MINUTES OF A CITY COUNCIL MEETING HELD SEPTEMBER 17, 2026 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Mayor Steve Miller

ROLL CALL: Councilmembers Rebecca Foulger, Michael Nelson, NaLyn Nelson, Craig Rasmussen, and Mont Wright.

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 Daniel Ferris, City Planner Tony Ekins, City Engineer Kamilla Schultlz, City Treasurer Todd Perkins, Power Superintendent Larry Coleman, Assistant Fire Chief Tonay Stauffer, and twenty-seven citizens. City Recorder Stephanie Fricke recorded the minutes.

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

PLEDGE OF ALLEGIANCE: Mayor Miller

INVOCATION: Councilmember NaLyn Nelson

APPROVAL OF MINUTES:

The minutes of a City Council Meeting held on September 3, 2026, were approved as written.

ACTION **Councilmember Rasmussen made a motion to approve the minutes of City Council Meeting on September 3, 2026, as written. Councilmember NaLyn Nelson seconded the motion and Councilmembers Foulger, Nalyn Nelson, Michael Nelson, Rasmussen, and Wright 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 Michael Nelson made a motion to approve**

the agenda for September 17, 2026, with the following amendment: Delete item 10.C. Ordinance 26-17 - An ordinance amending the zoning map of Hyrum City, Utah by rezoning property from Residential Agricultural Zone RA to Residential Zone R-2 located on property parcels #01-007-0011 and #01-007-0012 at approximately 400 east 300 north. Councilmember NaLyn Nelson seconded the motion and Councilmembers Foulger, Michael Nelson, NaLyn Nelson, Rasmussen, and Wright voted aye. The motion passed.

9. SCHEDULED DELEGATIONS
   A. West Point Dairy Products, Receiving and Warehouse Expansion – To request site plan approval from the City Council for receiving and warehouse expansion located at 570 North 500 West.
10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES
   A. Resolution 26-26 - A resolution amending the Personnel Policies and Procedures Manual for Hyrum City Corporation to require only on-call city employees to live within 15 miles of Hyrum City Offices.
   B. Resolution 26-27 - A resolution amending and clarifying the Hyrum City Water Rights per acre foot of water fee in lieu of dedication at $7,000 per acre foot for all property annexed into Hyrum City after July 17, 2003.
   ~~C. Ordinance 26-17 - An ordinance amending the zoning map of Hyrum City, Utah by rezoning property from Residential Agricultural Zone RA to Residential Zone R-2 located on property parcels #01-007-0011 and #01-007-0012 at approximately 400 east 300 north.~~
   D. Ordinance 26-18 - An ordinance amending Section 13.16.235 Distribution System Extensions outside City Limits of Chapter 13.16 of Title 13 of the Hyrum City Municipal Code to set forth regulations, requirements, and approval process for electrical extensions or connections outside city limits.
   E. Ordinance 26-19 - An ordinance amending Title 17 (the Zoning Ordinance) and Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code as follows: Repeal Chapter 17.60 Planned Unit Development; Amend Section 17.04.070 Definitions to remove Planned Unit Development and amend Inner block development definition; Amend Section 17.28.005 Purpose to remove Planned Unit Development; Amend Section 17.28.010 Use Regulations to remove Planned Unit Development as a Permitted Use; Amend Section 17.30.010 Use Regulations to remove Planned Unit Development as a

Permitted Use; Amend Section 16.04.010 Definitions to remove Planned Unit Development; Amend Section 16.06.030.B. Exemptions to remove Planned Unit Development; and Amend Section 16.10.010 Concept Plan to remove Planned Unit Development.

F. Ordinance 26-20 - An ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, to repeal Chapter 17.48 Light Manufacturing M-1 and repeal Chapter 17.49 Manufacturing M-2; and create Chapter 17.48 Manufacturing Zones M-1 and M-2; and amending Section 17.04.070 Definitions to amend and include manufacturing activities definitions.

11. OTHER BUSINESS
    A. Consideration and appointment to the Museum Board.
    B. Consideration and award of bid for the 700 North (200 West to 500 West) Roadway Improvement Project.
    C. Budget report.
    D. Mayor and City Council reports.
13. ADJOURNMENT

PUBLIC COMMENT:

Mayor Miller asked if anyone had questions or comments to keep it under three minutes.

