

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MAY 5, 2022 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Mayor Stephanie Miller

ROLL CALL: Councilmembers Steve Adams, Jared Clawson, Paul James, Craig L. Rasmussen, and Vicky McCombs.

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

OTHERS PRESENT: City Administrator Ron Salvesen, and Zoning Administrator Matt Holmes, and thirty-six citizens. City Recorder Stephanie Fricke recorded the minutes.

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

PLEDGE OF ALLEGIANCE: Boy Scout Troop 47

INVOCATION: Mayor Miller

APPROVAL OF MINUTES:

The minutes of a regular meeting on March 17, 2022 were approved as written.

ACTION

Councilmember James made a motion to approve the minutes of a regular meeting held on March 17, 2022 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.

Mayor Miller recommended amending the agenda by removing item "11.A. Presentation of the Electric Study Rate."

ACTION

Councilmember Clawson made a motion to approve the agenda for May 5, 2022 with the above amendment. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

9. SCHEDULED DELEGATIONS:

- A. Lacy Hamson - To request use of a City Park for Movies in the Park.
- B. Amanda Butler, Hyrum Farm Kids Market - To request use of East Park parking lot for Hyrum Farm Kids Market June through August.
- C. Leon Savage - To request to use Pressurized Irrigation System for irrigation of farmland property located at approximately 60 South 850 West.
- D. John Robinson - To request a Home Occupation Business License at 1274 East 480 South for the online sales of firearms.
- E. Grant Nelson - To discuss improvements to the Left Hand Fork Property.
- F. Travis Parker, Scout Master Troop 47 - To report on Scout Troop 47's past and future activities, and to request a service project.
- G. Ricky Anderson, Blue Water Sports - To request site plan approval for a seasonal rental business at 350 West Main in the west lot of Manning Short Stop.
- H. David Madsen, Harvest Valley Court PUD - To request concept plan approval for Harvest Valley Court PUD, a planned unit development, consisting of 28 townhouses located at approximately 43 North 300 East on 3.75 acres.
- I. Dan Larsen, Auburn Hills - To request final plat approval for Auburn Hills Subdivision Phase 7 located at approximately 720 East 600 South for a 41 single family lot subdivision on 15 acres.
- J. Beth Larcher, OBODO Development, LLC. - To request final plat approval for Mt. Sterling Farms PUD Phase 5 located at approximately 100 North 800 West containing 13 single family lots on 5.25 acres.

10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:

- A. Resolution 22-04 - A resolution amending the Personnel Policies and Procedures Manual for Hyrum City Corporation to include June Teenth as Holiday Leave.
- B. Resolution 22-05 - A resolution amending the Design Standards and Construction Specification for Public Works in Hyrum City.

11. OTHER BUSINESS:

- A. ~~Presentation of the Electric Study Rate.~~
 - B. Consideration and approval of the annual State of Utah Auditors Fraud Risk Assessment.
 - C. Presentation of the 2022-2023 Operating Budgets.
 - D. Set a date for Budget Workshop.
 - E. 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.

Wayne Petersen said he attended the March 17 City Council Meeting asking the City Council to exchange his Hyrum Irrigation shares for Hyrum City's Highline Canal shares.

Mayor Miller asked Wayne Petersen to contact her and schedule an appointment to discuss the matter.

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

SCHEDULED DELEGATIONS:

LACY HAMSON - TO REQUEST USE OF A CITY PARK FOR MOVIES IN THE PARK.

Lacy Hamson said she met with the City Council the summer before COVID started and was able to hold two movies in the park that fall on the Hyrum City Square. Both movies were well attended, and she is hoping that the City Council would allow her to hold movies in the park again. She has thought about using East Park's Amphitheater or she can hold it on the City Square again whichever place the City Council would prefer. The movies they show are rated G or PG. There is no charge for people to attend.

Mayor Miller said the movies in the park is a great activity for the residents of Hyrum and the City appreciates her willingness to provide this for the citizens. The East Park Amphitheater may not be ready to use this year due to it just being hydroseeded and the construction of the skateboard park. It would be a great place in the future for that event, however, in the meantime the City Square could be used for those nights.

AMANDA BUTLER, HYRUM FARM KIDS MARKET - TO REQUEST USE OF EAST

PARK PARKING LOT FOR HYRUM FARM KIDS MARKET JUNE THROUGH AUGUST.

Amanda Butler with the Hyrum Farm Kids Market said last year the City allowed the Farm Kids Market to use the East Park Parking lot on Saturdays to hold its event. It was well attended, and they want to hold it again this year. They do not charge the youth to have a booth at the market. The Market would be on Saturdays from June through August.

