

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD SEPTEMBER 1, 2022 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

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

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

WELCOME: Mayor Stephanie 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 18, 2022 were approved as written.

ACTION

Councilmember James made a motion to approve the minutes of a regular meeting held on August 18, 2022 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 James made a motion to approve the agenda for September 1, 2022 as written. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson,

James, McCombs, and Rasmussen voted aye. The motion passed.

9. SCHEDULED DELEGATIONS
 - A. Cache Valley Housing Crisis Task Force - To present a report on its findings of the Cache Valley housing crisis.
 - B. Dianna Sampson - To request Site Plan approval for a machine and fabrication shop at 185 South 1810 East.
 - C. David Madsen, Harvest Valley Court P.U.D. - To request Preliminary Plat approval for Harvest Valley Court P.U.D. located at approximately 43 North 300 East consisting of 28 patio home units on 3.75 acres.
10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES
 - A. Resolution 22-14 - A resolution declaring certain Hyrum City equipment (2003 Chevy 1500 Silverado Pickup) as surplus and ordering the sale or disposal thereof.
 - B. Resolution 22-15 - A resolution amending the Personnel Policies and Procedures Manual for Hyrum City Corporation to require City Employees to live within 15 miles of Hyrum City Limits.
 - C. Resolution 22-16 - A resolution setting electrical power rates for all classes of customers receiving electrical power from the Hyrum City Municipal Power System.
11. OTHER BUSINESS
 - A. Consideration and approval of the Hyrum City Water Management and Conservation Plan 2022.
 - B. Mayor and City Council reports.
12. ADJOURNMENT

PUBLIC COMMENT:

Mayor Miller said if a citizen has a question or would like to make a comment to please keep it under three minutes.

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

ACTION

Councilmember James made a motion to approve Resolution 22-13 - A resolution authorizing and approving an amended and restated capacity purchase agreement between the City and Utah Associated Municipal Power Systems, and related matters. Councilmember McCombs seconded the motion and Councilmembers Adams, James, McCombs, and Rasmussen voted aye. The motion passed.

CACHE VALLEY HOUSING CRISIS TASK FORCE - TO PRESENT A REPORT ON ITS FINDINGS OF THE CACHE VALLEY HOUSING CRISIS.

John Drew with the Cache Valley Housing Crisis Task Force said the Cache County Housing Crisis Task Force was created in response to concern about our community's extreme shortage of housing and unaffordable home prices, including how that shortage has affected the ability of employers to hire and grow. At the direction of David Zook, Cache County Executive, a housing crisis task force was commissioned to be led by John Drew, former Providence City Mayor, Shawn Milne, Cache County Economic Development Director, and Karina Brown, Policy Analyst for Cache County. We were given 60 days to complete our task and report. Our findings are the result of input from all task force members gathered through surveys and in person meetings as well as external research. A committee of 50 members was formed with backgrounds in a wide variety of community interests; economic development and planning, real estate and developers, elected and appointed state, county, and city officials, church leaders, private citizens, private industry, non-profits, education including Utah State University and Bridgerland Technical College faculty and institutional leaders. The first task force meeting was held on April 20 of 2022. The task force's assignment was to identify the causes of the crisis, quantify the magnitude of the problem, survey public attitudes, and make impactful recommendations. This report is a summary of task force findings. There is the primary causes and recommended solutions to address this challenge. The housing crisis issues are numerous, and as such, we have focused on that which has the most impact. The Housing Crisis in Cache Valley as home prices have reached historic highs, the supply of available housing units has not kept pace with population growth. The US Census reported an almost 20% growth in Cache Valley population from 2010 to 2020, with more than 85% of that growth being children of current residents (Gardner, 2021). As a result, we have an overwhelming demand for housing units, including an acute shortage of rental property. During that same period, housing prices have grown 8 to 10 percent a year, pausing during 2020 the first year of the pandemic, only to accelerate rapidly to 18% in 2021. These sustained increases have left home ownership out of reach for many in Cache Valley. The Ken Gardner Policy Institute of the University of Utah estimates that Cache Valley will need 11,600 additional housing units between now and 2030 to accommodate new household growth (Eskic, 2022). The Milken Institute (2022) recently ranked the Logan, Utah-Idaho Metropolitan Statistical Area area as the #1 performing small city in the nation! However,

