

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MAY 2, 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, Michael Nelson, and Craig L. Rasmussen.

EXCUSED: Councilmember Paul James

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

OTHERS PRESENT: City Engineer Matt Holmes, and seven 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 April 4, 2024 were approved as written.

ACTION Councilmember Rasmussen made a motion to approve the minutes of a regular meeting held on April 4, 2024 as written. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, 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 Clawson made a motion to approve the agenda for May 2, 2024 as published. Councilmember Nelson seconded the motion and Councilmembers Adams,

Clawson, Nelson, and Rasmussen voted aye. The motion passed.

9. SCHEDULED DELEGATIONS
 - A. Eric Davis, MTNtek Adventure, LLC. - To request approval of a Home Occupation Business License at 573 South 720 East for retail sales of bike racks.
 - B. Nathan Skoubye, Four Walls Outdoors - To request a home occupation business license at 83 South 1350 East to manufacture and sell outdoor gear.
10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES
 - A. Resolution 24-14 - A resolution amending Section XII Employee Classification and Compensation of the Personnel Policies and Procedures Manual for Hyrum City Corporation to amend On-Call compensation.
 - B. Resolution 24-15 - A resolution setting Sewer Service rates.
 - C. Resolution 24-16 - A resolution authorizing a Tax Certificate and Agreement for UAMPS' Firm Power Supply Project; and related matters.
11. OTHER BUSINESS
 - A. Consideration and appointment to the Hyrum Historic Preservation Commission.
 - B. Consideration and appointment to the Planning Commission.
 - C. Consideration and approval of bid for Sanitary Sewer Master Plan.
 - D. Consideration and award of bid for the 46kV Transmission /12kV Distribution Line Design Project.
 - E. Consideration and approval of the Mt. Sterling Farm Development Agreement Addendum 1.
 - F. Presentation of the 2024-2025 Operating Budgets.
 - G. Set a date for Budget Workshop.
 - H. Budget report.
 - I. 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.

Linda Kemmer said she lives at 259 West 40 North in Green Meadow Villas there are 44 units in the HOA and 22 dogs. The unit next to hers has a dog that continually barks at all hours of the day and night. She has been told by the HOA that the owner of the dog

is working with a trainer to get the dog to stop barking. However, it has been several months, and the dog is not responding to the training. The dog barks excessively and the HOA isn't doing anything about it. The public open space has dog feces left all over the grass and most residents do not have their dogs on leashes. She asked the City Council if there was anything the City could do about the barking dogs in an HOA.

Frank Kemmer said he lives at 259 West 40 North. When Green Meadow Villas was first being discussed by the City Council nine years ago residents were concerned that it would become slummy. The City Council was ensured by the developer that it wouldn't due to the HOA CC&Rs. Green Meadow Villas is becoming slummy because the HOA Board Members are not enforcing all of the CC&Rs. Does an HOA not have to follow city code and are exempt from following the same ordinances that all the other residents of Hyrum have to follow. The HOA President continues to excuse his neighbor's unruly and barking dog. The barking dog has been an issue since September 2023 and it is not getting resolved. He wants something to change at Green Meadow Villas and asked if the City could help with dogs problems.

Tanner Yorgensen said he lives at 546 South 655 East and was surprised to find out that the City has asked him to move his side yard fence since the power meter is on the enclosed side of the fence. When he was putting in his yard and fence he spoke to the City on multiple occasions to ensure he was doing everything right to ensure he would get back his contractor's deposit. The City never once told him that the power meter needed to be accessible and not in an enclosed fence area. If he would have known that he would have had the fence installed behind the meter, but now he must pay to have the fence moved and it is very expensive. He hopes in the future the City will provide a list of these types of things to the homeowner so that the homeowner can do it right the first time rather than paying for things to be done twice. He asked if the City could make an exception and allow him to keep the fence and gate where since the gate made the box accessible.

City Engineer Matt Holmes said there is a statement on the building permit that addresses locations of fences in regard to meters. He understands that the builder didn't pass that information onto the homeowner. City staff is looking at the possibility of requiring a permit for fences to ensure things like this do not happen in the future.

There being no further public comment, Mayor Miller moved to the

next agenda item.

