

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MARCH 16, 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, Paul James, and Craig L. Rasmussen.

**ABSENT:** Councilmember Jared Clawson, and Vicky McCombs.

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

**OTHERS PRESENT:** Zoning Administrator Matt Holmes, Electric Superintendent Matt Draper, and four citizens. City Recorder Stephanie Fricke recorded the minutes.

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

**PLEDGE OF ALLEGIANCE:** Councilmember Rasmussen

**INVOCATION:** Mayor Miller

**APPROVAL OF MINUTES:**

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

**ACTION**

**Councilmember James made a motion to approve the minutes of a regular meeting held on March 2, 2023 as written. Councilmember Adams seconded the motion and Councilmembers Adams, 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.

## 9. SCHEDULED DELEGATIONS

- A. Annette Francis - To discuss affordable housing needs in Cache Valley.
- B. Matt Draper, Hyrum City - To request a noise exemption allowed in Hyrum City Municipal Code Section 9.05.050 at 300 North 600 West from May 29, 2023 through October 3, 2023 for generators to produce electricity.
- C. Matt Draper, Hyrum City - To discuss location of an exclusive Right-Of-Way and Easement Grant at 875 East 875 North with Questar Gas and the conditions to be included in the agreement for such grant.

## 10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES

- A. Resolution 23-08 - A resolution amending the Personnel Policies and Procedures Manual Section XII.9. Overtime Pay to further define scheduled overtime.

## 11. OTHER BUSINESS

- A. Consideration and approval of a General Service Engineering Agreement with JUB Engineers, Inc.
- B. Mayor and City Council reports.

***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.

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

***SCHEDULED DELEGATIONS:*****ANNETTE FRANCIS - TO DISCUSS AFFORDABLE HOUSING NEEDS IN CACHE VALLEY.**

Annette Francis was not in attendance; this item was not discussed.

**MATT DRAPER, HYRUM CITY - TO REQUEST A NOISE EXEMPTION ALLOWED IN HYRUM CITY MUNICIPAL CODE SECTION 9.05.050 AT 300 NORTH 600 WEST FROM MAY 29, 2023 THROUGH OCTOBER 3, 2023 FOR GENERATORS TO PRODUCE ELECTRICITY.**

Power Superintendent Matt Draper requested a noise exemption at 300 North 600 West from May 29, 2023, through October 3, 2023 for Hyrum City's generators to produce electricity. The noise from the generators should not exceed 72 decibels within 50 feet of the generators. The closest house is within 150 feet of the generators and even though the noise from the generators should not exceed the noise allowed by Hyrum City's Municipal Code, the Power Department wants approval from the City Council in case the noise level does exceed the maximum allowed. The generators are critical to providing residents and businesses of Hyrum City electricity during peak hours. The price of the power from the generators are significantly lower than the City having to buy the power on the open market during peak hours. Typically, the generators are turned off by 10:00 p.m., however, depending on power prices the generators may run all night this summer. He has been trying to work with UAMPS to secure a five-year contract for gas prices. UAMPS has not been successful in finding a company that is willing to hedge for longer than three years. If the City generates more power than what it needs, it can sell the power to UAMPS at a reduced rate of 20% loss. He is looking at going away from UAMPS and having the City contract for gas on its own. He is thinking of having the Power Department Secretary schedule the gas and look at market prices hoping this will help make the Power Department a profit.

**ACTION**

**Councilmember James made a motion to approve a noise exemption (in accordance with Hyrum City Municipal Code Section 9.05.050) for Hyrum City at 300 North 600 West from May 29, 2023, through October 3, 2023, for generators to produce electricity. Councilmember Rasmussen seconded the motion and Councilmembers Adams, James, and Rasmussen vote aye. The motion passed.**

**MATT DRAPER, HYRUM CITY - TO DISCUSS LOCATION OF AN EXCLUSIVE RIGHT-OF-WAY AND EASEMENT GRANT AT 875 EAST 875 NORTH WITH QUESTAR GAS AND THE CONDITIONS TO BE INCLUDED IN THE AGREEMENT FOR SUCH GRANT.**

Power Superintendent Matt Draper said he has been working with Dominion Energy to find a location for Dominion Energy to build regulator station. Matt is recommending the City's property at 875 East 875 North for the regulator station. The City will grant Dominion Energy a permanent easement for a small section on the north end of the property in exchange for the easement. Dominion will reduce the cost of the line extension to our generators by West Point Dairy. Dominion is requiring the City to pay for the

line extension and regulator station since Hyrum City will have a high demand and Dominion's existing infrastructure cannot serve that level. If the City Council is okay with granting a permanent easement at this location, Dominion Energy will write up an agreement that will state the terms of the easement, the easement itself, and cost details for the line extension. This agreement will need to be approved by the City Council.

The City Council discussed the location of the permanent easement at 875 East 875 North. They recommended Power Superintendent Matt Draper continue negotiations with Dominion Energy for the reduced cost of the line extension in exchange for a permanent easement at 875 East 875 North.

***INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:***

**RESOLUTION 23-08 - A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL SECTION XII.9. OVERTIME PAY TO FURTHER DEFINE SCHEDULED OVERTIME.**

Mayor Miller said on March 2, 2023 the City Council approved Resolution 23-05 amending the Personnel Policies and Procedures Manual Section XII.9. Overtime Pay. There was language in the definitions that was accidentally removed and needs to be placed back in the policy.

**ACTION**

**Councilmember James made a motion to approve Resolution 23-08 amending the Personnel Policies and Procedures Manual Section XII.9. Overtime Pay. Councilmember Adams seconded the motion and Councilmembers Adams, James, and Rasmussen voted aye. The motion passed.**

***OTHER BUSINESS:***

**CONSIDERATION AND APPROVAL OF A GENERAL SERVICE ENGINEERING AGREEMENT WITH JUB ENGINEERS, INC.**

Mayor Miller said Hyrum City Staff has met with JUB Engineers, Inc. regarding a couple of projects that it would like JUB Engineers to perform routine professional civil engineering services, planning, modeling, grant writing, surveying, and other items. JUB has written an agreement for professional services that needs to be reviewed and approved by the City Council.

Councilmember Rasmussen said he reviewed the contract and had several items that need to be reviewed. Mayor Miller recommended

that he contact JUB Engineering to discuss and resolve his concerns, since he is an engineer and has expertise in engineering contracts. JUB has addressed most of his concerns and submitted an amended agreement before tonight's meeting. He recommended having the City Attorney review the contract with special attention to the Risk Allocation section.

**ACTION**

**Councilmember James made a motion to approve the Agreement for Professional Services Agreement with JUB Engineers with the condition that the City Attorney review and accept the agreement. Councilmember Rasmussen seconded the motion and Councilmembers Adams, James, and Rasmussen voted aye. The motion passed.**

**MAYOR AND CITY COUNCIL REPORTS.**

Councilmember Adams said he is busy planning Hyrum City's National Night Out Against Crime. He is trying to contact Mothers Against Drunk Driving to see if they would have a booth that night on the City Square.

Councilmember Rasmussen said the Museum preparing for Hot Wheels which is held on the first Saturday in June. There have already been several commitments for sponsorship. The Hyrum Museum is planning on hosting a Veteran's Ceremony to honor those military members who serviced between 1945 and 1991. It will be held in the Mountain Crest Auditorium and there are will be at least 15 veterans honored that night. The Elite Hall still needs the brick work completed. The bids received last fall were lower than what the bids are now. Costs have increased over the winter. Museum Director Jami Van Huss has submitted a grant to replace the front doors, and windows on the Elite Hall.

Councilmember James said baseball and softball registration has begun. Congressman Blake Moore has agreed to be this year's Patriotic Program speaker. He has arranged for the Children's Choir to be there that night. Youth Council has leadership training this weekend at Utah State University.

Mayor Miller said the Parks Department has asked about removing the trees and planter boxes on Main Street in front of the City Offices. The cement planter boxes are breaking and it could be a liability to the City.

The City Council discussed the removal of the planter boxes and trees in front of the City Office and agreed that if the planter

boxes needed to be removed that the trees should be replanted in the same spot. Instead of trees in planter boxes the City could put a metal grate around the tree that was level with the cement. If the existing trees are too low for street trees then those trees should be relocated to another park or area in the City. The contract for solid waste services should be ratified next Tuesday. Mt. Sterling Farms owner has met with City Staff regarding the City taking over its park and the City being responsible for the installation of all equipment; and Mt. Sterling Farms would pay the City \$250,000 and the City will retain the \$150,000 park impact fees towards park development. The City had its attorney review the agreement and there were changes the attorney wanted made to protect the City and Mt. Sterling Farms does not agree with those changes. This will need to be reviewed by the City Council and it will need to make a decision. Also Mt. Sterling Farms wants a letter of donation for the property but it is not a donation to the City it was a requirement of the P.U.D. so no letter should be issued. The City has been contacted by an individual wanting to hold a skateboard tournament at Hyrum City's Skateboard Park. City Staff is writing a rental agreement with proposed fees that will be on the next City Council Agenda.

City Recorder Stephanie Fricke discussed with the City Council inquires from developers wanting to annex. After the City Council's Planning Retreat in January she wanted to ensure that the City Council was not interested in annexing property until a Master Transportation Plan was approved, Zoning Ordinances were reviewed, the General Plan was rewritten to address the future growth of Hyrum, a Sewer Study was completed to give the City information on capacity; and until after the City had its power generating system by West Point Dairy on line to help with power loads to prevent power shortages. The City Council agreed that annexations should not be considered until these items were completed. The City needs to plan how it wants to grow rather than allowing development to dictate how the City grows. Hyrum City has annexed a lot of property over the past seven years to provide for growth. The City needs to ensure that it can provide services to the property already inside City Limits before annexing more and the studies mentioned above should help in determining that.

***ADJOURNMENT:***

**ACTION**

**There being no further business before the City Council,  
the Council Meeting adjourned at 7:56 p.m.**

ATTEST:

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Stephanie Miller  
Mayor

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Stephanie Fricke  
City Recorder

Approved: April 6, 2023  
As Written