

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MAY 15, 2025 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Mayor Pro Tempore Paul James

ROLL CALL: Councilmembers Steve Adams, Jared Clawson, Paul James, and Craig L. Rasmussen; and Councilmember Nelson arrived at 6:35 p.m.

EXCUSED: Mayor Stephanie Miller

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

OTHERS PRESENT: City Planner Tony Ekins, City Engineer Matt Holmes, Power Superintendent Larry Coleman, City Treasurer Todd Perkins, Recreation Manager Robert Stroud, Cache County Sheriff Chad Jensen, and fifty-eight citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Pro Tempore James welcomed everyone in attendance and invited audience participation.

PLEDGE OF ALLEGIANCE: Councilmember Adams

INVOCATION: Councilmember Clawson

APPROVAL OF MINUTES:

The minutes of a regular meeting on May 1, 2025 were approved as written.

ACTION

Councilmember Clawson made a motion to approve the minutes of a regular meeting held on May 1, 2025 as written. Councilmember Rasmussen seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

AGENDA ADOPTION: A copy of the notice and agenda for this meeting was emailed to The Herald Journal, posted on the Utah Public Notice Website and Hyrum City's Website, provided to each member of the governing body, and posted at the City Offices more than forty-eight hours before meeting time.

ACTION

Councilmember Adams made a motion to approve the agenda for March 20, 2025 as written. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

9. SCHEDULED DELEGATIONS:

- A. Karen Yorgason, Homegrown Homemades Co. - To request a home occupation business license at 60 East 300 South for the sale of homemade baked goods.
- B. Recreation Manager Robert Stroud - To present the findings of Nibley City's Recreation Survey.
- C. Aldon Watkins, Blacksmith Fork Vet Clinic - To request site plan approval for a veterinary hospital building and site expansion located at 816 East 6200 South, consisting of approximately 1.00 acres. Application 25-019A
- D. Jesse Elsmore, Jardine Builders, LLC - To request site plan approval for two (2) two-story mixed-use buildings located at 139 West Main Street & 127 West Main Street, consisting of 0.96 acres.

10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:

- A. Resolution 25-13 - A resolution declaring certain Hyrum City equipment as surplus and ordering the sale or disposal thereof.
- B. Resolution 25-14 - A resolution approving the Hyrum City Library Fee Schedule.
- C. Resolution 25-15 - A resolution to establish rates for Wildland Fire Deployment.
- D. Resolution 25-16 - A resolution adding Section XVI.5. Retirement D. Automatically deferral into 401k to the Personnel Policies and Procedures Manual for Hyrum City Corporation to provide for an automatically deferral into 401k.
- E. Resolution 25-17 - A resolution authorizing the deployment of Hyrum Fire Engines and Personnel to assist with Wildland Firefighting efforts upon request by the Northern Utah Interagency Fire Center.

11. OTHER BUSINESS:

- A. Tentative adoption of the 2025-2026 Operating Budgets and set date for a public hearing.
- B. Consideration and award of bid for the 900 West Underground Water and Power Improvements.
- C. Budget Report.

- D. Mayor and City Council Reports.
12. ADJOURNMENT

PUBLIC COMMENT:

Mayor Pro-Tempore James reviewed the Rules of Order and Procedures for Public Comment Section for Agenda and Non-Agenda items. Mayor Pro-Tempore James said if a citizen had a comment about the Market 1860 project to please have the people in favor speak first for three minutes each with a total of nine minutes for the project and then there will be nine minutes with a total of 3 minutes for those people who want to comment against the Market 18650 project. Afterwards there will be five minutes for comments not related to the Market 1860 project.

Jessica Willmore lives at 270 North 600 West and is favor of the Market 1860 project. This project is a permitted use, and the City Code allows this type of development in the Commercial Zone. The City needs to follow the existing rules and approve this development. It has been zoned Commercial since 2008, and the project meets the requirements of the law. The City should not deny approved use. This project is an investment in our community and will provide revenue for the City, and will generate new businesses. Growth is going to happen regardless, and she would rather see local businesses come to Hyrum over chain stores. If the City Council denies this application there will be a lawsuit against the City and tax payer dollars will be used to defend the City in a lawsuit that the City will lose.

Alexis Jorgensen said she lives at 450 South Center and there have been a lot of concerns about short term rentals over the past several years. She lives near a short term rental house and has not had any issues with people renting the home. She has found the people renting the house to be respectful, friendly, and some come back every year. Living next to a short term rental is peaceful most of the time. When it is not rented the blinds are closed and no one is there. If she has guests come to Hyrum she would prefer to rent a short term rental that is close to her house rather than having them stay in her home.