ACTION

Councilmember James made a motion to authorize the Hyrum Farm Kids Market to use the East Park Parking Lot on Saturdays from June through August and for them to use the Elite Hall on one day in December for free for a winter market. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

LEON SAVAGE - TO REQUEST TO USE PRESSURIZED IRRIGATION SYSTEM FOR IRRIGATION OF FARMLAND PROPERTY LOCATED AT APPROXIMATELY 60 SOUTH 850 WEST.

Leon Savage said his property at approximately 60 South 850 West is in the process of being developed. There is a portion of the land, approximately 20 acres, that he would like to continue to farm this summer. In order to farm the land, he would need irrigation water from Hyrum City's system. He has shares in Wellsville East Field Canal that he is willing to turn into the City as soon as the City wants them. He will be irrigating only grain.

ACTION

Councilmember Clawson made a motion to authorize Leon Savage to use the pressurized irrigation system for irrigation of 20 acres of wheat fields with the condition that Leon turn into Hyrum City his shares in the Wellsville East Field Canal. Councilmember James seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

JOHN ROBINSON - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 1274 EAST 480 SOUTH FOR THE ONLINE SALES OF FIREARMS.

John Robinson requested a Home Occupation Business License at 1274 East 480 South for online sales and home sales of firearms. He is currently living in North Logan and will be moving to Hyrum this week. He has all of the gun dealership licenses in place and

he only needs a license from the City and permission from his HOA. The HOA has agreed to allow him to have a gun dealership on the condition that the City issues him a Home Occupation Business License. He has been in business for over a year and has done 40 transfers of guns to client. His business is mostly an online broker and to handle the transfer of firearms from one owner/dealership to a local buyer.

ACTION

Councilmember Clawson made a motion to approve John Robinson's request for a Home Occupation Business License at 1274 East 480 South for the online sales and home sales of firearms with the condition that the HOA approves his request to conduct business at his home. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

GRANT NELSON - TO DISCUSS IMPROVEMENTS TO THE LEFT HAND FORK PROPERTY.

Grant Nelson said he has been busy the past two years making improvements to Hyrum City's Left Hand Fork Property. He serves as a camp host at no charge to the City in exchange for the City allowing him to keep his trailer at the property for free. He presented a Power Point Presentation to show the improvements that have been made to Left Hand. There are currently no restroom facilities at the site and if someone wants to camp in tents, without a house trailer camping with them, then a port-a-potty must be brought in and paid for by the camper. This property is being used more frequently and as more people outdoor recreate this will be a highly needed campground for people to use. This year he would like to ask the City Council to approve funding to build a fence around the campground to prevent the cattle from coming through the campground and damaging trailers and leaving a mess throughout the property.

The City Council agreed that a fence could be installed around the campground to prevent cattle from coming in. The City Council wanted to make sure that there was an access opening of some type so that people could get through it to use the City's property on the other side of it.

TRAVIS PARKER, SCOUT MASTER TROOP 47 - TO REPORT ON SCOUT TROOP 47'S PAST AND FUTURE ACTIVITIES, AND TO REQUEST A SERVICE PROJECT.

Travis Parker, Scout Master Troop 47, said his Scout Troop has

served in numerous volunteer projects most recently cleaning up branches from the storms. It is always looking for projects to help the community and if the City has anything it can help with to please let him know. He is looking for a place to hold Scout Camp from June 10 through June 18 and is hoping the City will allow them to use Left Hand Fork Campground. The scouts could assist in cleaning up the area, planting trees, etc. They will be needing projects to do during their summer camp.

Councilmember McCombs asked if the scouts could build shelves in the Senior Center.

Councilmember James asked if the scouts would participate in the Patriotic Program and conduct the flag ceremony on the 4th of July.

Councilmember Adams asked if the scout troop would carry the flag at the beginning of the 4th of July parade.

City Administrator Ron Salvesen said in the next two weeks City Staff will be laying sod at the cemetery and asked if the scouts wanted to help with that.

Travis Parker said the scouts are more than willing to help with all of those things and any additional projects the City needs help with.

ACTION

Councilmember James made a motion to authorize Scout Troop #47 to use the Left Hand Fork Campground free of charge from June 10 to June 18 and for the Scouts to coordinate with Grant Nelson and the City on any projects that it would be willing to help with during that week. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

RICKY ANDERSON, BLUE WATER SPORTS - TO REQUEST SITE PLAN APPROVAL FOR A SEASONAL RENTAL BUSINESS AT 350 WEST MAIN IN THE WEST LOT OF MANNING SHORT STOP.

