

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD AUGUST 3, 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, Vicky McCombs, and Craig L. Rasmussen. Councilmember Paul C. James participated by telephone.

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

OTHERS PRESENT: Zoning Administrator Matt Holmes, and 7 citizens. City Recorder Stephanie Fricke recorded the minutes.

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

PLEDGE OF ALLEGIANCE: Councilmember Clawson

INVOCATION: Councilmember Adams

APPROVAL OF MINUTES:

The minutes of a regular meeting on July 20, 2023 were approved as written.

ACTION Councilmember Clawson made a motion to approve the minutes of a regular meeting held on July 20, 2023 as written. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, 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 August 3, 2023 with the following amendments: 9.A. change "James Adams" to "Davis Challis"; 10.A. Resolution 23-16 be moved to item 10.B.; 10B. "Ordinance

23-05" be changed to 10.A. "Ordinance 23-08"; and 10.C. "Ordinance 23-06" be changed to "Ordinance 23-09". Councilmember Rasmussen seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

9. SCHEDULED DELEGATIONS

A. ~~James Adams~~ Dave Challis, Lightfield Energy - To give a presentation on Solar Power.

10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES

A. Ordinance 23-08 - An Ordinance amending Section 10.08.010 and adding Section 10.18.020 of Chapter 10.18 of Title 10 (the Vehicles and Traffic Ordinance) of the Hyrum City Municipal Code regarding restricting the use of certain streets and/or segments of streets.

B. Resolution 23-16 - A resolution restricting commercial vehicle through traffic on Anderson Avenue between HIGHWAY 165 and 600 East.

C. Ordinance 23-09 - An ordinance amending Section 6.12.010 Licensing and Rabies Vaccinations to Title 6 (Animals) of the Hyrum City Municipal Code to not include a service animal in the number of dogs allowed per household.

D. Ordinance 23-07 - An ordinance amending Title 3, Section 3.04.070 Competitive Bidding (the Purchasing Ordinance) of the Hyrum City Municipal Code.

11. OTHER BUSINESS

A. Consideration and approval of a sole source bid to clean out wastewater collection system.

B. Consideration and approval of an Agreement for Fire Suppression, Ambulance Service and Firefighter/AEMT Employment between Cache County Fire District and Hyrum City.

C. Discussion on vending machines in park, continued.

D. Consideration and approval of a Proclamation Declaring the week of September 18 through 24, 2023 as National Diaper Need Awareness Week.

E. Discussion of maintenance and liability of the dirt road at 2200 West Highway 101 to 400 North, continued.

F. 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.

Deseree Wyatt said she lives at 80 South 200 West and appreciates the City Council considering not including service dogs in the number of dogs allowed per household. She has a child with autism that relies on a service dog. She also has an emotional support dog, and one additional dog. The service and emotional support dogs give her family the support and comfort needed to get through difficult days. The service dog helps her son develop empathy and caring for others. He has a disruptive type of autism, and he needs to develop skills in order to have a positive impact on society.

Ty Lewis lives in Hyrum at 500 South 1330 East and is concerned about the speed of traffic in his neighborhood. He would like the City to install a four-way stop at the intersection of 500 South 1350 East to help slow down traffic.

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

SCHEDULED DELEGATIONS:

DAVE CHALLIS, LIGHTFIELD ENERGY - TO GIVE A PRESENTATION ON SOLAR POWER.

Dave Challis with Lightfield Energy said with increasing power rates and continued growth there is not enough power generation. His company works with City's to provide an alternative power source through solar generation. His company will install solar panels on property the City owns and lease the panels to the City. This will allow the City generate power rather than purchasing power on the open market. It usually takes less than nine months to design and install the solar farm.