Maddie Buckner said she lives in Mt. Sterling and she would like to have the amenities that the Market 1860 would provide rather than having to drive to Logan. She wants to support local businesses and local entrepreneurs. Our ancestors would want us to be supportive of the entrepreneurs and local community to

support each other.

Emily Wild said she lives at 42 East 600 South and she wants a short term rental facility in Hyrum. This type of use could revitalize the downtown area. Hyrum City's General Plan supports this type of business in downtown area and will expand the tax base. Market 1860 is exactly what the General Plan wants and the developers want to be part of the community. Hyrum needs more businesses to keep our community local.

Annette Staffanson said she lives at 770 West 250 North and has lived here for 20 years. She is deeply concerned about the safety of the children that will be walking past this short term rental facility everyday. A background check is not required for short term rental facilities this causes a great deal of concern for the safety of these children. She is a preschool teacher and the PTA President and she watched children walking from Lincoln and there were over 170 children that walked home from school without adult supervision past the Market 1860 property. There were 91 kids from South Cache Middle School that walked home unattended past the Market 1860 property. She wants our children to be safe and is concerned for their safety.

Dan Soloman said he lives at 153 West Main and this development has divided the neighborhood. He dislikes this community is drawn apart and he has lost friends and that some people won't greet him. This issued as divided this entire community. There have been people exaggerating the issues and other people minimizing the issues. The project can have benefits but also have difficult impacts on the neighborhood. Most of the people against the project are not enemies of the project but they have concerns about specific elements to the project. Market 1860 is relatively larger and taller than the tallest buildings on the block. Hyrum City's Code Section 17.08.100F states development should be harmonious and beneficial to the neighborhood. The size of these buildings are a concern but the greater concern is the buildings have no setback and sit right against the sidewalk. This is distracting and not consistent with the historical area.

Kasey Lape said she lives at 130 South 200 West. She acknowledges growth is needed but there is a time and place for different things. There have been other types of businesses in this area and they have went out of business. This is not the right location for a development like Market 1860. The developer is not giving straight answer only proposals.

Sarah Roberts said she lives at 166 West Main. The concerns with Market 1860 are the 13 airbnb units, if there were less that would be great. The neighbors have concerns and there concerns have not been heard by the developer instead they are told this is what we are doing - deal with it. The residents have to deal with it and will have to deal with it every day and night. Will there be someone on site day and night to monitor the activities and parties. Will the residents be provided the owner's phone numbers so they can call with concerns. This does affect the neighborhood. There are a lot of safety concerns and who is regulated. The residents are not against Market 1860, they are not haters, they just want to make sure this is the right fit for the community.

Cache County Sheriff Chad Jensen said he was asked to attend tonight's meeting to provide statistics on the calls of service at the Market 1860 address. In the past 20 years there have been over 100 calls to the 127 West Main property for drugs, parole violations, violence, etc. In comparison Short Stop in the last 18 years has had over 270 calls for theft, crashes, and minor issues; and Ridley's Grocery Store has had over 489 calls in the last 18 years. There is not a lot of high density housing in Cache County. They don't have a higher response to apartment complexes over residential houses.

Following the Rules and Order of Procedures set by the City Council, Mayor Pro Tempore James moved to the next agenda item since there had been twenty five minutes of public comment.

SCHEDULED DELEGATIONS:

KAREN YORGASON, HOMEGROWN HOMEMADES CO. - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 60 EAST 300 SOUTH FOR THE SALE OF HOMEMADE BAKED GOODS.

Karen Yorgason said she lives at 60 East 300 South and would like a Home Occupation Business License to sale homemade baked goods. She has a small farm stand where she sales organic sour dough bread, cinnamon rolls, and other natural products. Her children help her with the business including baking, packaging, and selling.

Councilmember Nelson inquired about State Law and the Home Consumption Food Acts to ensure she was in compliance with State Law.

Karen Yorgason said she is in compliance with State Food Handling laws since she does not sale to resale facility. Her sales are all direct sales to the consumer

ACTION

Councilmember Rasmussen made a motion to approve a Home Occupation Business License at 60 East 300 South for the sale of homemade baked goods. Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye.

RECREATION MANAGER ROBERT STROUD - TO PRESENT THE FINDINGS OF NIBLEY CITY'S RECREATION SURVEY.

