

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD FEBRUARY 2, 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, and Craig L. Rasmussen.

ABSENT: Councilmember Vicky McCombs.

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

OTHERS PRESENT: Zoning Administrator Matt Holmes, City Treasurer Todd Perkins, Electric Superintendent Matt Draper, Wastewater Treatment Superintendent Angela Pritchett, Electric Department Employees Black Ballard, Andrea Cepeda, Pete Cepeda, Kurt Johansen, and Nate Wilcox, Wastewater Department Employees Tom Broadbent and Jeff Jorgensen, Fire Chief Tony Stauffer, Assistant Fire Chief Luke Schmid, and four citizens. City Recorder Stephanie Fricke recorded the minutes.

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

PLEDGE OF ALLEGIANCE: Mayor Miller

INVOCATION: Councilmember Rasmussen

APPROVAL OF MINUTES:

The minutes of a special meeting on January 27, 2023 were approved as written.

ACTION

Councilmember James made a motion to approve the minutes of a special meeting held on January 27, 2023 as written. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen vote aye. The motion passed.

The minutes of a regular meeting on February 2, 2023 were approved as written.

ACTION Councilmember Clawson made a motion to approve the minutes of a regular meeting held on February 2, 2023 as written. Councilmember James seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen vote aye. The motion passed.

The minutes of a special meeting on February 3, 2023 were approved as written.

ACTION Councilmember James made a motion to approve the minutes of a special meeting held on February 3, 2023 as written. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen vote 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.

Mayor Miller said Annette Francis was unable to attend tonight's meeting and item 9.C. needs to be removed.

ACTION Councilmember James made a motion to approve the agenda as amended February 2, 2023, with the above amendment. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.

8. PUBLIC COMMENT

9. SCHEDULED DELEGATIONS

- A. Alanah Bassett - To request waiving the Elite Hall rental fees for a dance to raise money for a learning center in Africa.
- B. Alyna Ohling, CAPSA - To raise awareness of Sexual Assault Awareness Month in April.
- C. Annette Francis - ~~To discuss affordable housing needs in Cache Valley.~~
- D. Josh Runhaar, Neighborhood Nonprofit Housing Corp - To request Final Plat approval for Phase 4 of Mountain View Estates South Subdivision located at approximately 1330 East between 500 and 700 South consisting of 22 single family lots on 7.1 acres.
- E. Blake Leonelli, Waste Management Company - To update the City Council on the Waste Management Company garbage and

- recycling contract with the Cache Waste Consortium.
10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES
 - A. Resolution 23-05 - A resolution amending the Personnel Policies and Procedures Manual for Hyrum City Corporation to amend response time and compensation for emergency call back pay and scheduled call back pay, and further defining emergency and scheduled overtime.
 - B. Resolution 23-06 - A resolution authorizing an interlocal agreement between Cache County and Hyrum City for the Administration of 2023 Municipal Elections.
 - C. Resolution 23-07 - A resolution setting cemetery lot fees, grave opening and closing fees, Saturday burial fees, headstone moving fees, and oversized fault fees.
 11. OTHER BUSINESS
 - A. To discuss contracting with Cache County for two fulltime advanced EMT/Firemen at the Hyrum Fire Dept.
 - B. Consideration and approval of amendments to the Youth Council Charter.
 - C. Consideration and appointment to the Hyrum Museum Board.
 - D. Mayor and City Council Reports.
 12. ADJOURNMENT

PUBLIC COMMENT:

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

Curtis Howell said he is in the process of putting together a CERT Training Program for the citizens of Hyrum. He was wondering if he could use the Hyrum Civic Center every Wednesday night from April to June to hold these classes.

The City Council authorized use of the Civic Center on Wednesday nights from April to June for CERT Training.

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

SCHEDULED DELEGATIONS:

ALANAH BASSETT - TO REQUEST WAIVING THE ELITE HALL RENTAL FEES FOR A DANCE TO RAISE MONEY FOR A LEARNING CENTER IN AFRICA.

Alanah Bassett was not in attendance; this agenda item was not discussed.

ALYNA OHLING, CAPSA - TO RAISE AWARENESS OF SEXUAL ASSAULT AWARENESS MONTH IN APRIL.

