

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD APRIL 15, 2021, 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 C. Clawson, Paul C. James, Vicky McCombs, and Craig L. Rasmussen.

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

OTHERS PRESENT: City Administrator Ron Salvesen, Zoning Administrator Matt Holmes, Secretary Hailey Maughan, and 18 citizens. City Recorder Stephanie Fricke recorded the minutes.

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

PLEDGE OF ALLEGIANCE: Councilmember McCombs led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: Councilmember James

APPROVAL OF MINUTES:

The minutes of March 18, 2021 were approved as written.

ACTION Councilmember James made a motion to approve the minutes of a regular meeting held on March 18, 2021 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 James made a motion to approve the agenda for the regular scheduled meeting on April 15, 2021 as written. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

9. SCHEDULED DELEGATIONS

- A. Bryce Lancaster, CAPSA - To present on update on CAPSA's services through the course of the pandemic.
- B. Cache County Sheriff Chad Jensen - To present the Cache County's Sheriff report for 2020 and to discuss the 2021-2022 Law Enforcement Contract.
- C. Ryan Pierson - To request Site Plan approval at 1660 East 145 South for two 8,400 square foot commercial buildings on 1.08 acres.
- D. Jared Imbler - To request Site Plan approval at 300 North 514 East to convert an existing home occupation greenhouse/nursery business into a permanent business.
- E. Brand Carmichael - To request Site Plan approval at 120 North 800 East for a drive-up soda stand.
- F. Curtis & Kathryn Fielding - To request Site Plan approval for a Commercial Renovation Plan at 92 East Main.
- G. Dan Larsen, Kartchner Homes - To request Preliminary Plat approval for Auburn Hills Phase 7 at 700 East 600 South consisting of 41 single family lots.
- H. Beth Larcher, OLO Builders - To request Final Plat approval for Phase 4 of Mount Sterling Farms PUD located at 675 West 20 North consisting of 27 single family lots.
- I. Josh Runhaar, Neighborhood Housing Solutions - To request Final Plat approval for Phase 1 of Mountain View Estates South Subdivision located at 560 South 1490 East consisting of 17 single family lots.
- J. Ben Russell, Centerpoint Homes - To request Final Plat approval for Phase 3 of Canyon Estates Subdivision located at 750 East 1150 South consisting of 15 single family lots.
- K. Dan Larsen, Kartchner Homes - To request Final Plat approval for Phases 8 through 11 of Rolling Hills Estates Subdivision located at 600 South 400 East consisting of Phase 8 -12 single family lots; Phase 9 - 13 single family lots; Phase 10 - 12 single family lots; and Phase 11 - 7 single family lots.

10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES

- A. Resolution 21-05 - A resolution approving an Interlocal Agreement between Cache County and Hyrum City for the Administration of 2021 Municipal Elections.
- B. Resolution 21-06 - A resolution declaring certain Hyrum City equipment as surplus and ordering the sale or disposal thereof.

11. OTHER BUSINESS

- A. Consideration and approval of the 2021-2022 Law

- Enforcement Contract with Cache County Sheriff's Office.
- B. Consideration and award of bid for exterior of Elite Hall.
 - C. Consideration and award of bid for the Hammer Road project.
 - D. Consideration and award of bid for the 300 South & 800 East road project.
 - E. Budget Report.
 - F. Discussion on continuation of Justice Court.
 - G. 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.

SCHEDULED DELEGATIONS:

BRYCE LANCASTER, CAPSA - TO PRESENT ON UPDATE ON CAPSA'S SERVICES THROUGH THE COURSE OF THE PANDEMIC.

Ashley Sorensen with CAPSA said Bryce Lancaster was not able to be in attendance at tonight's meeting and she was asked to represent CAPSA. 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 of its services are free and confidential. CAPSA has trained advocates to help people in danger 24 hours day 7 days a week.

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

CACHE COUNTY SHERIFF CHAD JENSEN - TO PRESENT THE CACHE COUNTY'S SHERIFF REPORT FOR 2020 AND TO DISCUSS THE 2021- 2022 LAW ENFORCEMENT CONTRACT.

