

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JULY 18, 2024 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.

EXCUSED:

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

OTHERS PRESENT: City Engineer Matt Holmes and eight citizens. Deputy Recorder Hailey Brown 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 June 20, 2024 were approved as written.

ACTION

Councilmember James made a motion to approve the minutes of a regular meeting held on June 20, 2024 as written. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

The minutes of a joint meeting on July 1, 2024 were approved as written.

ACTION

Councilmember Clawson made a motion to approve the minutes of a joint meeting held on July 1, 2024 as written. Councilmember Nelson 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 James made a motion to approve the agenda for July 18, 2024 as written. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

8. PUBLIC COMMENT

9. SCHEDULED DELEGATIONS

A. Ian Petersen - To request a variance/waiver to the annexation agreement to reduce the minimum lot size of 14,520' with 99' of frontage to smaller lots for parcel 01-071-0006 located at approximately 1050 South 800 East consisting of 10 acres (Ordinance 18-06 annexation and annexation agreement with Dean Harrison).

10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES

A. Resolution 24-24 - A resolution appointing UAMPS Member Representatives.

B. Resolution 24-25 - A resolution appointing Power Superintendent Steve Liechty as Hyrum City's Intermountain Power Agency (IPA) Representative.

C. Resolution 24-26 - A resolution setting Basic Life Support (BLS) and Cardiopulmonary Resuscitation (CPR) class registration fees.

D. Ordinance 24-06 - An ordinance repealing Chapter 2.14 City Engineer of Title 2 of the Hyrum City Municipal Code.

E. Ordinance 24-07 - An ordinance amending Section 10.20.220 Violation and Penalty of Chapter 10.20 of Title 10 of the Hyrum City Municipal Code to include Section 10.20.105 Parking Restrictions for Recreational Vehicles, Utility Trailers, and Agricultural Equipment as a civil violation.

11. OTHER BUSINESS

A. Discussion on accepting in-lieu fees from developers in rare circumstances where utility improvements are not possible at time of development.

B. Budget Report.

C. 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.

Dustin Hawkes asked if the city could pay more attention to the property at 50 East 200 North for steelworks manufacturing. He lives adjacent and had concerns four years ago before the sale of the property. The property has changed drastically with trees ripped out of yard and lots of equipment everywhere. Please drive by and look at the lot. Noise starts sometimes before 7 a.m. sounding like nails on a chalkboard. Spraying was being done this morning. The neighbors are concerned and ask the city to consider that the property is zoned for light manufacturing.

Councilmember James asked how late they generally work.

Dustin Hawkes said sometimes until 11 or 12 p.m. but not every day.

Councilmember Rasmussen said he can hear them working in the morning at his house.

Councilmember Nelson asked how far away Councilmember Rasmussen lives.

Councilmember Rasmussen said two and a half blocks away.

Mayor Miller said the city will be following up on this concern.

Justin Gudmunson said there was a survey sent out regarding wages of city employees. He didn't think the survey addressed the central issue. Several demands of city jobs include living nearby, being on-call for emergencies, traveling to facilities, limits as employees can't acquire sales accounts, and no performance bonuses. The wages of the workers need to be sufficient to cover the cost to live here. The option for a second job is not realistic with being on-call. Wages for the worker and overtime should cover the ability to live and transportation to be available for the position. These items weren't addressed on the survey. Banks state 30-40% of income should be sent aside for mortgage/rent, so the wages need to be able to cover those costs for the area.

Mayor Miller said the wage analysis will be wrapped up next month. Each position for all employees is being compared to jobs

throughout the state and considering the demand. The cost-of-living increase was done July 1st and there may be more to come.

Kyle Richardson said he lives at 37 West 6600 South. He borders the property proposing lot size reduction. At the time of the annexation each councilmember minus Kathy Bingham was on the council at the time of annexation. It was supposed to be ten acre lots and the city agreed to annex with other properties. Historically it was agreed this property and others surrounding would be held to the standard of the same property size. It would be unfair to those living around there to change lot size of the Harrison property. It would also be unfair to those already developed at 1/3 acre to turn around and say to someone in same region that you would change that.