Madi Soto with CAPSA said Alyne Ohling was not able to attend tonight's meeting. She thanked Hyrum City for its continued support. CAPSA is a non-profit domestic violence, sexual abuse, and rape recovery center serving Cache County and the Bear Lake area. It provides support services for women, men, and children impacted by abuse. All its services are free and confidential. CAPSA has trained advocates to help people in danger 24 hours day 7 days a week. April is Sexual Assault Awareness Month and when we as a community and as a nation take time to learn and better understand the problem of sexual assault and how we can make our communities safer. One of the best things all of us can do for survivors is to take the time to learn what services are available for them and understand how to help. So, if someone has been raped or sexually assaulted, here are some of CAPSA's services which would likely be helpful. CAPSA offers services for survivors of rape and sexual assault. All CAPSA's services are free, confidential, and designed to support survivors as they overcome the emotional, physical, and economic barriers to healing.

The City Council thanked CAPSA for its positive impact it has on the community and keeping them updated on its events.

JOSH RUNHAAR, NEIGHBORHOOD NONPROFIT HOUSING CORP - TO REQUEST FINAL PLAT APPROVAL FOR PHASE 4 OF MOUNTAIN VIEW ESTATES SOUTH SUBDIVISION LOCATED AT APPROXIMATELY 1330 EAST BETWEEN 500 AND 700 SOUTH CONSISTING OF 22 SINGLE FAMILY LOTS ON 7.1 ACRES.

Chris Harrod with Neighborhood Nonprofit Housing Corporation said Josh Runhaar was unable to attend tonight's meeting. He requested final plat approval for Phase 4 of Mountain View Estates South Subdivision located at approximately 1330 East between 500 and 700 South consisting of 22 single family lots on 7.1 acres.

Zoning Administrator Matt Holmes said if this development needs any upgrades to the existing services then coordination with the Hyrum City Power Department should be started immediately. Electrical component delays are estimated to be 2.5 years. He has reviewed the final plat and is recommending the following amendments: 1. Tie centerline to next intersection distance and bearing; 2. Deltas should be 90°0'33" and 89°59'27" based on the bearings; 3. Included "Executive Director" in signature area to match acknowledgement; 4. Include notations of adjacent surveys and owners; 5. Show zoning of development and adjacent areas along

with boundary of County/City; 6. Distance from east quarter corner is different than record. Show record if measured differently and include reference to survey/plat references; 7. Include note for monumentation for the individual lots. Rebar with T-Post and nail/ramset in curb along prolongation; and 8. Show project summary as required in HCC 16.16.030(B.25).

ACTION

Councilmember James made a motion to approve the final plat approval for Phase 4 of Mountain View Estates South Subdivision located at approximately 1330 East between 500 and 700 South consisting of 22 single family lots on 7.1 acres with the following conditions: : 1. Tie centerline to next intersection distance and bearing; 2. Deltas should be 90°0'33" and 89°59'27" based on the bearings; 3. Included "Executive Director" in signature area to match acknowledgement; 4. Include notations of adjacent surveys and owners; 5. Show zoning of development and adjacent areas along with boundary of County/City; 6. Distance from east quarter corner is different than record. Show record if measured differently and include reference to survey/plat references; 7. Include note for monumentation for the individual lots. Rebar with T-Post and nail/ramset in curb along prolongation; and 8. Show project summary as required in HCC 16.16.030(B.25). Councilmember Rasmussen seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.

BLAKE LEONELLI, WASTE MANAGEMENT COMPANY - TO UPDATE THE CITY COUNCIL ON THE WASTE MANAGEMENT COMPANY GARBAGE AND RECYCLING CONTRACT WITH THE CACHE WASTE CONSORTIUM.

Blake Leonelli with Waste Management Company said Waste Management Company was selected by the Cache Waste Consortium to provide solid waste services to the residents of Hyrum City and other cities and towns in Cache County. He is looking forward to working with Hyrum and the other communities in the consortium. Waste Management Company is a large company that provides solid waste services all over the United States. He does not foresee any big issues with providing service in Cache County. With area-specific regulations and laws to follow, balancing your responsibilities with the needs of your residents can be tricky. Waste Management will get the job done safely, efficiently and with utmost care for the environment. Waste Management is more than dependable – you get a true partner that's dedicated to helping your community thrive. There may be

days when they are unable to pick up trash receptacles due to heavy snow or other types of emergencies. Waste Management will be picking up trash cans on both sides of the street.

INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:

RESOLUTION 23-05 - A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR HYRUM CITY CORPORATION TO AMEND RESPONSE TIME AND COMPENSATION FOR EMERGENCY CALL BACK PAY AND SCHEDULED CALL BACK PAY, AND FURTHER DEFINING EMERGENCY AND SCHEDULED OVERTIME.