they ranked us No. 178 for housing affordability. According to the Ken C. Gardner Policy Institute (2022), the projected population growth in Cache County from 2020-2060 will be 85% from natural increase. During that same period, housing prices have grown 8 to 10 percent per year, pausing during 2020, the first year of the pandemic, only to accelerate rapidly to 18% in 2021. These sustained increases have pushed home ownership out of reach for many in Cache Valley. The Ken C. Gardner Policy Institute at the University of Utah estimates that Cache Valley will need 11,600 housing units between now and 2030 to accommodate new household growth. We have an extreme shortage of available homes across most socio-economic levels. According to the Ken Gardner Policy Institute at the University of Utah, "Utah's housing market faces a severe imbalance that creates record price increases for homeowners and renters." Here in Cache Valley, more than 75% of households with householders ages 25 to 45 are outpriced of the housing market. Most people could not afford to purchase the house they live in, given today's market prices and household income. Utah has the highest birth rate of any state in the US, of 14.9 per 1000 population. A US Census report stated that Cache County has the 4th youngest population in the nation, out of more than 3,100 counties, which indicates our high birth rate. Utah has the highest birth rate. The culture in Utah promotes large families. A BYU report states, "When compared with other religious groups, Latter-day Saints have larger families, the highest rates of fertility, and the lowest divorce rates." It's mostly those people from out of state, right? United Van Lines annual study of population migration considers Utah a "balanced" state where on average, approximately the same number of families move in as move out. We knew that population growth was going to happen. Envision Cache Valley 2010 report anticipates a doubling of population by 2050. Thus far, our growth is on course to meet that projection. The 2020 US Census reported that Utah was the fastest-growing state. We do not have a free market for housing. Developers only build housing they are allowed by local government. Existing city codes and general plans encourage low-density residential, single-use zoning. City councils, planning commissions, city staff and citizens exhibit their biases against allowing a variety of housing types and are reluctant to consider anything controversial or innovative. Members of the public push the idea that any housing density higher than in their neighborhood will depress property values. More than half a dozen studies refute that notion, and several point out statistically significant increases in property values. Public clamor and the threat of a ballot referendum make for timid council members and uncertainty for landowners. Housing and jobs go hand in hand. There are recent examples of businesses

unable to attract employees, taking job expansion outside the valley. Companies with high-paying jobs may choose not to locate here, so jobs necessary for a growing population go elsewhere. With wage growth not keeping pace with housing cost growth, young people move elsewhere. Over time, the average age of Cache Valley residents will increase, with little available that is affordable for young families. We will banish our children and grandchildren to live elsewhere. Our Task Force shared many complaints they have heard. Great ideas, just not in my neighborhood or my city. All that high density should be in Logan. It's "those people" that bring crime, and trashy neighborhoods. Higher density will reduce home values in our neighborhood. "Everybody knows" that high-density housing becomes run down after 15 - 20 years. And on and on...

Federal Government - Identify and publicize factors that contribute to increased housing costs, and rank by impact. Investigate the impact of the supply of labor and materials on the housing market, including gilded trades and unions, training and certification programs, import caps, tariffs, and subsidies. Take action to eliminate supply chain problems. Analyze the extreme swings in the cost of money (interest rates) on housing market booms and busts. Take steps to control inflation.

State Government - Reign-in / limit zoning by local referendum. Prohibit city codes that create barriers to a variety of housing options. Track and publish progress by cities toward meeting housing goals and penalize cities that fail to meet these goals while providing incentives for those that meet goals. Create or support programs to help first time homebuyers.

County/CMPO/BRAG - Working with Cache Valley cities, prepare a county-wide master plan (General Plan with housing and transportation plans) that incorporates city plans. Conduct meetings with city leaders on a county-wide development plan at least once a year. Include in the County General Plan a plan to preserve open spaces and then take action to preserve open space, in order to limit pressure on development in cities. Adopt code revisions that allow denser development in the unincorporated areas. Identify and implement strategies to support residents faced with homelessness due to economic factors. Prepare and publish an annual report on the state of Cache Valley's growth and housing picture, and progress toward addressing housing crisis issues.

