

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MAY 6, 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 14 citizens. City Recorder Stephanie Fricke recorded the minutes.

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

**PLEDGE OF ALLEGIANCE:** Mayor Miller led the governing body and the citizens in the Pledge of Allegiance.

**INVOCATION:** City Administrator Ron Salvesen

**APPROVAL OF MINUTES:**

The minutes of April 15, 2021 were approved as written.

**ACTION** Councilmember Clawson made a motion to approve the minutes of a regular meeting held on April 15, 2021 as written. Councilmember McCombs 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. PUBLIC HEARING

- A. To receive public comments regarding vacating a City Street at 560 South between 1400 East and 1490 East (approximately 143' x 60') in Hyrum, Utah.

## 10. SCHEDULED DELEGATIONS

- A. Shelley Sadler - To request permission to use the East Field Park for a Farmer's Kids Market on Saturdays
- B. Ken Coleman, Scenic Mountain PUD - To request final plat approval for Phase 2 of Scenic Mountain PUD located at 650 East 730 North consisting of 39 multi-family housing units.
- C. Josh Runhaar, Neighborhood Housing Solutions - To request final plat approval for Phase 1 of Mountain View South Subdivision located at 600 South 1490 East consisting of 17 single family lots.
- D. Shannon Ewing - To request a Home Occupation Business License at 39 West 300 North for a hair salon.
- E. Kileigh Marrett - To request a Home Occupation Business License at 689 East 480 South for a Hair Salon.
- F. Evan Cornia - To request a Home Occupation Business License at 402 South 650 East for an equipment rental office.
- G. Shelby Larsen - To request a Home Occupation Business License at 330 South 200 West for a welding and custom fabrication shop.

## 11. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES

- A. Resolution 21-07 - A resolution approving an interlocal agreement between Cache County and Hyrum City for the administration of 2021 Municipal Elections.

## 12. OTHER BUSINESS

- A. Discussion on increasing electrical service rates.
- B. Consideration and approval of the engineering contract for the Elite Hall Exterior Restoration Project.
- C. Discussion on Justice Court.
- D. Presentation of the 2021-2022 Operating Budgets.
- E. Mayor and City Council Reports.

## 13. 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.

**PUBLIC HEARING:****TO RECEIVE PUBLIC COMMENTS REGARDING VACATING A CITY STREET AT 560 SOUTH BETWEEN 1400 EAST AND 1490 EAST (APPROXIMATELY 143' X 60') IN HYRUM, UTAH.**

Mayor Miller said Hyrum City was holding a public hearing regarding vacation a City street at 560 South between 1400 East and 1490 East that is 143' long. This was originally planned to be a road but the developers of Mountain View South Subdivision are proposing a redesign of the property that would no longer include the road at 560 South.

**ACTION**

**Councilmember Clawson made a motion at 6:35 p.m. to open the public hearing to receive comments regarding vacating a City street at 560 South between 1400 East and 1490 East. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.**

Daniel Miller said he owns the property adjacent to 560 South 1490 East and he is concerned about having the property deeded to him since he had already installed a fence and a sprinkler system. He asked if the developer would be responsible for the costs of moving the fence and adding on to his sprinkler system.

Josh Runhaar with Neighborhood Housing Solutions said if there are issues with moving a fence or changing a sprinkler system that they would pay for the costs to do so. However, most likely the fence along the south side of the property will not have to be moved and the road vacation will be included in another lot. The radius may have to be deeded to the property at 560 South 1490 East but if it creates a problem that too can be included in the new lot that will be created.

Councilmember Clawson said he owns the property west of Mountain View South Subdivision and he is not sure if it is in the City's best interest to eliminate the 560 South road. This road provides another outlet that would connect future property to the west. Without 560 South it may cause traffic flow issues.

Mayor Miller asked for any further public comments, there being none she called for a motion to close the public hearing.

**ACTION**

**Councilmember James made a motion at 6:42 p.m. to close the public hearing to receive comments regarding**

vacating a City street at 560 South between 1400 East and 1490 East. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

**SCHEDULED DELEGATIONS:**

**SHELLEY SADLER - TO REQUEST PERMISSION TO USE THE EAST FIELD PARK FOR A FARMER'S KIDS MARKET ON SATURDAYS.**

Brigham Sadler said he is the son of Shelley Sadler and they would like to request permission to use the East Field Park for a farmer's kids market on Saturdays. The Kid's market will be run by him and his brother with adult supervision. Only kids will be allowed to sale merchandise at the market and there will be no charge for booths. It would be every Saturday from 8:00 a.m. to 1:00 p.m. during the summer and fall months. If any of the booths need electricity then they will bring their own generator.