Mayor Miller said Resolution 23-05 amends the Personnel Policies and Procedures Manual for Hyrum City Corporation to amend response time and compensation for emergency call back pay and scheduled call back pay, and further defining emergency and scheduled overtime. There is a need to amend the policy to allow an employee on call to be within 15 miles of Hyrum City rather than 15 minutes. Also to allow an employee responding to an emergency call back to be allowed 5 minutes to respond to the call and then an additional 10 minutes before employee has to leave. This will also clarify that employee responding to emergency will be paid from the time of call to when employee leaves the job site or shop. Employees will not be paid drive time home.

A short discussion ensued between the City Council regarding further clarification of the on-call policy. The following changes to Section XII 10. A & B ON-CALL PAY: A. Hyrum City recognizes the need to respond to unforeseen, unplanned, or emergency situations. As such, the City has established an On-Call program. On-Call constitutes a program whereby qualified employees are available by telephone, pager, radio, etc. for the opportunity to return to work after hours. Each Department Supervisor will address its department's need for On-Call service with regard to emergency or unforeseen demand for services. (1) After hours is defined as the time between the employees normal work days and times. (2) On-Call coverage will be on a weekly rotation from Tuesday evening through Tuesday morning, with a rotation schedule determined by the Department Supervisor. All employees in each department will be on the rotation schedule to allow for a fair balance of On-Call duties. (a.) Trading of On-Call shifts is allowed, with approval from Department Supervisor. (3) All employees On-Call must respond by answering the call or calling back the number within five (5) minutes of the initial notification. Employee must leave to respond within 10 minutes after the initial notification, if deemed an emergency as defined in Section XII9.A.(1). Employee must be

within an actual fifteen (15) mile driving distance of Hyrum City. Failure of On-Call employee responding within the above times may result in disciplinary action. B. Compensation. (1) Employees On-Call are compensated at the rate of \$1.50 per hour during the On-Call shift. (2) Employees On-Call during a holiday or holiday weekend (holiday falls on Friday, Saturday, Sunday, or Monday) are compensated at the rate of \$2.00 per hour during the On-Call shift. (3) On-Call employees responding to an emergency as defined in Section XII.9.A.(1) and (3) will be paid one and one-half (1 ½) times their regular rate of pay from the time they are notified of the emergency until employee leaves job site/shop. Employee is not paid for drive time after leaving job site/shop. (4) On-Call employees working scheduled overtime will be paid as defined in Section XII.9.A.(4). Employee is paid from the time employee arrive at the site/shop until employee leaves job site/shop. (5) Once the employee is called back, the \$1.50 On-Call compensation ends for the duration of call-back.

ACTION

Councilmember James made a motion to approve Resolution 23-05 amends the Personnel Policies and Procedures Manual for Hyrum City Corporation to amend response time and compensation for emergency call back pay and scheduled call back pay, and further defining emergency and scheduled with Section XII 10. A & B ON-CALL PAY to read as follows: A. Hyrum City recognizes the need to respond to unforeseen, unplanned, or emergency situations. As such, the City has established an On-Call program. On-Call constitutes a program whereby qualified employees are available by telephone, pager, radio, etc. for the opportunity to return to work after hours. Each Department Supervisor will address its department's need for On-Call service with regard to emergency or unforeseen demand for services. (1) After hours is defined as the time between the employees normal work days and times. (2) On-Call coverage will be on a weekly rotation from Tuesday evening through Tuesday morning, with a rotation schedule determined by the Department Supervisor. All employees in each department will be on the rotation schedule to allow for a fair balance of On-Call duties. (a.) Trading of On-Call shifts is allowed, with approval from Department Supervisor. (3) All employees On-Call must respond by answering the call or calling back the number within five (5) minutes of the initial notification. Employee must leave to respond within 10 minutes after the initial notification, if deemed an emergency as defined in Section XII.9.A.(1).

Employee must be within an actual fifteen (15) mile driving distance of Hyrum City. Failure of On-Call employee responding within the above times may result in disciplinary action. B. Compensation. (1) Employees On-Call are compensated at the rate of \$1.50 per hour during the On-Call shift. (2) Employees On-Call during a holiday or holiday weekend (holiday falls on Friday, Saturday, Sunday, or Monday) are compensated at the rate of \$2.00 per hour during the On-Call shift. (3) On-Call employees responding to an emergency as defined in Section XII.9.A.(1) and (3) will be paid one and one-half (1 ½) times their regular rate of pay from the time they are notified of the emergency until employee leaves job site/shop. Employee is not paid for drive time after leaving job site/shop. (4) On-Call employees working scheduled overtime will be paid as defined in Section XII.9.A.(4). Employee is paid from the time employee arrive at the site/shop until employee leaves job site/shop. (5) Once the employee is called back, the \$1.50 On-Call compensation ends for the duration of call-back. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.