Cities Adopt city-wide general plans with development philosophies

that emphasize housing varieties to reduce the cost of living. Educate city councils, planning commissions and citizens on housing issues. Enact zoning and code reform to reduce/eliminate restrictions that inhibit the development of a variety of housing types. Designate open spaces for permanent preservation.

Overall Task Force Recommendations - Conduct Media and Public Outreach, Education and Awareness Campaigns in a multitude of venues and population groups. Meet in a town hall type public venue to present findings and do video interviews for documentary-type productions. Connect with young people; they are the future policymakers/drivers. Foster a Cultural Shift to help citizens become more open to new neighbors -Church -Education/Schools - Arts/Entertainment.

Top 3 Recommendations - Zoning reform at the county and city levels, limit zoning by referendum at the state level. Public education campaign with an emphasis on reaching younger people who are close to or at home-ownership life-stages. Coordinated county and city planning for growth.

Mayor Miller thanked John Drew for the Task Force for the time it has spent studying the issues to make these recommendations.

DIANNA SAMPSON - TO REQUEST SITE PLAN APPROVAL FOR A MACHINE AND FABRICATION SHOP AT 185 SOUTH 1810 EAST.

Mayor Miller said the Planning Commission reviewed Dianna Sampson's request for site plan approval for a machine and fabrication shop at 185 South 1810 East and has recommended approval with the following conditions: 1. The plans are adjusted to the red lines given. 2. A fence or hedge is required on the back sides of the parking lot.

Councilmember Rasmussen said the 30 foot street and slope setback at the back side is not large enough. The best option appears to be to slide the building southeast along the same axis that is currently oriented to ensure the 30 foot setback is met.
agenda item.

ACTION

Councilmember Clawson made a motion to approve the site plan for a machine and fabrication shop at 185 South 1810 East with the following conditions: 1. The plans are adjusted to the red lines given; 2. A fence is required around three sides of the property leaving the street side open; 3. To adjust the building southeast

to ensure the 30 foot setback is met; and 4. Developer to understand and acknowledge that electrical component delays for equipment not already ordered are estimated to be 2.5 years. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

DAVID MADSEN, HARVEST VALLEY COURT P.U.D. - TO REQUEST PRELIMINARY PLAT APPROVAL FOR HARVEST VALLEY COURT P.U.D. LOCATED AT APPROXIMATELY 43 NORTH 300 EAST CONSISTING OF 28 PATIO HOME UNITS ON 3.75 ACRES.

David Madsen with Harvest Valley Court P.U.D. requested preliminary plat approval for Harvest Valley Court P.U.D. located at 43 North 300 East consisting of 28 patio home units on 3.75 acres. David Madsen said he has met with the neighbors on the north side of the property and they have agreed to provide an easement for a stormwater overflow pipe if necessary. He is working on the topography to determine if the overflow pipe can come down the existing City right-of-way on 300 East to 100 North. The overflow water will then drain into an existing ditch.

Councilmember Clawson said before the stormwater can flow into the existing ditch the developer will have to receive approval and signed letter from irrigation company allowing stormwater overflow pipe to drain into irrigation ditch on 100 North.

City Administrator Ron Salvesen said Hyrum City will clean out the ditch to ensure there is room for the stormwater.

ACTION

Councilmember James made a motion to approve the preliminary plat for Harvest Valley Court P.U.D. located at approximately 43 North 300 East consisting of 28 patio home units on 3.75 acres with the recommendations of the Planning Commission: 1. To include evergreens in the landscaping groups in the corners; 2. Shrubs should be added to rear of the units to help break up the building lines and screen air conditioning units; 3. Mature trees along Main Street shall be kept; 4. An arrangement or agreement be made to replace sidewalks along Main Street; 5. Utility is should be updated on the plans to reach all of the units; 6. Retention basin should have a contingency built in to prevent overflow to neighboring houses; 7. Retention basin should have a transition to facilitate the snow it is to receive; 8. Developer has an easement with adjacent property

owner(s) to install an overflow pipe from retention pond; and 9. Pet restrictions should be included in the CC&Rs. Councilmember Adams seconded the motion.