Mayor Miller said Hyrum City's former Power Superintendent Matt Draper had originally met with Lightfield Energy to discuss possible sites for a solar farm. It was suggested by Matt Draper to have the solar farm adjacent to the City's wastewater reclamation facility, however, after speaking with Wastewater Superintendent Angela Pritchett she was concerned about needing that land for future expansion of the facility since Hyrum City will be treating Millville City's wastewater. Also, there is great concern due to vandalism in this area. The city has a field that is being leased to a farmer that is north of JBS. This could be a possible location for the solar farm if the City finds it feasible and wants to lease the solar farm.

The City Council discussed the possibilities of leasing a solar farm and determined that Dave Challis should speak with Hyrum City's new Power Superintendent.

INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES

ORDINANCE 23-08 - AN ORDINANCE AMENDING SECTION 10.08.010 AND ADDING SECTION 10.18.020 OF CHAPTER 10.18 OF TITLE 10 (THE VEHICLES AND TRAFFIC ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE REGARDING RESTRICTING THE USE OF CERTAIN STREETS AND/OR SEGMENTS OF STREETS.

Mayor Miller said the Cache County Sheriff's office recommended the City amend its ordinance to restrict certain kinds of vehicles and traffic on some city streets and/or segments of streets. Sheriff Deputies can not cite drivers that are driving on weight restricted streets until the ordinance is amended. Ordinance 23-08 defines types of vehicles and sets forth a policy to set forth the penalty for persons in violation of the ordinance.

ACTION

Councilmember James made a motion to approve Ordinance 23-08 amending Sect5ino 10.080.010 and adding Section 10.18.020 of Chapter 10.18 of Title 10 (the Vehicles and Traffic Ordinance) of the Hyrum City Municipal Code regarding restricting the use of certain streets and/or segments of streets. Councilmember Rasmussen seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

RESOLUTION 23-16 - A RESOLUTION RESTRICTING COMMERCIAL VEHICLES THROUGH TRAFFIC ON ANDERSON AVENUE BETWEEN HIGHWAY 165 AND 600 EAST.

Mayor Miller said Resolution 23-16 will restrict commercial vehicle traffic on Anderson Avenue between

ACTION

Councilmember James made a motion to approve Resolution 23-16 - a Resolution restricting commercial vehicles through traffic on Anderson Avenue between Highway 165 and 600 East. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

ORDINANCE 23-09 - AN ORDINANCE AMENDING SECTION 6.12.010 LICENSING AND RABIES VACCINATIONS TO TITLE 6 (ANIMALS) OF THE HYRUM CITY MUNICIPAL CODE TO NOT INCLUDE A SERVICE ANIMAL IN THE NUMBER OF DOGS ALLOWED PER HOUSEHOLD.

Mayor Miller said Ordinance 23-09 an ordinance amending Section 6.12.010 Licensing and Rabies Vaccinations to Title 6 (Animals) of the Hyrum City Municipal Code to not include a service animal in the number of dogs allowed per household.

ACTION

Councilmember Rasmussen made a motion to adopt Ordinance 23-09 amending Section 6.12.010 Licensing and Rabies Vaccinations of Title 6 (Animals) of the Hyrum City Municipal Code to not include a service animal in the number of dogs allowed per household with the following amendment to Section H after "Fourplex, four (4) dogs total) add "a service dog trained to perform a task related to a person's disability are not counted in total of dogs allowed per units." Councilmember Adams, seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

ORDINANCE 23-07 - AN ORDINANCE AMENDING TITLE 3, SECTION 3.04.070 COMPETITIVE BIDDING (THE PURCHASING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE.

ACTION

Councilmember Adams made a motion to approve Ordinance 23-07 - An Ordinance amending Title 3, Section 3.04.070 Competitive Bidding (then Purchasing Ordinance) of the Hyrum City Municipal Code. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS

CONSIDERATION AND APPROVAL OF A SOLE SOURCE BID TO CLEAN OUT WASTEWATER COLLECTION SYSTEM.

Mayor Miller said the Wastewater Department is requesting approval for a sole source bid to cleanout the Wastewater Collection System.