RESOLUTION 23-06 - A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN CACHE COUNTY AND HYRUM CITY FOR THE ADMINISTRATION OF 2023 MUNICIPAL ELECTIONS.

Mayor Miller said Resolution 23-06 is an interlocal agreement between Cache County and Hyrum City for the Administration of 2023 Municipal Elections. This resolution sets forth the provisions of the contracts and the scope of work that will be provided by the County and the work provided by the City. This resolution includes elections costs to Cache County but does not include the City's costs for elections. The maximum cost by Cache County is \$25,856 which includes a Primary and General Mail in Ballot Election for 5,621 registered voters of Hyrum City, and it assumes 100% voter turnout. The amount will most likely be lower since Hyrum City probably won't achieve 100% voter turnout and if a primary election is not needed.

ACTION

Councilmember James made a motion to approve Resolution 23-06 authorizing an Interlocal Agreement between Cache County and Hyrum City for the administration of 2023 Municipal Elections. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, and

Rasmussen vote aye. The motion passed.

RESOLUTION 23-07 - A RESOLUTION SETTING CEMETERY LOT FEES, GRAVE OPENING AND CLOSING FEES, SATURDAY BURIAL FEES, HEADSTONE MOVING FEES, AND OVERSIZED FAULT FEES.

Mayor Miller said Resolution 23-07 amends the cemetery lots fees, grave opening and closing fees, Saturday burial fees, headstone moving fees, and oversized fault fees. Hyrum City has not increased cemetery fees since April 2018. The cost of providing services, labor, maintenance, etc. have increased more than 20% since that time. City Staff has reviewed the fee scheduled and compared costs with other neighboring communities and these fees are reasonable.

ACTION

Councilmember James made a motion to approve Resolution 23-07 setting cemetery lots fees, grave opening and closing fees, Saturday burial fees, headstone moving fees, and oversized fault fees. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:

TO DISCUSS CONTRACTING WITH CACHE COUNTY FOR TWO FULLTIME ADVANCED EMT/FIREMEN AT THE HYRUM FIRE DEPT.

Mayor Miller said she has been working with Cache County Fire Chief Rod Hammer on hiring and providing two fulltime advanced EMT/Fireman at the Hyrum Fire Department. Hyrum City would be responsible to reimburse Cache County for all personnel costs associated with these positions. Cache County is estimating the cost for two fulltime Advanced EMT/Firemen salary and benefits will be under \$110,000 or \$55,000 per employee. By having Cache County employee these two firemen it will give Hyrum City coverage during daytime hours and still allow Hyrum City to stay under 50 full time equivalent employees.

The City Council asked for an agreement to be written that includes a statement in it that preference should be given to Hyrum Fire and EMT personnel that are qualified for this position.

CONSIDERATION AND APPROVAL OF AMENDMENTS TO THE YOUTH COUNCIL CHARTER.

Mayor Miller said the Hyrum City Youth Council is recommending

approval of the amendments to the Youth Council Charter.

ACTION

Councilmember James made a motion to approve the 2023 Youth Council Charter with the following amendment to Becoming a Youth Council Member Candidate "Candidates must be in 9th through 11th grade or the equivalent of that in age.". Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPOINTMENT TO THE HYRUM MUSEUM BOARD.

Councilmember Rasmussen said Hyrum Museum Board Member Linda Christensen's and Curtiss Parkinson's terms have expired and the Museum is recommending the appointment of Montana Daleo to the Hyrum Museum Board.

ACTION

Councilmember Rasmussen made a motion to appoint Montana Daleo to the Hyrum Museum Board. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye. The motion passed.

MAYOR AND CITY COUNCIL REPORTS.

Mayor Miller said she asked Electric Superintendent Matt Draper to attend tonight's meeting to discuss entering into an agreement with Dominion Energy to hedge gas prices for the generators. By hedging the gas price it will help reduce or eliminate vulnerability to volatile and potentially rising gas prices.