Councilmember Clawson recommended amending the motion to include: #10. Developer Provide Irrigation Company with the flow calculations and pipe size of the pipe being installed. Councilmember James and Adams accepted the amendment to the motion.

Councilmember Rasmussen said if the street section of 10' land and 2' gutter is accepted the City should ascertain there is no on-street parking inside the P.U.D. He is concerned that there is not adequate width for garbage collection and cars passing. Cans on both sides of the road takes out 6' to 8' which would leave a 9' lane. This is extremely narrow. Building elevations need to be included on the plat. The easement for the irrigation pipe in the open space near main street needs to be defined in metes and bounds or specifically included in the public utility dedication. The slope on 300 East is steep and most likely needs some type of stabilization

David Madsen said there will be no parking on the streets inside the P.U.D. except for in dedicated parking areas and driveways.

Councilmember Rasmussen said the bigger issue with the plat is the survey line is wrong on 300 East. The plat shows the developers property extending 13' past the existing fence line. This 13' is the City's road right-of-way. The original blocks in Hyrum are 660' x 660' and this property is recorded at 330' (along main street) but the plat shows 341.48'. This is not correct. This survey is in conflict with any other survey of this area. The property along 300 East is all developed and the existing fence lines are fairly accurate of boundary lines. He spoke with the surveyor Hyrum City usually uses and he agreed that the survey marks are wrong and that he understood why the developers surveyor had assumed the marks he made, but it is wrong and there are other surveys that hold the 99' right-of-way that match fence lines.

ACTION

Councilmember Rasmussen made a substitute motion to table the preliminary plat for Harvest Valley Court P.U.D. located at approximately 43 North 300 East consisting of 28 patio home units on 3.75 acres until the survey could be reviewed and the right of way issue has been addressed. Councilmember McCombs seconded the

motion.

Councilmember Clawson said if acreage doesn't change then they should be able to accommodate their design, but they will need to hold their open space requirement.

Councilmember Rasmussen said they won't be able to shift it because they have included 341' not 330' in their design. The adjusted survey will change the lot configuration and he would lose lots 1, 19, and 28.

David Madsen said he had a proposal because to shift the entire project will not work. They would have to redo everything, and project would be a disaster. He wants to talk with the surveyor and determine the correct property line. If they must shift the property, they can make adjustments or they can remove the three units. Then there will be no problem with the plat, and it won't have to be readjusted. This won't create a massive change to the plan and will be able to meet setback line requirements. Elevations would look the same and they would lose a little bit but it would be better than delaying the project.

Councilmember Rasmussen asked if David Madsen would be willing to take those three lots out.

David Madsen said if the three lots need to be removed then they would. There aren't any other options. Once the survey is agreed upon then they could adjust the plat as needed rather than delaying another month.

Councilmember Rasmussen said if David Madsen was okay with taking the lots out, he will cancel the motion to table.

ACTION

Councilmember Rasmussen made a substitute motion to table the preliminary plat for Harvest Valley Court P.U.D. located at approximately 43 North 300 East consisting of 28 patio home units on 3.75 acres with the following conditions: 1. To include evergreens in the landscaping groups in the corners; 2. Shrubs should be added to rear of the units to help break up the building lines and screen air conditioning units; 3. Mature trees along Main Street shall be kept; 4. An arrangement or agreement be made to replace sidewalks along Main Street; 5. Utility is should be updated on the plans to reach all of the units; 6. Retention basin should have a contingency built in to prevent overflow to