Ricky Anderson was not present at the meeting.

Zoning Administrator Matt Holmes said the on April 14, 2022 the Planning Commission recommended approval of the Site Plan to place a temporary/seasonal business next to Manning Short Stop at approximately 340 West Main Street to rent water sports equipment with the following conditions: 1. The fire marshal approves a safe

distance between the tents and the pallets; and 2. If there are to be more permanent structures in the future that the party will come back to the Planning Commission for review.

ACTION

Councilmember James made a motion to approve the Site Plan for Blue Water Sports for a temporary/seasonal business next to Manning Short Stop at approximately 340 West Main Street to rent water sports equipment with the following conditions: 1. The fire marshal approves a safe distance between the tents and the pallets; and 2. If there are to be more permanent structures in the future that the party will come back to the Planning Commission for review. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

DAVID MADSEN, HARVEST VALLEY COURT PUD - TO REQUEST CONCEPT PLAN APPROVAL FOR HARVEST VALLEY COURT PUD, A PLANNED UNIT DEVELOPMENT, CONSISTING OF 28 TOWNHOUSES LOCATED AT APPROXIMATELY 43 NORTH 300 EAST ON 3.75 ACRES.

David Madsen, Harvest Valley Court PUD, requested concept plan approval for Harvest Valley Court PUD, a planned unit development, consisting of 28 townhouses located at approximately 43 North 300 East on 3.75 acres. These are single story attached units. This will be a senior living community. There will be lamp posts at every resident's unit so that street lighting does not spill on adjacent properties. Fencing will include panel fence on the south and east sides with privacy fence on the north and west sides of the property.

Zoning Administrator Matt Holmes said on April 14, 2022 the Planning Commission recommended approval of the Concept Plan for Harvest Valley Court as presented. A landscape plan and full building elevations will be included in the Preliminary Plat.

Councilmember Rasmussen asked if the developer had addressed stormwater discharge from pond and/or emergency overflow since stormwater is likely to pose water problems with adjoining property owners. There needs to be an overflow pipe that would run through someone's property on the north side of this development. The developer would have to work with a private property owner to obtain an easement.

David Madsen said the Planning Commission discussed this and he is hoping to meet with two different property owners to obtain an

easement to install an overflow line if stormwater pond gets to full.

Councilmember Rasmussen said a written easement required for canal route through full property. The irrigation pipe will need to be replaced due to the age of the pipe and potential damage from improvements that will be made.

ACTION

Councilmember James made a motion to approve the Concept Plan for Harvest Valley Court PUD, a senior living community, consisting of 28 townhouses located at approximately 43 North 300 East on 3.75 acres with the recommendations made by the City Council and City Staff. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

DAN LARSEN, AUBURN HILLS - TO REQUEST FINAL PLAT APPROVAL FOR AUBURN HILLS SUBDIVISION PHASE 7 LOCATED AT APPROXIMATELY 720 EAST 600 SOUTH FOR A 41 SINGLE FAMILY LOT SUBDIVISION ON 15 ACRES.

Dan Larsen was not in attendance.

Zoning Administrator Matt Holmes said Dan Larsen is requesting Final Plat approval for Auburn Hills Subdivision Phase 7 located at approximately 720 East 600 South for a 41 single family lot subdivision on 15 acres. Auburn Hills LLC has agreed to dedicate land along the canal to the City. Lots 101 and 102 are at reduced area in exchange for additional dedication portions of 770 East, 800 East, and 700 South. Those lots meet the minimum width requirement but are reduced in depth.

Councilmember Rasmussen said in the plat notes under item 16. it needs to exempt the canal company and the City from all responsibility if a fence is damaged from fire. Item 15 in the plat notes it needs to include lot 103 to not have access on 700 South.

ACTION

Councilmember Adams made a motion to approve the Final Plat for Phase 7 of Auburn Hills Subdivision located at approximately 720 East 600 South for a 41 single family lot subdivision on 15 acres with the following conditions: 1. All recommendations made by City Staff; 2. Item 16 on the plat notes needs to exempt the canal company and the City from all responsibility if a fence is damaged from fire; and 3. Item 15 on the plat notes

needs to include lot 103 to not have access on 700 South. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

BETH LARCHER, OBODO DEVELOPMENT, LLC. - TO REQUEST FINAL PLAT APPROVAL FOR MT. STERLING FARMS PUD PHASE 5 LOCATED AT APPROXIMATELY 100 NORTH 800 WEST CONTAINING 13 SINGLE FAMILY LOTS ON 5.25 ACRES.