Dustin Hawkes, 166 North Center Street, expressed appreciation for the proposed amendments to the Light Manufacturing Ordinance, stating that the changes were an improvement and would have helped lessen the impact on his property. He reiterated concerns regarding the neighboring business, including operations beginning as early as 6:20 a.m., outdoor spray painting, and ongoing noise issues that have been brought to the City's attention numerous times. He expressed frustration that no one had conducted noise measurements using a decibel meter during times of concern and remained hopeful that the proposed changes would lead to improvements.

City Planner Tony Ekins clarified that the neighboring property is not currently zoned Light Manufacturing; therefore, the proposed amendments would not apply to that property.

Dustin Hawkes stated that the former City Engineer had indicated otherwise and that the business holds a nonconforming permit for manufacturing. He questioned which regulations and restrictions govern the business's operations.

Mayor Miller acknowledged that the business has been operating at the location for many years and that resolving the situation is

not an easy matter. He stated that the City should conduct decibel readings at the site and have the Code Enforcement Officer investigate noise concerns. He noted that there are steps the City can take to help minimize the impact on neighboring residents and encouraged everyone to continue working together as good neighbors. He added that the City has been working with the business, which has been agreeable to efforts to be a good neighbor.

Dustin Hawkes clarified that his concern is not simply the existence of the business but that its operations do not conform to applicable requirements.

City Planner Tony Ekins reported that Jeff Hertzler had conducted decibel readings on the business adjacent to Dustin Hawkes on three separate occasions at approximately 7:00 a.m., and the readings did not indicate a nuisance violation.

Dustin Hawkes stated that he would contact the City when the noise becomes louder.

Hans Isom expressed appreciation for the proposed amendments to allow power connections outside City Limits under special circumstances.

Cache County Sheriff’s Office Chief Deputy Bartschi thanked the City Council for the opportunity to attend City Council Meeting and represent the Cache County Sheriff's Office. He introduced the Sheriff's Office's area representatives and STAR deputies for Hyrum, explaining that these deputies provide valuable community representation and serve as a connection between the Sheriff's Office, elected officials, residents, and the communities they serve. He outlined three expectations of the Sheriff's Office is protecting the community; preventing crime; and maintaining well-trained, professional staff who work cooperatively with citizens and the cities they serve. He explained that STAR deputies provide a level of local representation similar to that of a municipal police chief, helping the Sheriff's Office better understand and fulfill the needs of the communities they serve. He introduced Deputy Gerke, who has been with the Sheriff's Office for seven years and will be working with Hyrum City. He expressed confidence that Deputy Gerke would be a good fit for the community. Deputy Gerke's assigned schedule will be Saturday through Tuesday, from 1:00 p.m. to 11:00 p.m.

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

SCHEDULED DELEGATIONS:

WEST POINT DAIRY PRODUCTS, RECEIVING AND WAREHOUSE EXPANSION – TO REQUEST SITE PLAN APPROVAL FROM THE CITY COUNCIL FOR RECEIVING AND WAREHOUSE EXPANSION LOCATED AT 570 NORTH 500 WEST.

City Planner Tony Ekins introduced the Phase I site plan for West Point Dairy, located at 570 North 500 West near the northern boundary of Hyrum City. He explained that West Point Dairy is planning a multi-phase expansion of its facilities and that staff has been working with the applicant on Phase I for an extended period. The facility generates substantial truck traffic necessary for its operations. The City and applicant have worked extensively to develop a truck circulation plan that keeps trucks on the property and minimizes impacts to 700 North and 500 West. The proposed access will be located east of the intersection of 500 West and 700 North rather than directly at the intersection. A 24-foot driveway will provide access to the front office, with employee parking accessed from 700 North.

The site plan includes reductions to the existing and planned right-of-way widths to accommodate truck circulation. The planned right-of-way for 500 West is 78 feet, with a proposed seven-foot reduction on the west side. The truck circulation area requires approximately 22 feet of travel width, with 13.5 feet remaining between the edge of future asphalt and the grade at the end of the right-of-way. A five-foot right-of-way reduction is also proposed along 700 North. Given the industrial nature of the area, sidewalks are not proposed.