Recreation Manager Robert Stroud said Nibley City hired VCBO to conduct a survey on recreational facility on the southside of the Valley. He asked Nathan Leavitt with VCBO to present the findings of that study.

Nathan Leavitt with VCBO presented the results of the recreation study survey it conducted for Nibley City to look at recreation opportunities on the southend of Cache Valley.

Councilmember Rasmussen asked Nathan Leavitt about VCBO being hired by Nibley City for a recreation survey and not VCBO has been retained by Cache County to provide a similar study. He asked if they are using information from Nibley contract was being used in the Cache County contract, if so that highly illegal to use the same data and be paid from two different contracts.

Nathan Leavitt said they are trying to mesh the two studies together as much as possible. They are conducting similar surveys in the north end of the valley but didn't want to bother the south end of the valley with another study. They are trying to assess the desires for recreation through the valley. They are just getting started with the study. He then proceeded to go through a lengthy report on the studies. There were 639 responses from Hyrum and 2,200 responses from the entire survey group. The key elements were: What is important to you and your family - the majority respondents said improve mental and physical health for youth, adults, and seniors; What facilities do you currently use for sports and recreation - most respondents are using public parks or public fitness facilities; What type of services are needed in the community - Youth sports, recreation and fitness programs, and aquatic programs; What type of uses would household prefer for recreation - majority said indoor pool that people can use on a

daily basis, they also want small to medium activity rooms and classrooms. Respondents to the survey said they would be willing to drive 10 to 15 minutes for a recreation facility and 75% of the respondents said they would support a property tax increase for a new center.

Recreation Manager Robert Stroud thanked Nathan Leavitt for providing the results of the recreational survey. Robert said most likely there will be a ballot initiative to request increasing property taxes for a recreational facility during the 2026 election.

ALDON WATKINS, BLACKSMITH FORK VET CLINIC - TO REQUEST SITE PLAN APPROVAL FOR A VETERINARY HOSPITAL BUILDING AND SITE EXPANSION LOCATED AT 816 EAST 6200 SOUTH, CONSISTING OF APPROXIMATELY 1.00 ACRES. APPLICATION 25-019A

City Planner Tony Ekins said on May 8, 2025 the Hyrum Planning Commission recommended site plan approval for a veterinary hospital building and site expansion located at 816 East 6200 South consisting of approximately 1.00 acres with the following conditions: 1. All lights used to illuminate the lot shall be arranged to reflect the light away from adjoining premises in any residential zone, including the installment of dark sky lighting fixtures on both the existing building and building addition and shall be installed at the time of completion of the construction; and 2. Expansion of the current Conditional Use Permit through a separate application is contingent on Site Plan approval and will be effective following site plan approval.

Aldon Watkins said the current building size no longer meets the needs of his business. He wants to double the square footage size of the current building and also have an outdoor exercise facility where animals can move to get some exercise while being in care of a veterinarian. The dogs will not be kept outside unsupervised. The feces will be picked up and hauled away to a dumpster and the cement will be disinfected.

Councilmember Rasmussen said he reviewed the site plan and has some concerns with the layout. Fire code requires a fire lane for fire apparatus to be able to get within 150' of any point of building. The fire lane is to wrap around the building. Fire code does allow fire trucks to backup but it does have to be within 150'. There is no need to have a fire lane on both sides which if there was no fire lane on one side it may allow more room for truck

and trailer backing and parking. The outside kennel is a permitted use in this zone.

Aldon Watkins said the City is requesting a sand and oil separator but he doesn't think it is necessary since they are not a grooming facility. The vet clinic is not a grooming facility and only removes hair in the necessary spots for surgeries.

A lengthy discussion took place about site plan outside lighting, stormwater, the oil and sand separator, fire access, ingress/egress onto 700 South (6200 South Cache County).

ACTION

Councilmember Nelson made a motion to approve the site plan for a local veterinary hospital building and site plan expansion located at 816 East 6200 South, consisting of approximately 1.00 acres. Councilmember Adams seconded the motion.

Councilmember Rasmussen recommended amending the motion to include the following conditions: 1. Property boundaries need to be confirmed; 2. Site plan be adjusted to address the City Engineer comments specifically the roadway dedication for 800 East and 700 South; 3. 700 South 39.5 feet dedication be provided; 4. Stormwater on the southside of building be reviewed by applicant and engineer to address the stormwater basin to ensure stormwater can be managed without impacting the dedicated right-of-way; 5. A sampling manhole be added to the separator basin to meet pretreatment requirements; 6. Ensure infiltration sump still functions if ground was frozen be retention system; 7. Changes to fire lane designation be incorporated to remove west access as a designated fire land and keeping east side of building for fire lane; 8. All items from Planning Commission be included; and 9. It needs to come back to the City Council for approval.