**ACTION**

Councilmember James made a motion to allow a Farmer's Kids Market to be held at the East Field Park on Saturday's from 8:00 a.m. to 1:00 p.m. with the following conditions: 1. No market can be held on June 26 due it to being Hyrum City's rodeo nor on July 3<sup>rd</sup> if the City is holding activities at East Park for the 4<sup>th</sup> of July Celebration; and 2. Permission is only granted through the month of June and then if there haven't been any issues or problems with the Market permission will be granted to continue use of East Field Park for the Market through October of this year. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

**KEN COLEMAN, SCENIC MOUNTAIN PUD - TO REQUEST FINAL PLAT APPROVAL FOR PHASE 2 OF SCENIC MOUNTAIN PUD LOCATED AT 650 EAST 730 NORTH CONSISTING OF 39 MULTI-FAMILY HOUSING UNITS.**

Councilmember Rasmussen declared a conflict of interest on Scenic Mountain PUD since he is the engineer of this project and he recused himself from the discussion as a City Councilmember and took a seat in the audience.

Ken Coleman said he is requesting final plat approval for Phase 2 of Scenic Mountain PUD located at 650 East 730 North consisting of 39 multi-family housing units.

Craig Rasmussen said Zoning Administrator Matt Holmes has reviewed the plat and made several comments regarding corrections and suggestions that needed to be made. There are additional amendments that he would like to add also: 1. Trees need to be added to corner lot; 2. A landscaping plan must be submitted; and 3. The engineering stamp needs to be included on the plat.

**ACTION**

Councilmember James made a motion to approve the final plat for Phase 2 of Scenic Mountain PUD located at 650 East 730 North consisting of 39 multi-family housing units with the following conditions: 1. All comments and recommendations made by City Zoning Administrator Matt Holmes be addressed; 2. A landscaping plan with at least 2 trees per lot and trees in common area be submitted; 3. Engineering stamp be on the final plat; and 3. Water shares be purchased or turned into the City by first part of June. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, and McCombs voted aye. Councilmember Rasmussen abstained. The motion passed.

**JOSH RUNHAAR, NEIGHBORHOOD HOUSING SOLUTIONS - TO REQUEST FINAL PLAT APPROVAL FOR PHASE 1 OF MOUNTAIN VIEW SOUTH SUBDIVISION LOCATED AT 600 SOUTH 1490 EAST CONSISTING OF 17 SINGLE FAMILY LOTS.**

Josh Runhaar with Neighborhood Housing Solutions requested final plat approval for Phase 1 of Mountain View South Subdivision located at 600 South 1490 East consisting of 17 single family lots.

**ACTION**

Councilmember Clawson made a motion to approve the final plat for Phase 1 of Mountain View South Subdivision located at 600 South 1490 East consisting of 17 single family lots with the following conditions: 1. Address and street numbers be corrected to City standards; and 2. Signature for all and owners including the owners of Lot 13 (formerly lot 20 of Phase 1) be on the plat. Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

**SHANNON EWING - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 39 WEST 300 NORTH FOR A HAIR SALON.**

Shannon Ewing requested a Home Occupation Business License at 39 West 300 North for a hair salon. She has been a hair colorist since 2013. She has been working in a salon and has

decided it would be better for her if she worked out of her house. She has enough clientele that she doesn't need a salon to advertise her services. She usually works on a client's hair for four to six hours doing color or color corrections. She will have one client at her house at a time and has room for parking on the side of her house.

**ACTION**

**Councilmember Clawson made a motion to approve a Home Occupation Business License for Shannon Ewing at 39 West 300 North for a hair salon with the condition that parking be off street. Councilmember James seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.**

**KILEIGH MARRETT - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 689 EAST 480 SOUTH FOR A HAIR SALON.**

Kileigh Marrett requested a Home Occupation Business License at 689 East 480 South for a hair salon. She has recently moved to Hyrum and wants to continue to provide hair services. Rather than working in a salon she would like to work out of her house. She would only have one client at a time, and she has off street parking available.

**ACTION**

**Councilmember McCombs made a motion to approve a Home Occupation Business License for Kileigh Marrett at 689 East 480 South for a hair salon with the condition that parking be off street. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.**

**EVAN CORNIA - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 402 SOUTH 650 EAST FOR AN EQUIPMENT RENTAL OFFICE.**

Evan Cornia said he would like to have an office at his house located at 402 South 650 East, that will be used as an equipment rental office. He owns a side by side rental business and last year it was very successful and they are looking to expand this year. He doesn't store the equipment at his house but needs a business location for his tax identification. When someone rents the side by side he delivers it on a trailer to that person's residence and when they are finished with the rental he picks it up and takes it to his warehouse space in Logan. The warehouse space is available May through October. He only keeps one side by side and sales the others. The one side by side and trailer he keeps at his house in his driveway.