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

SCHEDULED DELEGATIONS:

IAN PETERSEN - TO REQUEST A VARIANCE/WAIVER TO THE ANNEXATION AGREEMENT TO REDUCE THE MINIMUM LOT SIZE OF 14,520' WITH 99' OF FRONTAGE TO SMALLER LOTS FOR PARCEL 01-071-0006 LOCATED AT APPROXIMATELY 1050 SOUTH 800 EAST CONSISTING OF 10 ACRES (ORDINANCE 18-06 ANNEXATION AND ANNEXATION AGREEMENT WITH DEAN HARRISON).

ACTION

Councilmember Clawson made a motion to deny Ian Petersen to request a variance/waiver to the annexation agreement to reduce the minimum lot size of 14,520' with 99' of frontage to smaller lots for parcel 01-071-0006 located at approximately 1050 South 800 East consisting of 10 acres (Ordinance 18-06 annexation and annexation agreement with Dean Harrison). Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

RESOLUTION 24-24 - A RESOLUTION APPOINTING UAMPS MEMBER REPRESENTATIVES.

Mayor Miller said this resolution would appoint Power Superintendent Steve Liechty as the UAMPS representative with Assistant Power Superintendent Larry Coleman as the first alternate and Mayor Miller as the second alternate.

ACTION

Councilmember James made a motion to approve Resolution 24-24 - A resolution appointing UAMPS member representatives with changing the second alternate to say Mayor rather than a name. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

RESOLUTION 24-25 - A RESOLUTION APPOINTING POWER SUPERINTENDENT STEVE LIECHTY AS HYRUM CITYS INTERMOUNTAIN POWER AGENCY (IPA) REPRESENTATIVE.

Mayor Miller said this would appoint Power Superintendent Steve Liechty as the Intermountain Power Agency (IPA) Representative.

ACTION

Councilmember Rasmussen made a motion to approve Resolution 24-25 - A resolution appointing Power Superintendent Steve Liechty as Hyrum City's Intermountain Power Agency (IPA) Representative. Councilmember Nelson seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

RESOLUTION 24-26 - A RESOLUTION SETTING BASIC LIFE SUPPORT (BLS) AND CARDIOPULMONARY RESUSCIATION (CPR) CLASS REGISTRATION FEES.

Mayor Miller said Luke Schmidt with Hyrum Fire was here if the Council had any questions.

Councilmember Clawson asked what had been done in the past.

Luke Schmidt said Hyrum Fire has CPR instructors and they teach their own classes for the fire department and city employees. They have had people reaching out that need to be certified such as dentist offices and schools. The instructors must teach two classes a year to keep their certification. This would be an incentive for them to keep teaching and offer a service to others.

Councilmember James said fees would also help to cover material cost.

Luke Schmidt said it would also help keep the dummies up. A percentage would go back to the city and some to the instructors with the remainder to keep up the equipment.

Councilmember Rasmussen said he understands the fees are set by the American Heart Association but asked why one card fee cost \$5 and the other card costs \$20.

Luke Schmidt said he doesn't understand why the fees are set the way they are but that the AHA sets the fees throughout the state.

Councilmember Nelson said the classes are offered to city employees and asked if they could also be offered to the City Council.

Luke Schmidt said the City Council could be included for classes when city employees take the class.

ACTION

Councilmember Clawson made a motion to approve Resolution 24-26 - A resolution setting Basic Life Support (BLS) and Cardiopulmonary Resuscitation (CPR) class registration fees. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

ORDINANCE 24-06 - AN ORDINANCE REPEALING CHAPTER 2.14 CITY ENGINEER OF TITLE 2 OF THE HYRUM CITY MUNICIPAL CODE.

Mayor Miller said the Hyrum City Code doesn't define any other position and not sure why it was done that way. The job analysis the city has done covers what is needed so its best to repeal this section.