Cache County Lt. Sheriff Michael Sean Bartschi said he oversees the patrol department and contracts for the Cache County Sheriff's Office. Hyrum City contracts with Cache County Sheriff's Office for Law Enforcement in its community. Hyrum City continues to have similar numbers of service hours and calls annually. The

Sheriff's Office isn't recommending an increase in contract hours for Hyrum City. The Sheriff's Office wants to continue to provide its services to Hyrum City and hopes that the office is meeting Hyrum City's expectations.

The City Council agreed that the Cache County Sheriff's Office is going a great job with law enforcement in the community and thanked the Deputies for their service.

Councilmember Rasmussen asked Cache County Sheriff Chad Jensen about State Law changes that may have a significant impact on local Justice Courts.

Cache County Sheriff Chad Jensen said a lot of small Justice Courts are being closed because of the restrictions and financial restraints that are being put upon them. If laws keep changing, he anticipates most Justice Courts will no longer exist. Everything the Justice Courts handled would be moved to the District Courts. District Courts do not have the manpower for the additional caseloads from Justice Courts. It will be interesting to see if the State Legislature will continue to put additional restrictions and continue to require a high percentage of the fine be turned into the State. Small cities and towns can no longer afford to fund its Justice Courts with the mandates from the State.

RYAN PIERSON - TO REQUEST SITE PLAN APPROVAL AT 1660 EAST 145 SOUTH FOR TWO 8,400 SQUARE FOOT COMMERCIAL BUILDINGS ON 1.08 ACRES.

Mayor Miller said on April 8 the Planning Commission recommended Site Plan approval at 1660 East 145 South for two 8,400 square foot commercial buildings on 1.08 acres with a lessened setback from front property line.

Ryan Pierson said he wants to build two more commercial buildings and he is not sure what types of businesses will be in the buildings yet. Landscaping will be xeriscaping with drought tolerant plants.

Councilmember Rasmussen said he has several concerns with the layout of the parking stalls and the open access along the property. The parking stalls that are between the street are not big enough and do not meet City Code requirements. The parking stalls are not large enough for a vehicle to park in it without it hanging into the City's right-of-way. The access width is 240' and that is not acceptable nor in compliance with City Code. Having open access like that onto a City street is dangerous and that's why it is not allowed.

The City Council discussed different design options to limit the access onto the City Street to two accesses at a maximum of 36" wide which is allowed by City Code, while still providing the required parking stalls and setbacks on the building.

Ryan Pierson said one solution is the bumping the building back to the property line and that would take stalls out of the right of way.

Councilmember Rasmussen said if the buildings are pushed back they will have to be engineered and built with a fire wall.

ACTION

Councilmember Rasmussen made a motion to not approve Ryan Pierson's request for Site Plan approval at 1660 East 145 South for two 8,400 square foot commercial buildings on 1.08 acres until he redesigns his plan to meet City Code including access widths and parking requirements.

Councilmember James suggested the City Council work with Ryan on allowing him to design the site plan to meet City Code rather than not approving it.

Councilmember Rasmussen withdrew his motion

ACTION

Councilmember Rasmussen made a motion to approve Ryan Pierson's request for Site Plan approval at 1660 East 145 South for two 8,400 square foot commercial buildings on 1.08 acres with the following revisions: that there be only two accesses in conformance with city ordinances; vehicle parking not be allowed to back on the street in front of the buildings and for it to be reconfigured on plan to however applicant chooses to do so in center area to allow two accesses onto the property. If they choose to move the building forward or back that would be allowed as well as long as it was applicable to the Code. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye the motion passed.

JARED IMBLER - TO REQUEST SITE PLAN APPROVAL AT 300 NORTH 514 EAST TO CONVERT AN EXISTING HOME OCCUPATION GREENHOUSE/NURSERY BUSINESS INTO A PERMANENT BUSINESS.

Mayor Miller said on April 8 the Planning Commission recommended

Site Plan approval at 300 North 514 East to convert an existing Home Occupation Greenhouse/Nursery Business into a permanent business with the following condition that Cache Valley Nursery be required to add gravel to the existing dirt road on 500 East to prevent erosion; and that 500 East road is dedicated but will not be maintained or paved by the City.

Councilmember Rasmussen said he has concerns on the width of the 500 East road. There is no room for vehicles to pass on that road and it is not a paved city street.