Councilmember Nelson and Councilmember Adam's accepted Councilmember Rasmussen's amendment to the motion except for condition 9. Requiring the site plan to come back before the City Council for approval. Councilmember Adams, Clawson, James, and Nelson voted aye, and Councilmember Rasmussen voted nay. The motion passed.

JESSE ELSMORE, JARDINE BUILDERS, LLC - TO REQUEST SITE PLAN

APPROVAL FOR TWO (2) TWO-STORY MIXED-USE BUILDINGS LOCATED AT 139 WEST MAIN STREET & 127 WEST MAIN STREET, CONSISTING OF 0.96 ACRES.

City Planner Tony Ekins said on May 1, 2025 the City Council made a motion to continue the application to coordinate additional site plan approval conditions.

Andrea Nielsen said she is an owner of the project and her and her partners are excited for this project. They purchased this property because it was zoned commercial and their project met all the conditions of Hyrum City's Code.

Jesse Elsmore with Jardine Builders said the height of the proposed buildings are consistent with other homes in the neighborhood. The developers of this project want to create a nice project that will provide short term rental housing and business space. The property is zoned commercial and the developers want to build something nice in Hyrum.

Councilmember James said he is concerned about the setback and would prefer a 30' setback to blend into the residential neighborhood but also to keep the sidewalk and pedestrians safe.

Jesse Elsmore said code allows for the building to be placed next to the sidewalk and does not require a 30' setback. There is no setback requirement.

City Engineer Matt Holmes said parking is suppose to be behind the building as submitted.

Councilmember Nelson asked Andrea Nielsen if this was going to be a hotel.

Andrea Nielsen said no it will be a short term rental that is not bigger than six bedroom house.

City Planner Tony Ekins said the City's ordinance needs to be reviewed to define short term rentals. The City has the opportunity to define short term rentals and how it is going to license those businesses.

Councilmember Rasmussen said hotel or motel is permitted in this zone and would comply the city's definition of a hotel or motel.

ACTION

Councilmember Rasmussen made a motion to approve the

site plan for two (2) two-story mixed use buildings located at 139 West Main Street and 127 West Main Street, consisting of .96 acres. Councilmember Adams seconded the motion. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, and Rasmussen voted aye, and Councilmember Nelson voted nay. The motion passed.

INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:

RESOLUTION 25-13 - A RESOLUTION DECLARING CERTAIN HYRUM CITY EQUIPMENT AS SURPLUS AND ORDERING THE SALE OR DISPOSAL THEREOF.

Mayor Pro-Tempore James said Resolution 25-13 declares certain Hyrum City equipment as surplus and orders the sale or disposal thereof. The irrigation department has irrigation water drums they are no longer using and want to dispose of.

ACTION

Councilmember Clawson made a motion to approve Resolution 25-13 declaring certain Hyrum City equipment as surplus and ordering the sale or disposal thereof. Councilmember Adams seconded the motion and Councilmembers Adams voted aye, Clawson voted aye, James voted aye, Nelson voted aye, and Rasmussen voted aye. The motion passed.

RESOLUTION 25-14 - A RESOLUTION APPROVING THE HYRUM CITY LIBRARY FEE SCHEDULE.

Mayor Pro-Tempore James said Resolution 25-14 approves the Hyrum City Library Fee Schedule.

ACTION

Councilmember Clawson made a motion to approve Resolution 25-14 approving the Hyrum City Library Fee Schedule. Councilmember Adams seconded the motion and Councilmembers Adams voted aye, Clawson voted aye, James voted aye, Nelson voted aye, and Rasmussen voted aye. The motion passed.

The City Council recommended the Library Director to review the fine schedule for over due books and items to simplify it.

RESOLUTION 25-15 - A RESOLUTION TO ESTABLISH RATES FOR WILDLAND FIRE DEPLOYMENT.

Mayor Pro-Tempore James said Resolution 25-15 establishes rates for Wildland Fire Deployment.

ACTION Councilmember Rasmussen made a motion to approve Resolution 25-14 establishing rates for Wildland Fire Deployment. Councilmember Clawson seconded the motion and Councilmembers Adams voted aye, Clawson voted aye, James voted aye, Nelson voted aye, and Rasmussen voted aye. The motion passed.

