

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MARCH 6, 2025 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, Michael Nelson, and Craig L. Rasmussen.

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

**OTHERS PRESENT:** City Planner Tony Ekins, Power Superintendent Larry Coleman, City Engneer Matt Holmes, and six citizens. City Recorder Stephanie Fricke recorded the minutes.

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

**PLEDGE OF ALLEGIANCE:** Councilmember Adams

**INVOCATION:** Mayor Miller

**APPROVAL OF MINUTES:**

The minutes of a regular meeting on February 20, 2025 were approved as written.

**ACTION** Councilmember Clawson made a motion to approve the minutes of a regular meeting held on February 20, 2025 as written. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, Nelson, 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 Rasmussen made a motion to approve the agenda for February 6, 2025 as written. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, Nelson, and Rasmussen voted aye. The motion

**passed.**

8. PUBLIC COMMENT
9. SCHEDULED DELEGATIONS
  - A. Jeime Frias - To request a refund on wastewater utility fees.
  - B. Michael Sovine, Hyrum State Park - To discuss the expansion of off-street parking at Hyrum State Park.
  - C. Kristi Walker, Logan City Police Department 911 Director - To request approval of Amendment No. 1 to the Interlocal Agreement for Dispatch Services between Logan City and Hyrum City.
10. OTHER BUSINESS
  - A. Consideration and award of bid for Construction of Libbie Springs Park.
  - B. Consideration and award of bid for the Update of Hyrum City's General Plan.
  - C. Consideration and approval of the Hardware Ranch Underground Powerline Construction, Transfer and Operation, Maintenance and Repair Agreement.
  - D. Discussion on amending Hyrum City Municipal Code to authorize the Nuisance Officer to issue citations.
  - E. Mayor and City Council Reports.

***PUBLIC COMMENT:***

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

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

***SCHEDULED DELEGATIONS:***

**JEIME FRIAS - TO REQUEST A REFUND ON WASTEWATER UTILITY FEES.**

Jeime Frias said she lives at 790 Sunrise Avenue and she has been paying a monthly sewer fee but is not connected to the City's sewer system. Last month she had sewer water backing up into her house. She had the City come out and video her lines and the City told her that the line was crushed and would need repaired. She had a contractor come out and her house was not connected to the service line. Her house is still connected to a septic tank. Her neighbor told her the City refunded her sewer fees and the City does not charge a monthly service fee to her home at 785 Sunrise Avenue

because she could not connect to the sewer line. Jeime wants the City to refund her monthly sewer fees since her house is not connected to the City's sewer system.

Councilmember James asked if the house had ever been connected to the City's sewer system.

Mayor Miller said it doesn't appear that it had been connected to the City's sewer system. However, State Law allows a City to charge residents that within the service district a monthly service fee even if they are not connected.

Councilmember Rasmussen said this house is within 300' of a sewer main and in accordance with State Law it is required to be connected to the City's sewer main unless there is some type of hardship that wouldn't allow the house to be connected. He understands that Jeime would want reimbursed but there are homes all over town that are connected to the sewer system and are being charged a monthly sewer rate as allowed by law. When the sewer system was initially installed the City required each individual homeowner to connect their home to the main line. Some homeowners didn't connect and still used a septic tank, but the connection fee was paid.

Jemie Frias said when they bought the house they were told that it as connected to the City's sewer system. Now they have found out its not and its very expensive to connect to the sewer system. They would rather have their money back and not be charged a monthly fee.

Councilmember Rasmussen said he has compassion for Jemie Frias and the financial burden this is going to place on her. However, the City has to follow the law and its own ordinances. He would be in favor of the City giving her a credit of two years worth of service charges and waive the connection fee if she connects her house to the City's sewer system. The City would reimburse those fees upon proof of connection.

**ACTION**

**Councilmember Rasmussen made a motion that in accordance with Hyrum City Municipal Code and State Law that monthly sewer charges continue to be billed to Jemie Frias at 790 Sunrise Avenue but upon Jemie Frias providing proof of connecting her house at 790 Sunrise Avenue to the City's sewer system, the City will reimburse her two**

**years worth of monthly service fees and waive the sewer connection fee. Councilmember James seconded the motion. a**

Jemie Frias said it is over \$13,000 to have a contractor connect her house to the City's sewer system. They would prefer not being charged a monthly sewer fee and not connect to the system.