ACTION

Councilmember James made a motion to approve Ordinance 24-06 - An ordinance repealing Chapter 2.14 City Engineer of Title 2 of the Hyrum City Municipal Code. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

ORDINANCE 24-07 - AN ORDINANCE AMENDING SECTION 10.20.220 VIOLATION AND PENALTY OF CHAPTER 10.20 OF TITLE 10 OF THE HYRUM CITY MUNICIPAL CODE TO INCLUDE SECTION 10.20.105 PARKING RESTRICTIONS FOR RECREATIONAL VEHICLES, UTILITY TRAILERS, AND AGRICULTURAL EQUIPMENT AS A CIVIL VIOLATION.

Mayor Miller said Hyrum City states vehicles aren't allowed to be parked on the street more than forty-eight hours. This didn't have a penalty fee so to enforce the issue this ordinance needs to be passed.

Councilmember Rasmussen said if a fee isn't set it becomes a misdemeanor.

Mayor Miller said the fees need to go through the office not the court.

ACTION

Councilmember Rasmussen made a motion to approve Ordinance 24-07 - An ordinance amending Section 10.20.220 Violation and Penalty of Chapter 10.20 of Title 10 of the Hyrum City Municipal Code to include Section 10.20.105 Parking Restrictions for Recreational Vehicles, Utility Trailers, and Agricultural Equipment as a civil violation. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

Councilmember Nelson asked if the ticket fee is thirty-five-dollars.

Mayor Miller said that is suggested.

Councilmember Nelson asked if other tickets are reduced if paid within five days.

Mayor Miller said winter parking tickets are ten dollars if paid within five days.

Councilmember Nelson asked if time starts ticking when Community Improvement Jeff Hertzler drops off the notice or when the sheriff's office issues a ticket.

Councilmember Rasmussen says it states date of received notice.

Councilmember Adams says the notice gives them two days to move the item and then if not moved the sheriff can give a citation.

ACTION

Councilmember Rasmussen made an amendment to the motion to approve Ordinance 24-07 - An ordinance amending Section 10.20.220 Violation and Penalty of Chapter 10.20 of Title 10 of the Hyrum City Municipal Code to include Section 10.20.105 Parking Restrictions for Recreational Vehicles, Utility Trailers, and Agricultural Equipment as a civil violation to change Section 10.20.220A paragraph two, three, and four changing receipt of notice to say receipt of citation. Councilmember Clawson

seconded the amended motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

Councilmember Nelson asked if Jeff Hertzlers notice says forty-eight hours. He wants to understand Jeffs part of the process and not show up early or wait a month.

Councilmember James said the process should be consistent. How does Logan City parking authority give tickets?

Councilmember Rasmussen doesn't want Jeff Hertzler giving citations. A situation this week came up with one of the youth groups Councilmember Rasmussen assists. The group was going on a campout and the leaders borrowed a trailer and picked it up last week and didn't have a place to store it so had been on the street since last Thursday, they left Wednesday this week, so it was parked five to six days days.

Mayor Miller said when parking tickets are challenged, she always checks with the officer first who gave ticket to get details on why it was issued. In some cases, tickets have been waived.

Councilmember James said earlier this year there was an issue with someone challenging the situation. If there isn't a standard, how can it be enforced.

Councilmember Rasmussen said most people pay for the tickets whether they agree or not.

Mayor Miller said citations are given for safety issues.

OTHER BUSINESS:

DISCUSSION ON ACCEPTING IN-LIEU FEES FROM DEVELOPERS IN RARE CIRCUMSTANCES WHERE UTILITY IMPROVEMENTS ARE NOT POSSIBLE AT THE TIME OF DEVELOPMENT:

Mayor Miller said this was brought up by City Engineer Matt Holmes and asked him to explain.

City Engineer Matt Holmes said he looked through the city code without getting too heavy on the state code. If there is an infrastructure that needs done before development, an in-leu fee could be added to finish the project and then put that toward the development cost.

Councilmember Clawson said if there was an in-leu fee of \$500,000 for future power and then the project is done five years later that cost could change.