City Planner Tony Ekins noted that the reductions are not substantial but are necessary to accommodate truck circulation and site operations. Staff, in consultation with legal counsel, recommends that the required right-of-way dedication documents be completed as part of the site plan approval process to ensure the necessary property interests are properly established.

Councilmember Rasmussen referenced the upcoming agenda item regarding the bid award for road improvements on 700 North and asked what the project would include.

City Engineer Kamilla Schultz explained that the project includes road improvements and stormwater work.

Councilmember Rasmussen asked why the City would be completing road improvements along the frontage of West Point Dairy.

City Engineer Kamilla Schultz clarified that West Point Dairy would reimburse the City for the road improvements in front of its property.

Mayor Miller noted that West Point Dairy had offered to pay for the road improvements from 500 West to 700 West and expressed appreciation for its willingness to cover the expense.

J.D. Rhea with West Point Dairy explained that West Point Dairy is working through several operational and production commitments and needs to coordinate the project timeline and ownership responsibilities. He confirmed that West Point Dairy intends to pay for the road improvements along 500 West.

City Administrator Dan Ferris clarified that the City is bidding the project because it is a City road.

J.D. Rhea explained that the improvements would provide better truck access from the traffic circle in Nibley, reducing the number of turns required for trucks traveling to the facility. The goal is to improve truck circulation and keep trucks on the property. He anticipated dirt work beginning by mid-October, with road improvements starting in October and targeted for completion before the asphalt plant closes in November.

Councilmember Wright asked whether reducing the right-of-way widths would create long-term concerns as the industrial area develops and truck traffic increases, particularly regarding the adequacy of future roadway widths.

Councilmember Michael Nelson asked whether surveys had been completed to verify property boundaries.

City Administrator Dan Ferris stated that Aqua Engineering has been designing the road improvements and working closely with West Point Dairy.

Councilmember Rasmussen raised concerns regarding the existing stormwater facility at the corner of 700 North and 500 West and asked whether the stormwater area was being accounted for separately from the roadway right-of-way.

City Engineer Kamilla Schultz stated that she is beginning to work through these issues with the applicant during construction. JUB has also been in contact with West Point Dairy regarding stormwater coordination.

J.D. Rhea confirmed West Point Dairy's commitment to constructing the road along the east side of 500 West, although the specific details have not yet been finalized.

Councilmember Rasmussen asked whether a noise study had been completed to evaluate potential impacts from the facility's equipment and building heights, particularly regarding sound traveling across the surrounding area.

J.D. Rhea stated that a noise study had already been completed. He explained that cooling towers had created noise concerns in the past, but newer technology is substantially quieter. The proposed equipment is expected to produce approximately 25% less noise despite its larger capacity, as the technology is specifically designed to reduce sound. The noise study also considered the proposed freezer facility, if constructed.

Councilmember Rasmussen acknowledged that the facility is a food-processing operation but emphasized the importance of landscaping. He requested that landscaping requirements, including trees and grass, be incorporated into the site plan and evaluated after the truck circulation layout is finalized.

Mayor Miller agreed that landscaping would need to be installed.

J.D. Rhea stated that he would review the plans to determine how landscaping could be accommodated.

Councilmember Wright noted that the Phase I site plan includes requested setback reductions along 500 West and asked that the reduced setback requirements be specifically identified in the Council's approval and reflected on the site plan, particularly in connection with the required right-of-way dedication for existing buildings.

Mayor Miller asked about the open pit associated with the facility's biogas operations and his concern about reducing odor from the facility.

J.D. Rhea explained that the issue is expected to be addressed during Phase III, when additional material will be diverted into the digester.

Mayor Miller emphasized his expectation that odor concerns would be eliminated once the project is completed.

J.D. Rhea clarified that the existing plant would remain operational and that he could not guarantee the complete elimination of odor. He stated that West Point Dairy is working toward reducing odor impacts and is evaluating the potential use of renewable natural gas technology.