City Administrator Ron Salvesen said Jared Imbler is not required to improve 500 East since the property currently fronts 300 North. However, in the future if the property is built on or sold and the back of the lot is kept then the 500 East road would need to be improved because the business would not have frontage on 300 North.

Councilmember Rasmussen said the signage being shown in the right of way should be moved onto the property and the sign needs to be approved by the Planning Commission. However, he strongly recommends that 500 East be widened so that two cars can pass.

Zoning Administrator Matt Holmes suggested Jared Imbler meet with Hyrum City's Road Superintendent Kade Maughan to determine what would need to be done to widen the 500 East road.

Councilmember Rasmussen asked what type of fencing was being proposed and if a landscaping plan had been submitted. He suggested a landscaped island between the ingress and egress lanes of the property onto the road.

Jared Imbler said he could use stock tanks as an island between the access lanes to help direct traffic. He doesn't want a cattle fence but instead would install a rail cedar fence or vinyl

ACTION

Councilmember Rasmussen made a motion to approve Jared Imbler's Site Plan at 300 North 514 East to convert an existing home occupation greenhouse/nursery business into a permanent business with the following conditions: 1. 500 East be widened to accommodate for two lanes of traffic which will need to be coordinated with Hyrum City's Road Department and Engineer; 2. Site Plan include a statement of type of fencing that will be used either cedar or vinyl; 3. The existing sign be moved off of the City right-of-way; 4. The access be no wider than

36 feet and only two accesses be permitted; and 5. A decorative island be placed between access lanes. Councilmember McCombs seconded the motion and Councilmembers Clawson, James, McCombs, Adams, and Rasmussen voted aye. The motion passed.

BRAND CARMICHAEL - TO REQUEST SITE PLAN APPROVAL AT 120 NORTH 800 EAST FOR A DRIVE-UP SODA STAND.

Mayor Miller said on April 8 the Planning Commission recommended Site Plan approval at 120 North 800 East for a Drive-up Soda Stand.

Brandt Carmichael said he would like to open a drive up soda stand. He has been working with Dan Larsen the property owner at 120 North 800 East to rent a space on his property. There is enough room for a small container building approximately 8.5' x 20' that will be converted into a drive through soda stand. The property has plenty of parking and room for a drive through line.

Councilmember Rasmussen said the building would need to be meet all codes including fire. Depending on the distance between the container and the existing building a fire separation wall may be required.

Zoning Administrator Matt Holmes said the City has reached out to Cache County and there will be something addressed for anchorage and regarding utilities. The City does not require a separate meter, but it may be the best option.

Brandt Carmichael said a separate meter can be installed, but the landlord agreement requires him to pay utilities. He hopes to start the business by June 1st.

ACTION

Councilmember Rasmussen made a motion to approve Brand Carmichael's Site Plan at 120 North 800 East for a drive-up soda stand with the requirement that building permit and all code issues be addressed and followed. Councilmember Adams seconded the motion and Councilmembers Clawson, James, McCombs, Adams, and Rasmussen voted aye. The motion passed.

CURTIS & KATHRYN FIELDING - TO REQUEST SITE PLAN APPROVAL FOR A COMMERCIAL RENOVATION PLAN AT 92 EAST MAIN.

Curtis Fielding said he and his wife Kathryn Fielding are purchasing the Down's Printing building and property at 92 East

Main and want to renovate the existing building into real estate offices along with a commercial shop, and a repair bay that would be used for their private vehicles.

Councilmember Rasmussen asked if there were sufficient parking spaces to meet the requirements of City Code.

Kathryn Fielding said there are parking spaces on both the north and east side of the building.

Curtis Fielding asked if they could widen the access onto Main Street.

Councilmember Rasmussen said Main Street is a Highway and it would be up to UDOT to give permission.

ACTION

Councilmember James made a motion to approve Curtis and Kathryn Fielding's Site Plan for a Commercial Renovation at 92 East Main with the following conditions: 1. The garage be used only to repair their private vehicles and for it not to be used as a business repair shop; and 2. If building is ever used as a repair shop business a sand and oil separator be installed. Councilmember Clawson seconded the motion and Councilmembers Clawson, James, McCombs, Adams, and Rasmussen voted aye. The motion passed.