City Engineer Matt Holmes said this came up with the Randy Godfrey project on Center Street and 200 North. However, the curb that was designed is right underneath the power lines that run to the Center Street substation then connecting to JBS. There is uncertainty on how the poles were to be relocated and it doesn't seem feasible to relocate at the time due to a heavy cost. Randy Godfrey would be willing to do an in-leu fee for curb and gutter, the cost could be incorporated at a later project. City Treasurer Todd Perkins has accounts that generate interest that the money could be put into.

Councilmember James the write up needs to be approved.

City Engineer Matt Holmes there would be a hearing and council approval. This will be for situations in which it is better to wait for development.

Councilmember James said there was a project a while back in which sidewalks didn't want to be poured during winter so an in-leu fee would fit here.

City Engineer Matt Holmes said that fits into the construction bond fee.

Councilmember Rasmussen said the city would be responsible to do the work later unless the developer came back for a future project, they would then take the money to finish that project.

BUDGET REPORT:

Mayor Miller said this was the monthly report for the end of June and asked if there were any questions. After visiting with employees and supervisors, to help keep track of monthly spendings the monthly report will be sent to them so they can see where they are at.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Adams thanked city employees and the office for everything done to help with the parade. It was a good year. The Night Out Against Crime is set up and asked for everybody to be there as close to five. Adams will try to advertise better for the

event. Mike Jones is no longer employed and gave Adams a contact that works for Franz. It sounds like they should be able to get buns. Adams asked if City Recorder Stephanie Fricke talked to anybody about the water trailer.

Mayor Miller understood the trailer was decommissioned but she would check.

Councilmember Adams has the name of the sheriff in charge at the Night Out Against Crime but hasn't talked to him yet.

Mayor Miller asked if Councilmember Adams got in touch with the fire department.

Councilmember Adams said he has talked to them and believes life flight is also coming. The FBI said they would be there, and the Department of Commerce wants to be there. Sewer Superintendent Angela Pritchett said she may be there again.

Councilmember Rasmussen said the 4th of July was a great celebration.

Mayor Miller said law enforcement told her there were no problems.

Councilmember Rasmussen said the Grand Old Flag display at the Elite Hall had over four hundred people in five hours. There were eighty-one flags on display with five new flags. A family from Farmington comes every year with five kids and they have the flags memorized. Next year the 4th of July is on a Friday, and he hopes to have the Elite Hall open part day Friday and Saturday. The Cold War Veterans recognition is September 12th at 5 p.m. at the MCHS auditorium. Hot wheels was over a month ago and netted over five thousand. Hyrum historic preservation received a Certified Local Government grant to replace windows on the Elite Hall, but no work has been done. The Founding Fathers book has sold over sixty copies, and the museum would like to order fifty more to sell. Will the city approve another five hundred dollars for the cost to print an additional fifty books.

Councilmember James asked what it takes to put the book on kindle or sell online.

Councilmember Rasmussen said the Historic Preservation Committee came up with an idea for the next project on comprehensive history of Blacksmith Fork Canyon. Jazz nights netted over five thousand dollars. Water Superintendent Kade Maughan met with Rasmussen to

review irrigation systems and is concerned about a pumphouse by the pond providing water to area northwest of the pond. Options were talked about. He is going to get a pdf of the irrigation layout. Eventually a new pumphouse will be needed sooner than later. Rasmussen asked City Engineer Matt Holmes about a discussion a couple meetings ago regarding a commercial zone on Main Street for senior housing, and asked if that is on the upcoming Planning Commission agenda.

Zoning Administrator Matt Holmes said it needs to be decided upon what the meeting discussion will be about.

Councilmember Rasmussen would encourage the Planning Commission to take those steps to discuss senior housing. Rasmussen also was concerned with the part time benefitted hours going to 29.75 hours and would like some flexibility with that for the Senior center and Museum for special activities to be held.

Mayor Miller said those hours are the law or Hyrum City has to offer benefits.