SCHEDULED DELEGATIONS:

ERIC DAVIS, MTNTEK ADVENTURE, LLC. - TO REQUEST APPROVAL OF A HOME OCCUPATION BUSINESS LICENSE AT 573 SOUTH 720 EAST FOR RETAIL SALES OF BIKE RACKS.

Eric Davis said he would like a home occupation business license at 573 South 720 East for the retail sales of bike racks. He will mainly be assembling the bike racks at his house and he shouldn't have more than five customers at his house a month. He can hold five assembled racks at his house and he hasn't sold more than five month. If he starts to sell more than five in a month he would look for a shop to move into. He initially though about doing fabrication at his house but instead he has found a local business that will be doing that for him and he will only be assembling and sales from his house.

ACTION

Councilmember Clawson made a motion to approve for Eric Davis a Home Occupation Business License at 573 South 720 East for the assembly and sales of bike racks with no manufacturing on site. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, Nelson, and Rasmussen voted aye. The motion passed.

NATHAN SKOUBYE, FOUR WALLS OUTDOORS - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 83 SOUTH 1350 EAST TO MANUFACTURE AND SELL OUTDOOR GEAR.

Nathan Skoubye said he would like a home occupation business license at 83 South 1350 East to manufacture and sell outdoor gear. He mainly build trailers and has a detached garage to build the trailers in. He is currently working a trailer that is too big to fit in his garage but he will not be building another one that big. Currently he is building two a year and that is all he can build without a dealers license. If he is able to increase his sales and financially support his family be doing so then he would like to build more.

Councilmember Nelson said he is concerned about the noise and outside of storage of materials and the affect it could have on the residential neighborhood.

Nathan Skoubye said he has been buying used trailers and tearing them down to the frame, but in the future he would like build new frames rather than reconstruct old ones.

ACTION

Councilmember Rasmussen made a motion to approve a Home Occupation Business License for Nathan Skoubye at 83 South 1350 East to manufacture and sale outdoor gear with the following conditions: 1. Work be conducted primarily inside the garage; 2. Standard construction hours apply; and 3. This business license will be reviewed this December before its renewed to ensure it is not having a negative impact on neighborhood. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, Nelson, and Rasmussen voted aye.

INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:**RESOLUTION 24-14 - A RESOLUTION AMENDING SECTION XII EMPLOYEE CLASSIFICATION AND COMPENSATION OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR HYRUM CITY CORPORATION TO AMEND ON-CALL COMPENSATION.**

Mayor Miller said Resolution 24-14 will amend Section XII Employee Classification and Compensation of the Personnel Policies and Procedures Manual for Hyrum City Corporation to amend on-call compensation from \$1.50 per hour to \$2.00 per hour and holiday on-call from \$2.00 per hour to \$2.50 per hour.

ACTION

Councilmember Clawson made a motion to approve Resolution 24-14 a resolution amending Section XII Employee Classification and Compensation of the Personnel Policies and Procedures Manual for Hyrum City Corporation to amend on-call compensation. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, Nelson, and Rasmussen voted aye. The motion passed.

RESOLUTION 24-15 - A RESOLUTION SETTING SEWER SERVICE RATES.

Mayor Miller said Resolution 24-15 will set sewer service rates at the rate that is currently being charged. Resolution 20-17 increased sewer service rates with a proposed increase every year upon approval by the City Council through January 1, 2025. However, City staff has been increasing the sewer rates annually as outlined in Resolution 20-17 without the approval of the City Council.

ACTION

Councilmember Rasmussen made a motion to approve

Resolution 24-15 setting sewer service rates and to ratify the past two year sewer rate increases. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, Nelson, and Rasmussen voted aye. The motion passed.

RESOLUTION 24-16 - A RESOLUTION AUTHORIZING A TAX CERTIFICATE AND AGREEMENT FOR UAMPS' FIRM POWER SUPPLY PROJECT; AND RELATED MATTERS.

Mayor Miller said Resolution 24-16 authorizes a tax certificate and agreement for UAMPS' Firm Power Supply Project and related matters.

ACTION Councilmember Rasmussen made a motion to approve Resolution 24-16 authorizing a tax certificate and agreement for UAMPS' Firm Power Supply Project; and related matters. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, Nelson, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:

CONSIDERATION AND APPOINTMENT TO THE HYRUM HISTORIC PRESERVATION COMMISSION.