DAN LARSEN, KARTCHNER HOMES - TO REQUEST PRELIMINARY PLAT APPROVAL FOR AUBURN HILLS PHASE 7 AT 700 EAST 600 SOUTH CONSISTING OF 41 SINGLE FAMILY LOTS.

Dan Larsen with Kartchner Homes said the City and him met with the State's Private Property Ombudsman regarding road dedication on 700 South. An opinion was not issued by the feels as if the Ombudsman was siding with him. He does not mind working with the City on the road but is not willing to just give up lots instead he created a design that would leave two non-conforming lots which are 101 & 102. The other option that may be less desirable is curving the road closest to the state highway.

Councilmember Rasmussen said there has to be another way to design the lots so that it doesn't create nonconforming lot

Dan Larsen said there is no other way to configure the lots to make them conforming. His engineering team tried everything possible. If the City wants Kartchner Homes to connect to 700 South

then the nonconforming lots will have to be approved.

Councilmember Clawson said he is concerned about the access road coming out onto 700 South being a hazard since it would be so close to intersection of Highway 89 and 700 South.

City Administrator Ron Salvesen said it would have been better for the road to be further west but the City already has its utilities there and staff recommended not moving that road. He disagrees with Dan Larsen about the direction that the States Private Property Ombudsman was going. He thought the Ombudsman was siding with the City.

Dan Larsen said he will not give up a lot and would like a formal opinion from the ombudsman.

ACTION Councilmember James made a motion to table Dan Larsen with Kartchner Homes request for Preliminary Plat approval for Auburn Hills Phase 7 at 700 East 600 South consisting of 41 single family lots until the dispute is resolved with a formal opinion from the States Private Property Ombudsman. Councilmember Rasmussen seconded the motion.

Councilmember Rasmussen asked if he could amend Councilmember James' motion and Councilmember James agreed.

ACTION Councilmember Rasmussen made a substitute motion to table Dan Larsen with Kartchner Homes request for Preliminary Plat approval for Auburn Hills Phase 7 at 700 East 600 South consisting of 41 single family lots until it is resubmitted and all lots meet City's code and a road is provided to 700 South. Councilmember James seconded the motion and Councilmembers Clawson, James, McCombs, Adams, and Rasmussen voted aye. The motion passed.

BETH LARCHER, OLO BUILDERS - TO REQUEST FINAL PLAT APPROVAL FOR PHASE 4 OF MOUNT STERLING FARMS PUD LOCATED AT 675 WEST 20 NORTH CONSISTING OF 27 SINGLE FAMILY LOTS.

Beth Larcher with OLO Builders requested Final Plat approval for Phase 4 of Mount Sterling Farms PUD located at 675 West 20 North consisting of 27 single family lots.

Councilmember Clawson said he understands this is a PUD but he doesn't like how close the homes are to the road.

Zoning Administrator Matt Holmes said he agrees that there needs to be some adjustments to the PUD Ordinance that would require wider frontages or different setbacks. He would like to review the PUD ordinance in the future.

City Administrator Ron Salvesen said the City will maintain all of the open space including the splash pad.

Councilmember Rasmussen said the engineering survey requires final plats to be stamped before being submitted to the City. This final plat has not been stamped by the engineer.

ACTION

Councilmember Rasmussen made a motion to approve the Final Plat for Phase 4 of Mount Sterling Farms PUD located at 675 West 20 North consisting of 27 single family building lots with the following conditions: 1. A note be added to the final plat that the home owner should consider fire setbacks and building code requirements when planning to build their home; 2. Staff review and approve dedication statement and have it changed to Hyrum City; 3. The engineer needs to stamp the Final Plat; and 4. The owner provide a letter of verification that the spring owned by Craig Poppleton is protected and verification of location and ownership. Councilmember McCombs seconded the motion and Councilmembers Clawson, James, McCombs, Adams, and Rasmussen voted aye. The motion passed.

JOSH RUNHAAR, NEIGHBORHOOD HOUSING SOLUTIONS - TO REQUEST FINAL PLAT APPROVAL FOR PHASE 1 OF MOUNTAIN VIEW ESTATES SOUTH SUBDIVISION LOCATED AT 560 SOUTH 1490 EAST CONSISTING OF 17 SINGLE FAMILY LOTS.

