

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD OCTOBER 5, 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 Rasmussen (joined via phone call).

Excused:

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, Power Superintendent Tom Cooper, and two citizens. Secretary Hailey Brown recorded the minutes.

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

PLEDGE OF ALLEGIANCE: Mayor Miller

INVOCATION: Councilmember Clawson

APPROVAL OF MINUTES:

The minutes of a regular meeting on September 21, 2023 were approved as written.

ACTION

Councilmember James made a motion to approve the minutes of a regular meeting held on September 21, 2023 as written. Councilmember Clawson 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 McCombs made a motion to approve the agenda for October 5, 2023 as written. Councilmember

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

9. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES
 - A. Resolution 23-22 - A resolution authorizing the Steel Solar 1A Project Second Amended and Restated Transaction Schedule under the Master Firm Power Supply Agreement with Utah Associated Municipal Power Systems; and related matters.
10. OTHER BUSINESS
 - A. Decision on maintenance and liability of the dirt road at 2200 West Highway 101 to 400 North.
 - B. Consideration and appointment to the Hyrum City Tree Board.
 - C. Mayor and City Council Reports.
11. ADJOURNMENT

PUBLIC COMMENT:

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

Madi Soto from CAPSA gave a poster to the City Council to hang up as well as their 2023 fiscal report. Madi wanted to remind that CAPSA services Hyrum City and to feel free to reach out anytime.

Mayor Miller said next month she is holding the Mayors Association dinner at CAPSA's location.

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

INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:

RESOLUTION 23-22 - A RESOLUTION AUTHORIZING THE STEEL SOLAR 1A PROJECT SECOND AMENDED AND RESTATED TRANSACTION SCHEDULE UNDER THE MASTER FIRM POWER SUPPLY AGREEMENT WITH UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS; AND RELATED MATTERS.

Mayor Miller said Councilmember Rasmussen had expressed some questions regarding this agreement.

Councilmember Rasmussen asked if Power Superintendent Tom Cooper

had any further information. The agreement shows potential tax credits to go back to the developer, which is fine, but it seems that instead of splitting tax credits with UAMPS there is more latitude on deferring use. Looking at the price of things, is it feasible that Hyrum City would not use all the allotted power.

Power Superintendent Tom Cooper Hyrum City will be using all the allotted power from this source.

Councilmember James said UAMPS is a nonprofit organization.

Power Superintendent Tom Cooper this is non-negotiable agreement change that is required. It is changing the tax credit to Hyrum City for liability if it becomes applicable, UAMPS doesn't see the city having any exposure.

Councilmember Rasmussen said it seems like a one-sided amendment but does not hurt Hyrum City rather it benefits the developer significantly.

Power Superintendent Tom Cooper said he would agree and discussed this with UAMPS. The agreement was a mandatory change to continue with the contractor.

Councilmember Rasmussen said he still agrees to the resolution.

ACTION

Councilmember James made a motion to approve Resolution 23-22 a Resolution authorizing the Steel Solar 1A Project second amended and restated transaction schedule under the Master Firm Power Supply Agreement with Utah Associated Municipal Systems; and related matters. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

Councilmember James asked if the city is still looking at a solar project that was to be by the sewer ponds.

Power Superintendent Tom Cooper said he hasn't heard anything set, rather just a discussion.

OTHER BUSINESS:

DECISION ON MAINTENANCE AND LIABILITY OF THE DIRT ROAD AT 2200 WEST HIGHWAY 101 TO 400 NORTH.

Councilmember James said that the city should not take any action on this and follow the legal council's advice.

Councilmember Clawson said Hyrum City was doing maintenance twice a year and asked if that would continue.

Councilmember Rasmussen said the city could provide maintenance twice a year and only with written approval of the property owner.

Zoning Administrator Matt Holmes said the area is spread over multiple properties.

Councilmember Adams said he agrees to listen to the city attorney. If the city grades the road and then someone hits a pothole does that put liability on the city.

Councilmember James said if somebody comes and makes a rut, he doesn't see any liability if the city does due diligence.

Councilmember Rasmussen said if maintenance is done once or twice a year the city can choose the times and conditions they work in.

Councilmember Clawson asked if there was anything in the original resolution as far as adding new gravel or if it was grading the existing surface.