**Councilmember Nelson recommended amending Councilmember Rasmussen's motion to change the reimbursement from two years to three years of service fees. Councilmembers Rasmussen and James accepted Councilmember Nelson's amendment to the motion. Councilmember Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.**

**MICHAEL SOVINE, HYRUM STATE PARK - TO DISCUSS THE EXPANSION OF OFF-STREET PARKING AT HYRUM STATE PARK.**

Michael Sovine with Hyrum State Park said State Parks are not required by law to have site plan approval. However, He wanted Hyrum City to be aware of the improvements that are being made at Hyrum State Park to address parking issues on 400 West. Hyrum State Park is going to provide three 15 minute unloading and loading parking spaces on the northside of the overflow parking / day use area on the north west of 300 South and 400 West. These parking spaces will hopefully encourage visitors to not park or stop in the middle of the road on 400 West.

Councilmember Adams said over the past several years the traffic problem on 400 West from recreators that use Hyrum Dam has considerably gotten worse. People stop in the middle of the road on 400 West to wait for their friends and family to park a car and get a ride in the boat to the State Park, or when they come out they are parked in the middle of the road unloading passengers and even wiping down boats. He asked Mayor Miller if the City could do something to stop visitors from parking on the road. It is creating a safety hazard and he is worried someone will get hurt.

Mayor Miller said she can ask law enforcement to patrol the area more and issue citations to people who are parked or stopped on the road.

Michael Sovine said State Parks can no longer issue citations. He encouraged the City to take whatever action it feels is best to help the situation. The State Park will put up signs to help direct visitors and also explains the parking rules on its property.

**KRISTI WALKER, LOGAN CITY POLICE DEPARTMENT 911 DIRECTOR - TO REQUEST APPROVAL OF AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT FOR DISPATCH SERVICES BETWEEN LOGAN CITY AND HYRUM CITY.**

Kristi Wilker, 911 Director with Logan City Police Department said 911 Dispatch Fees have not increased since 2013 when dispatch fees was increased by \$1.00 from \$2.00 to \$3.00 per month. The monthly fee is broken down as follows: \$2.00 is for 911 Dispatch Service Wages and \$1.00 per month is for equipment. Logan City's dispatch is staffed by 20 full time positions but currently there are only 16 full time employees and two of those are in training. 911 Dispatch is operating at the same number of staff as it did in 2002. Staffing hasn't changed but the number of calls definitely has. There are about 20,000 more calls in a 13 year period. The dispatch is down 4 full time people and they are unable to attract the right candidate due to the wages being so much lower than other areas in Utah. Box Elder County pays a starting wage of \$27.50 per hour, Rich County pays \$26.00 per hour, and Logan Dispatch pays \$22.85 per hour. 911 Dispatch Funding revenues come from 911 fees on utility bills and E911 fees on cell phone bill. Utah State University and Highway Patrol also pay them for dispatch services. Dispatch is self sustaining and all revenue and funds stay in their account and doesn't mingle with Logan City's fund. The proposed increase is a 10% increase for one year making it \$3.30 a month, then a 3% increase each year for the next following four years. This increase is necessary to generate additional revenue to provide a competitive wage to keep dispatchers. They are asking for exactly what they need and they aren't asking for more than what they need.

**ACTION**

**Councilmember James made a motion to approve amendment No. 1 to the Interlocal Agreement for Dispatch Services between Logan City and Hyrum City. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.**

**OTHER BUSINESS****CONSIDERATION AND AWARD OF BID FOR CONSTRUCTION OF LIBBY SPRINGS PARK.**

Mayor Miller said Hyrum City received four bids for the construction of Libbie Springs Parks:

DWA Construction	\$726,437
Raymond Construction	\$729,969
Lundahl Construction	\$753,392
Juniper Earthworks	\$938,928

The bids will be reduced by \$8,000 due to the elimination of needing a bid bond. Hyrum City will hold 5% as a retainer.

**ACTION**

**Councilmember Clawson made a motion to award the bid for the construction of Libbie Springs Park to DWA Construction in the amount of \$718,437. Councilmember Nelson seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.**

**CONSIDERATION AND AWARD OF BID FOR THE UPDATE OF HYRUM CITY'S GENERAL PLAN.**

Mayor Miller said Hyrum City received one bid for the Update of Hyrum City's General Plan which was JUB Engineering in the amount of \$77,400. Currently, there are two employees from JUB assigned to this project that are on the Hyrum Planning Commission.