Mayor Miller said Josh Runhaar with Neighborhood Housing Solutions is not in attendance tonight. This item can not be approved until after a public hearing vacating a road. The public hearing will be held on May 6, 2021.

BEN RUSSELL, CENTERPOINT HOMES - TO REQUEST FINAL PLAT APPROVAL FOR PHASE 3 OF CANYON ESTATES SUBDIVISION LOCATED AT 750 EAST 1150 SOUTH CONSISTING OF 15 SINGLE FAMILY LOTS.

Ben Russell with Centerpoint Homes requested final plat approval

for Phase 3 of Canyon Estates Subdivision located at 750 East 1150 South consisting of 15 single family lots.

Councilmember Rasmussen said Zoning Administrator Matt Holmes had some notes on the lot widths. He is not sure where those are scaled from the closing of the plat.

Zoning Administrator Matt Holmes said he had issues in the cad program so he will check that.

Ben Russell said he sent changes to the engineer and he will change those.

Councilmember Rasmussen said the dedication should be to Hyrum City and the final plat should be stamped.

ACTION

Councilmember Rasmussen made a motion to approve the Final Plat for Phase 3 of Canyon Estates Subdivision located at 750 East 1150 South consisting of 15 single family lots with the following conditions: 1. The Final Plat be stamped by the engineer; and 2. Dedication statement be reviewed and amended to state Hyrum City. Councilmember Clawson seconded the motion Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

DAN LARSEN, KARTCHNER HOMES - TO REQUEST FINAL PLAT APPROVAL FOR PHASES 8 THROUGH 11 OF ROLLING HILLS ESTATES SUBDIVISION LOCATED AT 600 SOUTH 400 EAST CONSISTING OF PHASE 8 -12 SINGLE FAMILY LOTS; PHASE 9 - 13 SINGLE FAMILY LOTS; PHASE 10 - 12 SINGLE FAMILY LOTS; AND PHASE 11 - 7 SINGLE FAMILY LOTS.

Dan Larsen with Kartchner Homes requested final plat approval for Phases 8 through 11 of Rolling Hills Estates Subdivision located at 600 South 400 East consisting of Phase 8 - 12 single family lots; Phase 9 - 13 single family lots; Phase 10 - 12 single family lots; and Phase 11 - 7 single family lots.

Councilmember Rasmussen said Phase 11 on the bottom end of 400 East there needs to be a temporary turn around for emergency vehicle, snowplows, garbage trucks, etc.

Dan Larsen said there is an option for a hammer head turn around and one of the lots driveways will serve that requirement temporarily.

ACTION Councilmember James made a motion to approve the Final Plat for Phases 8 through 11 of Rolling Hills Estates Subdivision located at 600 South 400 East consisting of Phase 8-12 single family lots; Phase 9- 13 single family lots; Phase 10- 12 single family lots, Phase 11- 7 single family lots on the condition that documents should be signed and sealed, and that the staff comments be incorporated. Councilmember Clawson seconded the motion and Councilmembers Clawson, James, McCombs, Adams, and Rasmussen voted aye. The motion passed.

INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:

RESOLUTION 21-05 - A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN CACHE COUNTY AND HYRUM CITY FOR THE ADMINISTRATION OF 2021 MUNICIPAL ELECTIONS.

City Recorder Stephanie Fricke said Resolution 21-05 will approve an interlocal agreement with Cache County for election services. The State has required mail in ballots and the County has the digital signatures and the ability to mail and count ballots it is offering its services to all of the communities in Cache Valley. She recommended the City Council approve the Resolution even though the costs of the election will increase drastically from the last election. Hyrum City does not have the staff or technology to run a vote by mail election.

ACTION Councilmember James made a motion to approve Resolution 21-05 approving an interlocal agreement between Cache County and Hyrum City for the administration of 2021 Municipal Elections. Councilmember Clawson seconded the motion Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

RESOLUTION 21-06 - A RESOLUTION DECLARING CERTAIN HYRUM CITY EQUIPMENT AS SURPLUS AND ORDERING THE SALE OR DISPOSAL THEREOF.