Councilmember Rasmussen said at Cache County School District his wife is supposed to work twenty hours per week but can't have more than eighty hours a month. With the given hours the museum would have to close several days before an event to have hours to hold the event.

Mayor Miller said Museum Director Jami Van Huss was told she could hire another help for less than cost of benefits.

Councilmember James wanted to thank everyone for a great 4th of July. There was a request made to sell children's choir shirts to those not in the choir, but James wasn't sure would be done with them if they didn't sell. Also thanked Mayor Miller for the employee party. Councilmember James said there will be a pickleball league starting at Blacksmith Fork Park on Wednesdays, and hopefully the recreation director can carry it on.

Councilmember Nelson said the speaker at the patriotic program was on target with his expectation and gave one of the best talks he has heard in a while. The flag display was also great to attend. Councilmember Nelson said he received a comment on the parade stating there was lots of business entries. One entry had three vehicles for sale and Nelson didn't think that was what the parade was for. He spoke with City Treasurer Todd Perkins about where the tax number came from. It was \$750,000 previously and this year the

target is a million. That is a large jump and asked if the city could get it to \$850,000 or \$900,000.

Councilmember James said the city hasn't had their name on the tax increase for ten years.

Councilmember Nelson said City Treasurer Todd Perkins told him it hasn't be on an increase since 2010.

Councilmember James said runaway inflation has happened and the city can't pay bills on salaries from 5 years ago.

Mayor Miller said changes are happening this year because of hiring lots of new employees for growth.

Councilmember Clawson said he has been informed on 1100 South that the stop sign has not been placed into the subdivision. Councilmember Clawson and City Engineer Matt Holmes went out this week on a pipe that had been damaged from a fence install. Who should be billed for this?

Councilmember Rasmussen asked if this was the one that sent posts through the pipe.

City Engineer Matt Holmes said this is a new case.

Councilmember James asked if Blue Stakes was called.

City Engineer Matt Holmes said Blue Stakes doesn't mark irrigation just public utilities.

Councilmember James said the fence company should be liable.

Councilmember Rasmussen said the homeowner or developer has a contract with the fence company. How does the irrigation company go about getting reimbursed and making sure they collect a payment.

Councilmember Clawson most homeowners don't read what is on their plat.

Mayor Miller has received several fencing permit examples. People would have to bring in fence plans and get a permit approved through the city.

Councilmember Clawson said the ditch that just got damaged will be over \$700 dollars in repair.

City Engineer Matt Holmes said properly it's not a city infrastructure so the city shouldn't front it. With Kartchner it was hard to get the money back on the previous issue. It is the irrigation companies' pipe not the cities. A fence permit gives the irrigation company the chance to come out and approve of the fence placement.

Councilmember Clawson said the irrigation company has no budget for major fixes.

Councilmember James said if there was a permit line for Hyrum Irrigation that would help.

Councilmember Clawson said the permit would be nice if it was near irrigation lines yes, but they don't want to have to sign off all permits.

Councilmember Rasmussen asked if the irrigation ditches are accessible on the GIS viewer.

City Engineer Matt Holme said there is a map specific to canals.

Councilmember Rasmussen asked if the map shows when a ditch is buried or relocated through a subdivision.

Mayor Miller asked the map could be added to the cities GIS map as a layer.

City Engineer Matt Holmes said a link could be added to the city website to that map.

Mayor Miller said Directive Skateboarding is holding a board jam at the skatepark on Saturday from 9-11 a.m. or 10 a.m.-12 p.m. if it's too windy. Prizes of up to \$2500 will be given and a certificate of insurance was provided. A swing dance group has requested use of the Elite Hall through the year similar to what USU Swing charges.

Councilmember James said they need to come talk to the council about the details.

Mayor Miller said outsiders are invited to dance with the group, and events would usually be held Saturdays. She will have them come speak to the council.

ADJOURNMENT:

ACTION

**There being no further business before the City Council
adjourn at 8:04 pm**

ATTEST:

Stephanie Miller
Mayor

Stephanie Fricke
City Recorder

Approved: _____
As Written