City Planner Tony Ekins said JUB Engineering was the only firm that submitted a bid by the deadline. He was in communication with three companies but only received one bid by the due date. He did receive another bid but it was past the deadline so he didn't open up the bid and he doesn't know what that company's bid was. He spoke with the City Attorney and the City Attorney told him a late bid could not be accepted and that he should not open it.

Councilmember Rasmussen said he is concerned about two members of Hyrum City Planning Commission being employed and assigned to this project by JUB. He feels that it is a conflict of interest. He is also concerned that the Project Manager Brian Carver is on the

Planning Commission and has not had more experience as a project manager over a General Plan Update. This is a big project and it needs to be looked at through various points of view. This is a project with a lot of complexity and there will be pressure for high density housing and if the Planning Commission wants something different than JUB is proposing it could create issues. He wants to ensure the General Plan Update meets the needs of Hyrum City. He doesn't want people to claim there should have been a conflict of interest since two members of the Planning Commission work for JUB. From a legal standpoint it probably is fine since no other firm submitted a bid.

**ACTION**

**Councilmember James made a motion to award the bid for the General Plan Update to JUB Engineering in the amount of \$77,400. Councilmember Adams seconded the motion**

A short discussion ensued as to whether the two members from the Planning Commission that work for JUB Engineering should reclude themselves from the voting on the General Plan. Mayor Miller will look into whether the Planning Commission Members that work for JUB should remain on the Planning Commission, and then take the appropriate action if the members need to step down from the Planning Commission.

**Councilmembers Adams, Clawson, James, and Nelson voted aye, and Councilmember Rasmussen voted nay. The motion passed.**

**CONSIDERATION AND APPROVAL OF THE HARDWARE RANCH UNDERGROUND POWERLINE CONSTRUCTION, TRANSFER AND OPERATION, MAINTENANCE AND REPAIR AGREEMENT.**

Hyrum City Power Superintendent Larry Coleman said on February 6, 2025 the Hyrum City Council made a motion to table the approval of the Hardware Ranch Underground Powerline Construction, Transfer, and Operation, Maintenance and Repair Agreement until the Hyrum City Attorney reviews the agreement. Hyrum City's attorney has reviewed and made changes and those amendments were approved by Hardware Ranch and the repair agreement is ready for Hyrum City's approval. The Hardware Ranch Underground Powerline Construction, Transfer and Operation, Maintenance and Repair Agreement will require the State of Utah Division of Facilities Construction and Management (DFCM) to demolish and remove the overhead line at DFCM's expense. Hyrum will cooperate with DFCM to facilitate DFCM's demolition and removal of the overhead line. DFCM will

construct the underground line along the route at DFCM's expense. Hyrum licenses DFCM to enter the Hyrum Property as convenient to construct the underground line. Upon completion of the underground line it will become the property of Hyrum City. Hyrum will own, operate, maintain, and repair the underground line in perpetuity.

**ACTION**

**Councilmember Rasmussen made a motion to approve the Hardware Ranch Underground Powerline Construction, Transfer and Operation, Maintenance and Repair Agreement with the amendments made by Hyrum City's Attorney and with the condition that written authorization for approval of the line ownership transfer be provided by Rocky Mountain Power. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.**

**DISCUSSION ON AMENDING HYRUM CITY MUNICIPAL CODE TO AUTHORIZE THE NUISANCE OFFICER TO ISSUE CITATIONS.**

Mayor Miller said she will speak with Cache County Sheriff Chad Jensen regarding the legality and pros and cons of Hyrum City's Community Improvement Officer issuing citations for infractions. If the City can amend its code to authorize the Community Improvement Officer it would free up law enforcement's time for ticketing nuisance issues.

**MAYOR AND CITY COUNCIL REPORTS.**

Mayor Miller said the Hyrum City Employee Luncheon is Thursday, March 13 at 12:00 p.m. Kartchner Homes has asked for a joint meeting with Hyrum City Planning Commission and City Council to discuss a planned community on the southeast side of Hyrum. Mayor Miller has scheduled a special meeting at 5:30 p.m. on March 20, 2025 before the regularly scheduled meeting to discuss his proposal. This is for discussion only and Kartchner Homes has been told that Hyrum City will not approve anything until the General Plan is completed. Hyrum City has received numerous applications for the Community Event and Recreation Coordinator position. Interviews will be held next Friday. The Baseball and Softball Rental Agreement and Rental Rates and Deposit need to be amended to set rules and increase rates for the rental of the Hornets Field. The rules need to include no gum, no sunflower seeds, and pitcher must use field turf cleats. If the rules are broken then the deposit is immediately forfeited and there are no second chances.