Mayor Miller said Resolution 21-06 will declare an irrigation flume weir as surplus and will order the sale or disposal of it. Hyrum Irrigation Company needs an irrigation flume/weir and since this was taken out of a canal and neither Hyrum Irrigation Company or Hyrum City is sure who the owner is Hyrum City has agreed to sale the weir/flume to Hyrum Irrigation Company for \$1.00.

ACTION Councilmember James made a motion to approve Resolution 21-05 approving an interlocal agreement between Cache

County and Hyrum City for the administration of 2021 Municipal Elections. Councilmember McCombs seconded the motion Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:

CONSIDERATION AND APPROVAL OF THE 2021-2022 LAW ENFORCEMENT CONTRACT WITH CACHE COUNTY SHERIFF'S OFFICE.

Mayor Miller said the 2021-2022 Sheriff's Office Law Enforcement Contract is for 5640 Contracted Hours for \$295,254 this is the same as last year.

ACTION

Councilmember Clawson made a motion to approve the 2021-2022 Law Enforcement Contract with Cache County Sheriff's Office for 5,640 hours at \$295,254. Councilmember James seconded the motion Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND AWARD OF BID FOR EXTERIOR OF ELITE HALL.

Councilmember Rasmussen said he has been working with the Historic Foundation and Museum Director Jami Van Huss on bids for the restoration of the exterior of the Elite Hall. They sent bids to five different masonry companies recommended by the state. The plan is to replace about seventy-five bricks that are damaged, repaint the mortar and a few cracks that need crack repair, and apply water repellent graffiti guard. Abstract Masonry and Child Enterprises were the closest to qualify. Both are busy and we have flexibility so that work can be done in the spring or fall. The bids came in Wednesday. One company bid was 694,800 for four sides. The other contractor bid 197,946 for four sides which is substantially lower. The low bid was Child Enterprises and we talked to him about honoring the bid with the sub-contractor for paint removal and expectations. He said it was discussed that if all four sides are done if they could honor the bid. Craig Child asked that they withdraw their bid, it will be hard for them in spring or fall.

Councilmember Rasmussen recommended that the Council chose to not award the bid to either contractor and have them both come up to negotiate and do this a year from now. RAPZ Tax Grant money can be extended. Craig Child said next year they would more likely be interested in doing the work when they aren't so busy.

ACTION Councilmember Rasmussen made a motion to not accept any of the bids for the exterior of the Elite Hall. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND AWARD OF BID FOR THE HAMMER ROAD PROJECT.

Mayor Miller said there were two bids for the Hammer Road Project. LeGrand Johnson was the lowest at \$298,526.44 and the next one was Staker Parson for \$526,000.

ACTION Councilmember James made a motion to award the Hammer Road Project to LeGrand Johnson Construction for \$298,526.44. Councilmember Rasmussen seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND AWARD OF BID FOR THE 300 SOUTH & 800 EAST ROAD PROJECT.

Mayor Miller said there were two bids for the 300 South 800 East Road Project. LeGrand Johnson was the lowest at \$22,078 and the next one was Staker Parson for \$27,772.15.

ACTION Councilmember Clawson made a motion to award the 300 South 800 East Road Project to LeGrand Johnson Construction for \$22,078. Councilmember James seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

BUDGET REPORT.

City Administrator Ron Salvesen said the City funds are in great shape except for the electrical funds.

DISCUSSION ON CONTINUATION OF JUSTICE COURT.

Court Clerk Dianne Woolstenhulme said she sent each Council Member a copy of the task reform for Justice Courts. The State is saying bigger is better and it wants justice courts to be taken over by the state. The State added a ten percent surcharge to all citations and the State keeps the entire surcharge. For a \$130 traffic ticket we get to keep \$6 from the \$32 dollar surcharge. The Judge's

salary is state mandated and it keeps increasing each year even though the court is barely breaking even.

Councilmember Rasmussen said the Justice Court is still a benefit to the city even if it is not making a profit.

Court Clerk Diane Woolstenhulme said Judge Larson is here four hours a week and gets paid \$48,000 dollars a year. The judge's proposal when Diane leaves is a full-time clerk and a part time clerk. She works twenty-three hours a week and keeps up with the job. If we abolish the courts, we must go with the sheriff's office animal control.