The City Council discussed its concern that an actual bid was not included in the packet and until they had a copy of the actual bid they were not in favor of approving it. A special City Council Meeting is being held on August 7, 2023 at 7:30 a.m. to award a bid for the Wastewater Treatment Plant Exterior Headworks Upgrade and this bid could be placed on the agenda also.

ACTION Councilmember Rasmussen made a motion to table the award a sole source bid to clean out wastewater collection system until a future City Council Meeting when the actual bid is provided. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPROVAL OF AN AGREEMENT FOR FIRE SUPPRESSION, AMBULANCE SERVICE AND FIREFIGHTER/AEMT EMPLOYMENT BETWEEN CACHE COUNTY FIRE DISTRICT AND HYRUM CITY.

ACTION Councilmember Rasmussen made a motion to approve an agreement for Fire Suppression, Ambulance Service, and Firefighter/AEMT employment between Cache County Fire District and Hyrum City. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

DISCUSSION ON VENDING MACHINES IN PARK, CONTINUED.

Mayor Miller said the City Council discussed allowing private vending machines in City Parks on July 20, 2023. The City had contacted other cities in Cache Valley and no other cities allow private vending machines in their parks.

Councilmember James said he doesn't think the City should provide power for a private business. If the vending machines are using the City's power then it should not be allowed.

Councilmember Adams said if the person providing the vending machines provide insurance and the City is not liable for damages then he thinks the City should allow them to at least try it.

Councilmember Clawson said he is concerned about the City allowing people to use City electricity and City property to run a private business. There are brick and mortar businesses in walking distance of each of the parks and he doesn't want to take business away from them.

ACTION Councilmember James made a motion to not allow private vending machines in City Parks and for all vending machines currently located at a City Park to have the owner remove it immediately. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPROVAL OF A PROCLAMATION DECLARING THE WEEK OF SEPTEMBER 18 THROUGH 24, 2023 AS NATIONAL DIAPER NEED AWARENESS WEEK.

Mayor Miller said the Little Lambs Foundation for Kids of Cache Valley has asked the City to approve a proclamation declaring the week of September 24, 2023 as National Diaper Awareness Week.

The City Council discussed its understanding of organizations wanting proclamations approved but the City also needs to recognize that the effectiveness of a proclamation should be for legitimate purposes and a proclamation should not be approved for every small cause.

ACTION

Councilmember James made a motion to not allow private vending machines in City Parks and for all vending machines currently located at a City Park to have the owner remove it immediately. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

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

Mayor Miller said the dirt road at 2200 West Highway 101 to 400 North is being reviewed by the City Attorney to determine who is liable for the maintenance and repair. His opinion should be available by the next City Council Meeting.

MAYOR AND CITY COUNCIL REPORTS.

Mayor Miller said City Treasurer Todd Perkins and Utility Billing Specialist Margaret Poppleton are reviewing the power bills for the past four months and are recommending the current PPAC be included in the permanent rate rather than the PPAC. This will be on the next City Council agenda.

Councilmember Adams thanked the City Council for its help with the National Night Out Against Crime. It was a great night and was well attended. Life flight made it and the children loved seeing the helicopter.

Councilmember Rasmussen asked Councilmember James to arrange for

Mr. and Mrs. Clause for December 2 from 3:00 to 5:00 p.m. The Museum is going to be closed so that Museum Staff can attend two conferences. The Cold War Vet program will be held again in November.

Councilmember McCombs said the Senior Center is in the process of hiring a new cook.

Councilmember Clawson said a new river commissioner is being hired for Hyrum, Paradise, and Wellsville irrigation companies.

Mayor Miller said a new Power Superintendent was selected by a hiring committee and will start August 11, 2023.

ADJOURNMENT:

ACTION **There being no further business before the City Council, the Council Meeting adjourned at 7:55 p.m.**

ATTEST:

Stephanie Miller
Mayor

Stephanie Fricke
City Recorder

Approved: August 17, 2023
As Written