Mayor Miller said it is agreed to look at the costs annually. If fuel costs decrease that will reflect in what they charge us.

Councilmember James the costs will go with the inflation rates.

Councilmember Clawson asked if the homeowner would pay more per month for a new home can delivery.

Councilmember Rasmussen said that is a one-time charge for delivery of new cans to be added that month.

***OTHER BUSINESS:***

**CONSIDERATION AND ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR THE FOLLOWING DEVELOPMENTS: HIDDEN VALLYEY PHASE 1, MOUNTAIN VIEW ESTATES PHASE 3, MOUNTAIN VIEW ESTATES SOUTH PHASES 1 AND 2, SCENIC MOUNTAIN PHASE 1.**

Mayor Miller asked if Zoning Administrator Matt Holmes had any discussion on this topic.

Zoning Administrator Matt Holmes said this is an acceptance request for the improvements themselves for the city to release the bonds. This is for after the one-year warranty then bonds can be released. Neighborhood Non-profit has been great.

Councilmember Rasmussen said there are some HOA issues in Scenic Mountain and one storm drain they should have fixed but haven't yet. The landscaping is good, and they are working on the irrigation.

**ACTION**

**Councilmember James made a motion to approve consideration and acceptance of public improvements for the following developments: Hidden Valley Phase 1,**

Mountain View Estates Phase 3, Mountain View Estates South Phases 1 and 2, Scenic Mountain Phase 1 on approval of staff punch lists being completed. Councilmember Rasmussen seconded the motion and Councilmembers Clawson, James, and Rasmussen voted aye. The motion passed.

**CONSIDERATION AND APPROVAL FOR JUB ENGINEERS INC. TO SUBMIT HYRUM CITY'S CONTRACT FOR ACCEPTANCE OF THE PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION (PHMSA) TECHNICAL ASSISTANCE GRANT FOR 2023.**

Mayor Miller said JUB applied for \$99,985 for equipment and GIS training. They expect approval next week and once they get approval the City Council has five days to approve so they are asking for pre-approval on the grant.

Councilmember James asked if the city is looking to get an intern to work with the GIS system.

Mayor Miller said Hyrum City is looking to possibly hire someone to take Ron Salvesen's place to help with public works and city planning.

Councilmember Rasmussen asked if the GIS will work with the county system.

Zoning Administrator Matt Holmes said Hyrum City has its own separate GIS, but Cache County maintains it. This will help to update our GIS to avoid pipeline issues in the future.

Councilmember Rasmussen asked if this is a grant for JUB or for Hyrum City.

Zoning Administrator Matt Holmes said the fund is for Hyrum City, but the city worked with JUB to apply for the grant. Future projects were also discussed with JUB to see if they could help with grants.

**ACTION**

**Councilmember Rasmussen made a motion to approve JUB Engineers Inc. to submit Hyrum City's contract for acceptance of the Pipeline and Hazardous Materials Safety Administration (PHMSA) Technical Assistance Grant for 2023 approve acceptance if awarded. Councilmember Clawson seconded the motion and Councilmembers Clawson, James, and Rasmussen voted aye. The motion passed.**

**CONSIDERATION AND APPROVAL OF A NATURAL GAS FACILITIES AGREEMENT WITH QUESTAR GAS COMPANY DBA DOMINION ENERGY UTAH.**

Mayor Miller asked Power Superintendent Tom Cooper to discuss this agreement.

Power Superintendent Tom Cooper said this is a final contract with corrections from meeting with the engineers.

Councilmember Rasmussen had a question on the betterments and Hyrum City being reimbursed. With the upsizing of lines Dominion Energy said they would pay Hyrum City back and he wanted that clearly defined. The engineers said there aren't any betterments, and an eight-inch line is required for the six units the city has. Quentin Voth told Councilmember Rasmussen the most lines the city could have is five. Once past West Point Dairy there is extra capacity for an eight-inch line and there should be a betterment. Dominion Energy doesn't consider that a betterment in the 1700 feet. The costs were going to be \$100,000 less than the \$780,000 total cost.

Power Superintendent Tom Cooper said it was discussed Monday that if the city maintains the three current generators a six-inch line would be enough, if the city increases to five generators an eight-inch line would be needed. They will run an eight-inch line to the building. The \$780,000 was the line costs and a deposit for overages and once the line was complete the money would be returned to Hyrum City. Hyrum City gave UAMPS a check to cover that cost for the city and then have it rolled into the bond amount. It is getting to the end of meeting the needed timeline and pushing to an eight-week timeline.

**ACTION**

**Councilmember Rasmussen made a motion to approve of a Natural Gas Facilities Agreement with Questar Gas Company dba Dominion Energy Utah with the few legal descriptions added in, update the plans to show the line size to the building if it is six inch or eight inch, and change item B to say 700 North. Councilmember James seconded the motion and Councilmembers Clawson, James, and Rasmussen voted aye. The motion passed.**

**MAYOR AND CITY COUNCIL REPORTS.**

Councilmember Rasmussen said the museum storage room is coming along and the building permit is completed. The rough-in inspection is scheduled for Monday afternoon. The museum is gone to Vernal this week for a state conference. Museum Director Jami Van Huss

has three presentations and Courtney Cochley has one presentation. Councilmember Rasmussen is trying to get the CVTD bus for the Hyrum Historic Home Tour from 10:00 A.M. - 3:00 P.M. The home tour and cemetery tour will be on October 28<sup>th</sup> to talk about the founders of Hyrum City. There are two home tours and one cemetery tour scheduled. Steve Downs and John Petersen are going through the home tour and gathering pictures for a book to be created. The Hyrum Christmas celebration is scheduled for December 2nd, and the museum has Friday night reserved for movie night. It was discussed that families could decorate trees in the Elite Hall and then give utility credit for the winners. For the Christmas Celebration as people walk to the back of the Elite Hall to see Santa and get cookies and hot chocolate, they could view the decorated display of trees and gingerbread houses.

Councilmember Clawson asked if there would be arts and crafts for kids.

Councilmember Rasmussen said if they don't change the movie night to Saturday then crafts could be done instead of decorating.

Councilmember James and Mayor Miller went to the Nibley recreation meeting. They discussed what recreation cities currently have and discussed making sports better by combining with other cities. There was also a discussion on a regional sports center one day. Nibley City currently has a firm working on their recreation plans right now. 52% of kids in the Nibley City flag football program live outside of Nibley. Councilmember James said Hyrum City may need to look at a recreation director position someday. Smithfield City has a pickleball league that is well liked.

Councilmember Clawson said the water master hasn't got water on at the Nielsen property by the Stake Center. Water Superintendent Kade Maughan went and charged it up the other day and found some leaks.

Mayor Miller met with the city attorney today and he will put together a letter on costs and information for the water issue in Rolling Hills.

Councilmember Clawson asked if the city found out where the line is crushed.

Mayor Miller said the water was taken out of the line so they could look inside the pipe. The holes are in the line from the sidewalk. The sidewalk and a portion of the driveway had to be torn up.