City Administrator Ron Salvesen said the law amended so you cannot suspend a driver's license on failure to pay a fine .

Cache County Sheriff Chad Jensen said there are no consequences for people's actions anymore.

City Administrator Ron Salvesen said bailiff fees are not included in the sheriff contract. We approached James Swink to see if the County wanted to do a justice court and he did not want to do it for the same reasons the City is seeing. Smithfield recommended closing it down because you cannot win anyway. With Diane retiring it is not simple to replace her for two years then close the courts. We must notify the state by July 1st. Most concerning issue is the chapter that says we should not be concerned about losing money and that the state should be in control and determine what salaries are.

Court Clerk Dianne Woolstenhulme said the League of Cities and Towns is not pushing at all. We will have to pay judge out for three years' salary if we close next year. The district court does not want to do anything with the nuisances.

Councilmember Clawson said the only way he sees the Justice Court working is if the whole south end of the valley to be one court.

City Administrator Ron Salvesen said we need something done by June 1st.

MAYOR AND CITY COUNCIL REPORTS.

Mayor Miller said we need to schedule a budget workshop.

City Administrator Ron Salvesen said the budget book will be out for the next meeting. City Treasurer Todd Perkins will present May 6th and the budget workshop needs to be set at next meeting for May 20th. Ron has been contacted by a past councilmember who had done a recent burial and was upset that they had to pay the resident rate. She wanted to see if the council would do a reduced rate. Hopefully, you all got the schedule for 4th of July.

Councilmember Adams said the American legion will hold the Flag Ceremony on the 4th of July. He will call Claude Williams about the main street mile.

Mayor Miller said we need to distinguish and recognize grand marshal and distinguished citizen this year.

City Administrator Ron Salvesen said Tom Broadbent wants to shoot off the cannon for flag event this year.

Councilmember James said the cheerleaders want to sell glow bands at the fireworks. We will not be setting up vendors, but people can sell on their own.

Councilmember Adams said the Family Place said no to helping on the Night Out Against Crime. The Youth Council members will help serve, and bottled water will be handed out.

Councilmember Rasmussen said the Hot Wheels in Hyrum plans are moving ahead. They have several cars registered and some food trucks. They will not be selling prizes or tickets.

City Recorder Stephanie Fricke said we have Parker here from TPI for the sound system. They added three 65-inch displays, a camera in back controlled from the recorder computer, two microphones in the floor boxes, an HDMI input plat for those projecting, displays in front for council members, microphones, and several wireless mics. We can attach videos to the website now of meetings. The overflow room has a tv and sensor so they can view what it going on plus a microphone.

Councilmember McCombs would like to give a shoutout to the Baptist Church for helping tie quilts. There will not be a Hyrum Princess Pageant this year instead pageant this year instead last year's royalty will be honored on the parade float and they will stand at the Patriotic Program. The Senior Center is partially open, and their class with thirteen people went great. It is still offering free lunches through May then reevaluate. There is possibly a mother days event and pool players are in there. Maria the cook quit at the Senior Center so they will post her job. One suggestion is that pickleball be added on the East side by tennis courts to be used for senior activities.

Councilmember Clawson said he is working on the irrigation ditch which is coming along well. They are installing pad for the flume. He asked what the status of the sewer water is.

City Administrator Ron Salvesen said Kevin Maughan is getting test results then cleared with the state. Kade Maughan is ready to go so any day now on the water. We expect porcupine not to fill so we may start at 70% capacity and probably have to run deep water wells this year.

Mayor Miller said her mayors message this next month is on water.

Councilmember Rasmussen said the H2O Smithsonian exhibit is opening in August at the Hyrum Museum.

Zoning Administrator Matt Holmes said the sidewalk project is up to bid and they expect approval at the next Council meeting.

City Administrator Ron Salvesen said the skateboard park RFP is done. He needs a different council member to sit on that committee because Craig is on another project. Councilmember James said he will be on the committee.

ADJOURNMENT:

ACTION

There being no further business before the City Council, the Council Meeting adjourned at 10:03 p.m.

Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: May 6, 2021
As Written