Hyrum City Lineman Blake Ballard said before Hyrum City enters into a contract to hedge gas prices the City needs to decide if it wants to sell the electric utility to Rocky Mountain Power. If the City is considering selling the electric utility to Rocky Mountain Power than the City shouldn't enter into this contract. The employees in the Electric Department need to know the direction the City is moving in so that they know and can move forward. IF the City is selling to Rocky Mountain Power than his give a crap is busted and he doesn't want to put the time into coming up with ways to save the electric utility money.

Councilmember Adams said the City may have been jumping the gun on wanting to sell the electric utility. Electric costs have been extremely high and the reserves are low and that puts the City at risk but the decision to meet with Rocky Mountain Power may have been premature at this point.

Councilmember James said Hyrum City selling its electric utility has been brought up in conversation with Rocky Mountain Power for years. However, there needs to be serious consideration before the City does that.

Electric Superintendent Matt Draper said if the City wants to sell the Electric Utility Rocky Mountain Power will use the IOQA Formula to determine a value and then it is up to both parties to agree on the price. It usually takes less than one year to come to an agreement between both parties. Hyrum City will have to pay to decommission the dam up the canyon. Rocky Mountain Power will not want the hydro plant. It will be very expensive to decommission the dam. Hyrum City will also have to find cities to purchase their power shares and other electric contracts the City has with UAMPS. Hyrum City will end up paying for all of its street lights and electric costs for its buildings. It is the City's decision as to whether it wants to sell the utility, but it may cost the City more money to sell the utility than to keep it. He understands electric costs are volatile and no one is sure what is going to happen with costs in the future. However, he would like the City to give the Electric Department an opportunity to try to help reduce power costs with projects like the generator. The generators will provide the City more than half the power it needs. There are three generators that will run each day at different times. This will keep the number of hours down for each generator but also provide electricity at a cheaper rate than UAMPS market price.

Mayor Miller asked the City Council if it wanted the City to enter into an agreement with Dominion Energy to hedge gas prices or if it is still interested in selling the utility to Rocky Mountain Power.

The City Council authorized the electric utility to enter into an agreement with Dominion Energy for gas to help hedge prices. Also for the Electric Utility to continue to try and find ways to save money. The City will not meet with Rocky Mountain Power at this time and will wait to see what the finances are of the electric utility over the next few months.

Councilmember Clawson said he agrees the City was built with funds from the Electric Utility. However, he is not willing to put the taxpayers of Hyrum at risk if the electric utility is going to cause financial problems for the City and its other utility funds. He was elected by the citizens of Hyrum and from a business aspect

if one part of your business is taking you down then you should get rid of that division. If the electric utility continues to lose money then he wants to meet with Rocky Mountain Power. If we keep getting high electric bills it may be time to get rid of this department and give that risk to someone else.

Councilmember James asked if the Dominion Energy Contract for gas prices will need to be approved by the City Council.

Electric Superintendent Matt Draper said that he will sign the contract.

Mayor Miller said March 3 at 2:00 p.m. is the Polar Plunge at Hyrum Dam. The Utah League of Cities and Towns Spring Conference is April 19-22. Wayne Petersen contacted her about Hyrum City allowing him to use the City's Highline Canal water in exchange for his Hyrum Irrigation shares. The agreement is for one year and has to be renewed annually. She spoke with Councilmember Clawson and Pressurized Irrigation Superintendent Kade Maughan and they both agreed that exchanging the irrigation water with Wayne Petersen this year would not have an effect on Hyrum City. Tom Blair with Utah Amateur Skateboard League contacted her about holding an event at Hyrum City's Skateboard Park. The City Council suggested a rental contract with rental fees and deposits be written by City Staff and approved by the City Council that is consistent with City Policy, just like when the baseball diamonds are rented for an event where entrance fees are charged. Representative Casey Snyder contacted her this week regarding a bill that was passed that may not require Hyrum City to meter each household but it would allow the City to source meter.

Councilmember James said sign-ups have started for softball and baseball.

Councilmember Clawson said he is getting ready for the Easter Egg Hunt and has ordered candy and eggs. Hyrum City needs to contact its Attorney about writing a letter to the residents who have installed vinyl fences along the canal. Hyrum Irrigation Company will be burning this spring and those fences may be damaged.

ADJOURNMENT:

ACTION

**There being no further business before the City Council,
the Council Meeting adjourned at 8:45 p.m.**

ATTEST:

Stephanie Miller
Mayor

Stephanie Fricke
City Recorder

Approved: March 16, 2023
As Written