Zoning Administrator Matt Holmes said he is unaware what the original situation was. Once tailings are laid down it makes it difficult to grade. Road Superintendent Kade Maughan recommended to keep it as is and plow on occasion as the city roads are done to access city utilities.

Councilmember James said the city doesn't want to set precedence for snow removal and recommended not to add that it may be plowed occasionally.

Zoning Administrator Matt Holmes said the properties that cross this road are JT Hyrum LLC, Flying A Ranch LLC, and Jack and Trudy Brown's property.

ACTION

Councilmember James made a motion to approve the decision on maintenance and liability of the dirt road at 2200 West Highway 101 to 400 North to follow the attorney's recommendation of getting approval from the property owner before providing maintenance twice yearly. Councilmember Adams seconded the motion and

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

Councilmember Rasmussen asked to follow up in a public works meeting to keep weeds down in that area.

CONSIDERATION AND APPOINTMENT TO THE HYRUM CITY TREE BOARD.

Mayor Miller said the Hyrum City Tree board consists of seven members including Power Superintendent Tom Cooper and Parks Superintendent Brad Call. Mayor Miller has spoken with five people that have agreed to be on the board.

Councilmember James asked if Preston Culver still leads the board.

Mayor Miler said Preston Culver doesn't want to lead the board. The following people have agreed to be on the board: Preston Culver, James Huppi, Bob Barry, Jared Imbler, and Paula Stauffer. They were all happy to do so and have experience in the field. Members will have to alternate so some will have shorter terms than others.

ACTION

Councilmember James made a motion to approve consideration and appointment to the Hyrum City Tree Board. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

MAYOR AND CITY COUNCIL REPORTS.

Mayor Miller said there was a special request for use of the Elite Hall and asked Secretary Hailey Brown to discuss the situation.

Secretary Hailey Brown mentioned that a representative from Community Nursing Services came in requesting use of the Elite Hall as a last wish for a client. The lady wanted USU Ballroom to perform for her. Looking at the dates they were requesting October 20th in the AM slot. It would be for CNS employees and family of the individual. The lady is a non-resident, but CNS had an employee who lives in Hyrum City that could rent the building.

Councilmember James said he would like to allow USU Ballroom dance to be placed on the same rental fee schedule as the other

USU groups. He would also like to waive the fee for this special make a wish use.

Councilmember Clawson seconded the motion to waive fees for this special event.

Mayor Miller said at the last meeting there was a grant that JUB put in an application for Hyrum City, and it was not accepted. JUB will try for the grant again next year.

Zoning Administrator Matt Holmes said the grant consisted of two million dollars, half of which went to one organization and there were thirteen applicants.

Mayor Miller said the city had budgeted \$10,000 to add covered parking for city office vehicles. The city wanted a six bay but the eighteen bay was \$18,786.18. Parks Superintendent Brad Call said he probably won't do sprinklers at Salt Hollow this year and said those funds could be amended to use for the covered parking.

Councilmember James said the funds were going to be used for the ballpark but that is justifiable if there is extra budget.

Mayor Miller said if the Council is okay with making that change, City Treasurer Todd Perkins can add that as a budget amendment. Mayor Miller said the city has also been struggling to hire people for jobs and has discussed more attractive options. One option discussed is if a full-time employee waives city insurance as they have proof of insurance, the city will pay them 75% of what would have been put towards their insurance. Another option discussed was adding a spending account to the options offered.

Councilmember Clawson asked how many current employees benefit from waiving the insurance.

Mayor Miller said there are just a few current employees.

Councilmember James said the city would have to look at tax ramifications as right now 75% goes into a 401K before taxes.

Councilmember McCombs asked if the city has room to hire more employees.

Mayor Miller said the sewer department is short three employees,

water department is short two employees, and the office is short one employee.

Councilmember Clawson asked what rate is advertised for the roads position.

Mayor Miller said it is advertised at \$25-28. Three people were interviewed last week, and Roads Superintendent Kade Maughan is reviewing the applicants. There was an interview for the sewer plant position and when calling the applicant to offer the job they had already accepted another job.

Councilmember Clawson asked if the city has done a job study.

Mayor Miller said City Recorder Stephanie Fricke will be starting on the job study at the end of November or first of December after elections are over.

Zoning Administrator Matt Holmes said depending on qualifications the water/roads position is advertised as \$19-29, and the sewer position is advertised as \$20-29.