RESOLUTION 25-16 - A RESOLUTION ADDING SECTION XVI.5. RETIREMENT D. AUTOMATICALLY DEFERRAL INTO 401K TO THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR HYRUM CITY CORPORATION TO PROVIDE FOR AN AUTOMATICALLY DEFERRAL INTO 401K.

Mayor Pro-Tempore James said Resolution 25-16 adds Section XVI.5. Retirement D. Automatically deferral into 401k to the Personnel Policies and Procedures Manual for Hyrum City Corporation to provide for an automatic deferral into 401k.

ACTION Councilmember Adams made a motion to approve Resolution 25-16 adding Section XVI.5. Retirement D. Automatically deferral into 401k to the Personnel Policies and Procedures Manual for Hyrum City Corporation to provide for an automatic deferral into 401k. Councilmember Rasmussen seconded the motion and Councilmembers Adams voted aye, Clawson voted aye, James voted aye, Nelson voted aye, and Rasmussen voted aye. The motion passed.

RESOLUTION 25-17 - A RESOLUTION AUTHORIZING THE DEPLOYMENT OF HYRUM FIRE ENGINES AND PERSONNEL TO ASSIST WITH WILDLAND FIREFIGHTING EFFORTS UPON REQUEST BY THE NORTHERN UTAH INTERAGENCY FIRE CENTER.

Mayor Pro-Tempore James said Resolution 25-17 authorizes the deployment of fire engines and personnel to assist with wildland firefighting efforts upon request by the Northern Utah Interagency Fire Center.

Assistant Fire Chief Luke Schmid said he is working on standard operating procedures for the deployment of fire engines and to ensure the City has firefighters volunteer or staff to cover Hyrum City incase of a fire.

ACTION Councilmember Adams made a motion to approve Resolution 25-17 authorizing the deployment of Hyrum Fire Engines

and Personnel to assist with wildland firefighting efforts upon request by the Northern Utah Interagency Fire Center. Councilmember Adams seconded the motion and Councilmembers Adams voted aye, Clawson voted aye, James voted aye, Nelson voted aye, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:

TENTATIVE ADOPTION OF THE 2025-2026 OPERATING BUDGETS AND SET DATE FOR A PUBLIC HEARING.

ACTION Councilmember Clawson made a motion to adopt the tentative 2025-2026 Operating Budgets and to set the date for the public hearing for June 5, 2025. Councilmember Adams seconded the motion and Councilmember Adams voted aye, Councilmember Clawson voted aye, Councilmember James voted aye, Councilmember Nelson voted aye, and Councilmember Rasmussen voted aye.

CONSIDERATION AND AWARD OF BID FOR THE 900 WEST UNDERGROUND WATER AND POWER IMPROVEMENTS.

Mayor Pro-Tempore James said Hyrum City received four bids for the 900 West Underground Water and Power Improvement project:

<u>CONTRACTOR</u>	<u>BID</u>
Ormond Construction	\$ 943,120.00
Kilgore Companies	\$1,170,364.58
Cache Valley Excavation	\$1,694,339.00
Beck Construction	\$2,116,860.00

ACTION Councilmember Clawson made a motion to award the 900 West Underground Water and Power Improvement Project to Ormond Construction in the amount of \$943,120.00. Councilmember Rasmussen seconded the motion and Councilmember Adams voted aye, Councilmember Clawson voted aye, Councilmember James voted aye, Councilmember Nelson voted aye, and Councilmember Rasmussen voted aye.

BUDGET REPORT.

Mayor Pro-Tempore James reviewed all budgets from April and reported that all of the departments were within their budgets and will stay on budget for the end of the fiscal year.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Adams said he is busy working on the arrangements for National Night Out Against Crime and the parade on the 4th of July.

Councilmember Rasmussen said Hot Wheels is on June 7, 2025.

Councilmember James has been working on the 4th of July Celebration. The Patriotic Program's speaker is Museum Director Jami VanHuss and a purple heart will be awarded to the family of a World War I Vet.

Councilmember Nelson said there have been two ham radio exercises and Hyrum City has purchased new radios to aid in an emergency.

Councilmember Clawson said the road around Hyrum Dam will be closed for four years starting June 1, 2025.

ADJOURNMENT:**ACTION**

**There being no further business before the City Council,
the Council Meeting adjourned at 9:58 p.m.**

ATTEST:

Stephanie Miller
Mayor

Stephanie Fricke
City Recorder

Approved: June 5, 2025
As Written