Beth Larcher with OBODO Development requested final plat approval for Mt. Sterling Farms PUD Phase 5 located at approximately 100 North 800 West containing 13 single family lots on 5.25 acres.

Councilmember Rasmussen said on the plat notes item 8. To include a statement that it is to be kept as a common area and HOA maintained. Under plat notes include item 9. with items from discussion with Wellsville East Field Canal. Lot number 7 labeled open space needs to be owned by the HOA and needs to be recorded that is the HOA's responsibility.

City Administrator Ron Salvesen asked Beth Larcher when the park improvements would be made. He said he has had residents of Mt. Sterling contact him telling him that the developer was not going to put in all of the park improvements that were agreed upon.

Beth Larcher said they sent out a poll to its residents of Mt. Sterling and it came back that the majority of residents didn't want a amphitheater nor an orchard so they are not going to make those improvements. Park improvements are starting to be made and once specific phases of the park are complete, she would like to turn them over to the City.

The City Council conferred and told Beth Larcher that the City had entered into a development agreement for this property that outlined specifically those items that needed to be included in the parks of this development. The developer does not have the authority to make changes to the agreement without the City Council's permission. Some of the park amenities that the developer is required to provide is a sports court, splash pad, pavilion, etc. The City Council may consider pickleball courts over the amphitheater but any deviation from the agreement must be approved by the City Council.

ACTION

Councilmember Rasmussen made a motion to approve the Final Plat for Phase 5 of Mt. Sterling Farms PUD located

at approximately 100 North 800 West containing 13 single family lots on 5.25 acres with the following conditions: 1. All recommendations made by City Staff; 2. Plat Notes item 8. includes a statement that it is to be kept as a common area and HOA maintained; 3. Plat notes need to include item 9. with items from discussion with Wellsville East Field Canal including an easement; and 4. Lot number 7 labeled open space needs to be owned by the HOA and needs to be recorded that is the HOA's responsibility; and 5. Park improvements be made according to the development agreement. Councilmember James seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:

RESOLUTION 22-04 - A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR HYRUM CITY CORPORATION TO INCLUDE JUNE TEENTH AS HOLIDAY LEAVE.

Mayor Miller said Resolution 22-04 will amend the Personnel Policies and Procedures Manual by including Juneteenth as a paid holiday for certain classification of city employees. On June 17, 2021 United States President Joe Biden signed into law making Juneteenth National Freedom Day a Federal Holiday, and on March 24, 2022 Utah Governor Spencer Cox signed a law to make Juneteenth National Freedom day a State Holiday. Due to it being a State and Federal Holiday banks, post offices, state and federal offices are closed. Cache County and Logan City have also declared it a holiday.

ACTION

Councilmember James made a motion to approve Resolution 22-04 amending the Personnel Policies and Procedures Manual for Hyrum City Corporation to include Juneteenth as Holiday Leave. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

RESOLUTION 22-05 - A RESOLUTION AMENDING THE DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS FOR PUBLIC WORKS IN HYRUM CITY.

Mayor Miller said Resolution 22-05 will amend the Design Standards and Construction Specifications for Public Works in Hyrum City. The recommended changes are to Section 7 General Requirements and Specifications for Electrical Installations.

ACTION

Councilmember Rasmussen made a motion to approve Resolution 22-05 amending the Design Standards and Construction Specifications for Public Works in Hyrum City with the following amendments: 1. Replace "Bballard@hyrumcity.com" with "hyrumpower@hyrumcity.com" and add a contact phone number after email "435-245-6033"; and 2. Pages 23 and 26 Item 4 change "step 7" to "step 8". Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:**CONSIDERATION AND APPROVAL OF THE ANNUAL STATE OF UTAH AUDITORS FRAUD RISK ASSESSMENT.**

Mayor Miller said the Utah State Auditor's Office requires the City to conduct a Fraud Risk Assessment annually and for the City Council to review it and approve it every year. City Treasurer Todd Perkins has prepared the Fraud Risk Assessment and based on the questions and procedures Hyrum City was rated at very low risk for fraud.

ACTION

Councilmember James made a motion to approve the Fraud Risk Assessment for 2022. Councilmember McCombs seconded the motion and Councilmembers Adams, Clawson, James, McCombs, and Rasmussen voted aye. The motion passed.

PRESENTATION OF THE 2022-2023 OPERATING BUDGETS.

Mayor Miller distributed a copy of the 2022-2023 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.

SET A DATE FOR BUDGET WORKSHOP.

A Budget Workshop will be held on May 19, 2023, at 5:00 p.m. in the Hyrum City Council Chambers.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Adams said he is starting to work on National Out