**ACTION**

Councilmember James made a motion to approve a Home Occupation Business License for Evan Cornia at 402 South 650 East for an equipment rental office with the following condition that only one side by side and trailer is stored at the house and it has to be stored off street. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

**SHELBY LARSEN - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 330 SOUTH 200 WEST FOR A WELDING AND CUSTOM FABRICATION SHOP.**

Shelby Larsen requested a Home Occupation Business License at 330 South 200 West for a welding and custom fabrication shop. He builds ornamental handrails for residential purposes. He has been a welder for 16 years and he has had several people ask him to build handrails. He has an insulated shop that he would use and he would keep it clean and not bother the neighbors. He currently has a small metal rack by his garage to store metal on. He is hoping his business is successful and he can move it in the next year or two to permanent location.

**ACTION**

Councilmember James made a motion to approve a Home Occupation Business License for Shelby Larsen at 330 South 200 West for a welding and custom fabrication shop with the following conditions: 1. There is limited outside storage with no more than one small rack for storing metal; 2. All work be conducted in the garage; and 3. That the license be reviewed every December before it is reissued to ensure there are no noise or storage issues. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

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

**RESOLUTION 21-07 - A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT BETWEEN CACHE COUNTY AND HYRUM CITY FOR THE ADMINISTRATION OF 2021 MUNICIPAL ELECTIONS.**

City Recorder Stephanie Fricke said the City Council approved Resolution 21-05 approving an interlocal agreement with Cache County for election services at its April 15, 2021 City Council Meeting. The County has revised the agreement and it needs to be approved again.

**ACTION** Councilmember Clawson made a motion to approve Resolution 21-07 approving an interlocal agreement between Cache County and Hyrum City for the administration of 2021 Municipal Elections. Councilmember Adams seconded the motion Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

***OTHER BUSINESS:***

**DISCUSSION ON INCREASING ELECTRICAL SERVICE RATES.**

Power Superintendent Matt Draper said he would like the City Council to increase electrical service rates. He would like the rate to be \$6.50 per month. He is proposing a rate increase of \$1.50 per month each year for the next three years for each user category. Hyrum City's current residential base rate is \$3.00 per month. The new rate increase would be adjusted over the next 3 years. The Power Department has been making improvements to the system and there are still several large projects that need to be done. The Power Department has been using money out of reserves and a rate increase is critical to help keep reserves where they are currently at while making improvements to the system.

Several members of the City Council expressed their concern over automatic rate increases. It was suggested to increase the rate by \$3.00 a month and then look at rates again after two years.

Power Superintendent Matt Draper said he will continue to work on a proposed rate increased but wanted to inform the City Council of the need to increase electric rates.

**CONSIDERATION AND APPROVAL OF THE ENGINEERING CONTRACT FOR THE ELITE HALL EXTERIOR RESTORATION PROJECT.**

Councilmember Rasmussen declared a conflict of interest on the engineering contract for the Elite Hall Exterior Restoration Project since he is an Engineer and Division Manager with Forsgren Associates.

Mayor Miller said Forsgren Associates has submitted a scope of work for the Elite Hall Exterior Restoration Project that includes: 1. Preparing bid documents; 2. Assist the City with the project bid process; and 3. Assist the City during the masonry renovation work. To prepare the bid documents Forsgren would charge the City a fixed amount of \$500.00 and an hourly rate for tasks 2 and 3.

Councilmember Clawson said he personally is concerned about the costs of renovating the Elite Hall. The City Council needs to have a frank discussion on whether it should and can continue to put money into the Elite Hall. Currently the Elite Hall is being used more than it ever has been in the past 10 years, but that is because residents are using it for free. There are people walking in it, exercise classes, and people can even play pickleball. If the City is going to invest a million dollars into the Elite Hall for private rentals then the City Council needs to make that decision or it needs to make the decision as to what improvements will be made and how the building will be used. Would tax payers money to repair and restore the Elite Hall be better used on building an indoor recreation center. He appreciates Councilmember Rasmussen's work and commitment toward restoration of the Elite Hall and he has done an amazing job. However, before the City Council commits to anything more than the \$400,000 to restore the outside of the building he would like the City Council to determine its priorities and make formal decision.