neighboring houses; 7. Retention basin should have a transition to facilitate the snow it is to receive; 8. Developer has an easement with adjacent property owner(s) to install an overflow pipe from retention pond; 9. Signed letter from irrigation company allowing storm water overflow pipe to drain into irrigation ditch on 100 North; 10. Pet restrictions should be included in the CC&Rs; 11. A Public Utility Dedication with a prescriptive easement by metes and bounds for the irrigation pipe to Hyrum City; 12. Provide Irrigation Company with the flow calculations and pipe size of the pipe being installed; 13. The Hyrum City Right-of-Way line on 300 East be reviewed and verified with Surveyor Jeff Nielsen for verification of property lines (The Gardner Engineering provided by Harvest Valley Court is most likely incorrect and shows conflicting information. The area noted in writing on the survey matches the Block 22 Plat A at 3.75 acres. However, what has been drawn, extending eastward into the right of way does not match that. The line work is closer to 3.84 acres, showing the extra property picked up in the 300 East right of way), if the survey lines are incorrect then the developer will need to remove lots/units 1, 19, and 28. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

AMENDED
09-15-22 It was the City Council's intent in the motion to include in the conditions of approval that the three lots would be removed on the the east side of the development if the right of way line is established at the 99' street right-of-way.

INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:

RESOLUTION 22-14 - A RESOLUTION DECLARING CERTAIN HYRUM CITY EQUIPMENT (2003 CHEVY 1500 SILVERADO PICKUP) AS SURPLUS AND ORDERING THE SALE OR DISPOSAL THEREOF.

Mayor Miller said Resolution 22-14 will declare a 2003 Chevy 1500 as surplus and order the sale or disposal thereof. City Staff said this truck leaks a lot of oil and antifreeze and hasn't been used in some time.

ACTION Councilmember James made a motion to declare certain Hyrum City equipment (2003 Chevy 1500 Silverado Pickup) as surplus and order the sale of disposal thereof.

Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

RESOLUTION 22-15 - A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR HYRUM CITY CORPORATION TO REQUIRE CITY EMPLOYEES TO LIVE WITHIN 15 MILES OF HYRUM CITY LIMITS.

Mayor Miller said Resolution 22-15 will allow all City Employees to live within 15 miles of Hyrum City limits rather than 10 miles for employees and 3 miles for Supervisors.

ACTION

Councilmember James made a motion to approve Resolution 22-15 amending the Personnel Policies and Procedures Manual for Hyrum City Corporation to require on-call or considered essential to live within 15 miles of Hyrum City limits. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

RESOLUTION 22-16 - A RESOLUTION SETTING ELECTRICAL POWER RATES FOR ALL CLASSES OF CUSTOMERS RECEIVING ELECTRICAL POWER FROM THE HYRUM CITY MUNICIPAL POWER SYSTEM.

Mayor Miller said the Hyrum City Council has discussed and received recommendations from an electrical rate study firm regarding its electrical rates. The recommended rate adjustments have been included in Resolution 22-16.

ACTION

Councilmember Adams made a motion to approve Resolution 22-16 setting electrical power rates for all classes of customers receiving electrical power from the Hyrum City Municipal Power Systems. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:

CONSIDERATION AND APPROVAL OF THE HYRUM CITY WATER MANAGEMENT AND CONSERVATION PLAN 2022.

Mayor Miller said the State requires Hyrum City approve a Water Management and Conservation Plan. Aqua Engineering and City Staff has studied the water supply and distribution systems of the City as well as future water needs projections and developed a water conservation plan.

ACTION Councilmember James made a motion to approve the Hyrum City Water Management and Conservation Plan 2022. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Clawson said irrigation season is coming to an end without water restrictions. Hopefully, this winter there will be a lot of snow to help with Utah's drought.

Mayor Miller said the Hyrum Fire Department invited the Mayor and City Council to its annual end of summer barbeque on September 10. September 21 at noon in the Civic Center there will be an employee luncheon. A committee interviewed candidates for the new Fire Chief position and Hyrum City's new Fire Chief is Tony Stauffer, Fire Captains Chris Crockett and Luke Schmid, and Kendall Christensen will be the EMT Captain.

Councilmember Rasmussen said after tonight's presentation from the Cache Valley Housing Crisis Task Force he would like to have the transportation master plan completed.

ADJOURNMENT:

ACTION There being no further business before the City Council, the Council Meeting adjourned at 8:00 p.m.

ATTEST:

Stephanie Miller
Mayor

Stephanie Fricke
City Recorder

Approved: September 15, 2022
As Amended