Councilmember James asked if the city needed to hire a company for the job study.

Mayor Miller said a company has been hired but they need to work with HR on job information.

Councilmember Adams asked if Hyrum City offers vacation to start.

Power Superintendent Tom Cooper said the benefits package is aggressive as he has accrued well in his short time here.

Councilmember Adams said he has had several people asking about 300 North where the road is being extended and a culvert is going in.

Councilmember James said a culvert was placed and the road has been graded where the ditch was on the south side of road.

Zoning Administrator Matt Holmes said the landowner wanted pull-off access to his property. It is zoned as residential agriculture.

Councilmember James said there are funds within the recreation

department, and it has been looked at to relevel the pitcher's mound to make it safer and easier for multiple teams to use.

Mayor Miller said the city is looking for donors to help with that.

Councilmember James said the Hyrum Hornets have been a great team the past few years and brought real excitement to make the ballpark alive.

Councilmember McCombs said the Senior Center had a few updates on the bathrooms and the door locks have been fixed. The cleaning hours have been given to Karrie, the assistant cook. Vicky would like to have two pine trees removed on the front south of the building. The Senior Center needs one more board member and would prefer a male for diversity but has had no success finding somebody.

Mayor Miller asked what the plan was for the driveway approach.

Zoning Administrator Matt Holmes said Tim Jensen has been out of town and he was going to quote Hyrum City to tear it out and replace it.

Councilmember McCombs asked if the driveway can be torn up and replaced with blacktop like the parking lot. The Senior Center is getting ready for the craft fair and the Senior Center Board asked if the craft fair must be continued because they are burnt out. Vicky McCombs and Karrie McClung don't have enough time, but they will do the fair this year and then look to stop after that.

Mayor Miller said that is up to Vicky McCombs on deciding to continue with the craft fair or not.

Councilmember McCombs said the profit is nearly \$14,000 in a day and a half.

Councilmember James asked if that profit is net or gross.

Councilmember McCombs would have to talk to City Treasurer Todd Perkins to find out.

Councilmember James said they could just continue to make quilts.

Councilmember McCombs said Christmas trees and gift baskets are the best sellers. They have already started making items and don't have room to store them if they don't use it. Last year North Logan invited the Hyrum City royalty to Castle Manor for a princess party and the girls had a blast. The girls this year want to do that on the south end of the valley and use the Senior Center possibly in February.

Councilmember Clawson said he has miscellaneous water issues but nothing concerning the City Council.

Councilmember Rasmussen wanted to thank Councilmember James for coordinating the CVTD bus for the historic home tour and to follow up with Museum Director Jami Van Huss to confirm times. Rasmussen asked if Councilmember Adams had a google form for the 4th of July float entries.

Councilmember Adams said the forms were collected through the city office.

Councilmember McCombs said Nibley City wants to use the Senior Center van for Saturday.

Councilmember James said Nibley City is probably insured through the trust but should be checked on. James also had a question on Councilmember Rasmussens email for the tree decorating contest. The Christmas tree prize for one day of decorating should be comparable to the Christmas lighting contest prize.

Councilmember Rasmussen said the difference is most people don't put lights up on their homes to win the city prize, rather they want lights up for the holiday. The Christmas tree decorating is something they wouldn't normally do and would be putting effort in for the contest. The next newsletter is due tomorrow and will need to have the prize advertised.

Councilmember James said both contests should have the same type of award.

Councilmember Clawson said to get enough participation the award will need to be substantial, and it should be considered increasing the amount for the house lighting contest.

Councilmember Clawson and Councilmember Adams agreed to increase the lighting prize amount.

Zoning Administrator Matt Holmes said there was a meeting today regarding the South County Corridor Study wanting to get public involvement and allow them the opportunity for suggestion on concerns or issues. There will be a large stakeholder meeting at the end of November.

Councilmember James asked if Highway 101 is being looked at.

Zoning Administrator Matt Holmes said UDOT is good to take another road, but options are being looked at.

ADJOURNMENT:

ACTION

There being no further business before the City Council, the Council Meeting adjourned at 7:24 p.m.

ATTEST:

Stephanie Miller
Mayor

Stephanie Fricke
City Recorder

Approved: October 19, 2023
As Written