Councilmember Rasmussen said he understands Councilmember Clawson's concerns. The Elite Hall is an historic building and the foundation is trying to get grants to help with the restoration costs. The outside of the building needs to be taken care of and there is a possibility if the bid documents were completed correctly the bids maybe lower than \$400,000. It is important that every contractor bidding on the building understands the scope of the project so all of the bids are comparable.

**ACTION**

**Councilmember James made a motion to award the Engineering Contract for the Elite Hall Exterior Restoration Project to Forsgren Associates in the amount of \$500 for Task 1 and an hourly rate for Tasks 2 and 3. Councilmember Adams seconded the motion Councilmembers Adams, Clawson, James, and McCombs voted aye. Councilmember Rasmussen abstained. The motion passed.**

**DISCUSSION ON JUSTICE COURT.**

Councilmember Rasmussen said he spoke with Representative Casey Snyder about the significance of local justice courts and the new laws that are trying to be placed on justice courts. Casey Snyder seemed open to working with the local municipalities to try and come up with some solutions.

City Administrator Ron Salvesen said Councilmembers Clawson and James met with him and Jim Peters who is a specialist with the

courts about proposed new legislation on Justice Courts that could make it impossible for local justice courts to exist. Jim Peters seemed to understand the City's concerns and he didn't think some of the proposed legislation will pass and it may take years to put into place if it does. This past week Hyrum City had an issue with dogs killing animals. If Hyrum City did not have its own Justice Court this issue may not have been resolved as quickly and efficiently as it was. The Animal Control Officers were able to find the dogs that were killing animals but the owners told them they would have to have an order from a Judge to take the dogs into custody. Immediately Hyrum's Court Clerk Diane Woolstenhulme worked with the City Attorney and Judge Larsen to obtain the warrant. He was able to see the importance of having a local court and the benefit it is to Hyrum.

Justice Court Clerk Diane Woolstenhulme said the meeting with Jim Peters was completely different than what had been explained two months ago. There must have been a lot of complaints because now they are looking at Justice Courts being an intermediate court where they would serve as basically traffic citation courts. The Justice Court wouldn't be a financial burden on Hyrum City if it wasn't for the Judge's salary of over \$48,000 a year.

The City Council recommended City Staff meet with other cities and Cache County about providing a southend of the valley court.

#### **PRESENTATION OF THE 2021-2022 OPERATING BUDGETS.**

Mayor Miller distributed a copy of the 2021-2022 Operating Budgets proposal. If the City Council has any questions on the budget they can contact City Administrator Ron Salvesen or City Treasurer Todd Perkins. A Budget Workshop will be held on May 20, 2021 at 5:30 p.m. in the Hyrum City Council Chambers.

#### **MAYOR AND CITY COUNCIL REPORTS.**

Mayor Miller said she would not be in attendance at the June 3 City Council Meeting and asked Mayor Pro Tempore Steve Adams if he would conduct the meeting. The Youth Council will hold a tour of the City on June 28 at 10:00 a.m.

Councilmember Adams said Kathy Schroeder is going to help with the 4<sup>th</sup> of July Parade. He will arrange for four cars for the 2020 and 2021 Grand Marshalls and Distinguished Citizens to ride in during the parade. He will also find something for the City Council to

ride in.

Councilmember James said he spoke with Barbara Shidler about having a Children's Choir perform at the Patriotic Program. JBS has agreed to provide the meat and Bridgerland will patty the meat into hamburgers again for the National Night Out Against Crime. He will order

Councilmember McCombs said Dr. Stucky is donating a large entertainment center to the Senior Center. The entertainment center will replace a glass display case.

Councilmember Clawson said this year is going to be a low water year but hopefully Hyrum City's water will last through October. Paradise is already going around telling people not to water outside with culinary water.

City Administrator Ron Salvesen said the City held a meeting with some of the residents that border the Lewis Annexation. Steve Miller agreed to allow a road to align with his accessory garage on the southside of his property. The City Council recommended adding to the annexation agreement the access road location, requiring an arterial road going north and south then east on 6200 South to 800 East, a utility easement for an irrigation line that will drain into Hyrum Dam, and to not allow PUD's or multi family housing on any of the Lewis property.

**ADJOURNMENT:**

**ACTION**                    **There being no further business before the City Council, the Council Meeting adjourned at 9:30 p.m.**

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Stephanie Miller  
Mayor

ATTEST:

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Stephanie Fricke  
City Recorder

Approved: May 20, 2021  
As Written