Mayor Miller recommended appointing Dan Solemon to serve on the Hyrum Historic Preservation Committee.

ACTION Councilmember Rasmussen made a motion to appoint Dan Solemon to serve on the Hyrum Historic Preservation Commission. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, Nelson, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPOINTMENT TO THE PLANNING COMMISSION.

Mayor Miller recommended Avery Wheeler for appointment to the Hyrum Historic Preservation Commission. Avery has a degree in landscape architecture.

ACTION Councilmember Clawson made a motion to appoint Avery Wheeler to serve as an alternate member on the Hyrum Planning Commission. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, Nelson, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPROVAL OF BID FOR SANITARY SEWER MASTER PLAN.

Mayor Miller said the City received one bid from Aqua Engineering for the Sanitary Sewer Master Plan. Aqua's bid was to not exceed \$92,500.

Councilmember Nelson said he is concerned about awarding a bid for a project when the City only received one bid. He would feel better if there was another bid to compare it too. How does the City know if the bid is competitive or if its excessive.

Councilmember Rasmussen said Aqua Engineering wrote RFP for the Sanitary Sewer Master Plan and also placed a bid. This could be the reason why firms didn't submit a bid. It takes a lot of time to prepare a bid and there is also a cost. If a firm thought Aqua was going to be awarded the bid then they probably thought it wasn't worth their time and expense to prepare and submit a bid.

ACTION Councilmember Rasmussen made a motion to award the Sanitary Sewer Master Plan bid to Aqua Engineering for an amount not to exceed \$92,550. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, Nelson, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND AWARD OF BID FOR THE 46KV TRANSMISSION /12KV DISTRIBUTION LINE DESIGN PROJECT.

ACTION Councilmember Adams made a motion to award the bid for the 46kv Transmission 12kv Distribution line design project to ICPE in the amount of \$116,650.00. Councilmember Nelson seconded the motion and Councilmembers Adams, Clawson, Nelson, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPROVAL OF THE MT. STERLING FARM DEVELOPMENT AGREEMENT ADDENDUM 1.

ACTION Councilmember Adams made a motion to approve the Mt. Sterling Farm Development Addendum 1. Councilmember Rasmussen seconded the motion and Councilmembers Adams, Clawson, Nelson, and Rasmussen voted aye. The motion passed.

PRESENTATION OF THE 2024-2025 OPERATING BUDGETS.

Mayor Miller presented a copy of the proposed 2024-2025 Operating

Budgets. This budget includes numerous projects and several new employees. She asked the City Council to review it in depth and if there are any questions to contact herself or City Treasurer Todd Perkins.

SET A DATE FOR BUDGET WORKSHOP.

Mayor Miller and the City Council set the date for the Budget Workshop on May 16, 2024 at 5:00 p.m.

BUDGET REPORT.

Mayor Miller said there was not a second City Council Meeting in April and therefore the March Budget report was unable to be given. The March Budget report was reviewed in depth.

ACTION

Councilmember Clawson made a motion to approve the March Budget Report. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, Nelson, and Rasmussen voted aye. The motion passed.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Adams said he was appreciative of the opportunity to attend UAMPS and the ULCT conference. The information he receives at these conferences is so beneficial. He is working on the National Night Out Against Crime.

Councilmember Rasmussen said the Museum is publishing the Founding Families Book so it is available for Memorial Day. The Museum is gathering oral histories from long time residents of Hyrum. Hot Wheels will be held first Saturday in June and the committee is busy getting sponsors to help support this event.

Councilmember Clawson said irrigation season is coming and the Hyrum Irrigation Company is busy getting the canals and ditches ready.

City Engineer Matt Holmes said JUB is writing the RFP for the General Plan and it should be ready next week.

Power Superintendent Tom Cooper said the natural gas generators are running and generating power. The City has been receiving noise complaints from the power generation. He is looking into how the noise can be reduced.

ADJOURNMENT:

ACTION

**There being no further business before the City Council,
the Council Meeting adjourned at 8:40 p.m.**

ATTEST:

Stephanie Miller
Mayor

Stephanie Fricke
City Recorder

Approved: May 16, 2024
As Written