ACTION **Councilmember Rasmussen made a motion to approve the Site Plan for West Point Dairy Phase I for a receiving and warehouse expansion located at 570 North 500 West with the following conditions: The stormwater impoundment facility shall be evaluated and adjusted as necessary to coordinate with the proposed right-of-way locations. Landscaping shall be evaluated and incorporated into the site plan, including appropriate streetscaping consistent with food-processing facility requirements; 2. A landscaping plan shall be finalized after the roadway improvements and truck circulation plans are finalized; 3. The site plan shall be revised to clearly delineate all improvements included in Phase I, including site improvements, buildings, and tanks, rather than identifying only building components; 4. Required right-of-way dedication documents shall be completed in accordance with the City Attorney's requirements, including applicable timing and qualifications; and 5. The reduced setback requirements shall be clearly identified and incorporated into the approved site plan. Councilmember Foulger seconded the motion and Councilmembers Foulger, Nalyn Nelson, Michael Nelson, Rasmussen, and Wright voted aye. The motion passed.**

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

RESOLUTION 26-26 - A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR HYRUM CITY CORPORATION TO REQUIRE ONLY ON CALL CITY EMPLOYEES TO LIVE WITHIN 15 MILES OF HYRUM CITY OFFICES.

Mayor Miller said Resolution 26-26 is a resolution amending the Personnel Policies and Procedures Manual for Hyrum City Corporation to require only on-call city employees to live within 15 miles of Hyrum City Offices.

City Administrator Dan Ferris explained that, due to Hyrum City’s growth and the need to recruit employees with specialized expertise, the City is proposing to broaden the residency requirements for employees who are not designated as on-call or

emergency response personnel. The proposed amendment would maintain the requirement that employees designated for on-call or emergency response duties reside within 15 miles of the City.

Councilmember Wright asked whether there would be any residency restrictions for employees who are not designated as on-call personnel.

City Administrator Dan Ferris confirmed that there would be no residency requirement for those employees.

A short discussion ensued as to whether the proposed paragraph "6.C. An employee who is subsequently designated as on-call personnel shall be required to comply with the fifteen (15) mile residency requirement and shall have twelve (12) months from the date of designation to permanently relocate within fifteen (15) miles of the Hyrum City Offices." was necessary or if it should be removed since if an employee changed positions the employee would start a new probationary period and would have to comply with all sections of the Personnel Policy that is applicable to the position.

ACTION **Councilmember Rasmussen made a motion to approve Resolution 26-26 a resolution amending the Personnel Policies and Procedures Manual for Hyrum City Corporation to require only on-call city employees to live within 15 miles of Hyrum City Offices with the removal of item 6.C. An employee who is subsequently designated as on-call personnel shall be required to comply with the fifteen (15) mile residency requirement and shall have twelve (12) months from the date of designation to permanently relocate within fifteen (15) miles of the Hyrum City Offices." was necessary or if it should be removed since if an employee changed positions the employee would start a new probationary period and would have to comply with all sections of the Personnel Policy that is applicable to the position. Councilmember NaLyn Nelson seconded the motion and Councilmembers Foulger voted aye, Nalyn Nelson voted aye, Michael Nelson voted aye, Rasmussen voted aye, and Wright voted aye. The motion passed.**

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RESOLUTION 26-27 - A RESOLUTION AMENDING AND CLARIFYING THE HYRUM CITY WATER RIGHTS PER ACRE FOOT OF WATER FEE IN LIEU OF DEDICATION AT $7,000 PER ACRE FOOT FOR ALL PROPERTY ANNEXED INTO HYRUM CITY AFTER JULY 17, 2003.

City Recorder Stephanie Fricke said Resolution 26-27, corrects a scrivener's error and date discrepancy in previously adopted Resolution 25-03 regarding the water rights fee in lieu of dedication for properties annexed into Hyrum City after July 17, 2003. Hyrum City Code Section 16.20.070 requires developers and property owners to dedicate adequate water rights upon annexation and development to maintain water service for existing residents. The City has purchased water rights that may be made available, at the City Council's discretion, to developers who do not have sufficient water rights by allowing payment of a fee in lieu of dedication. The title of Resolution 25-03 correctly identified the applicable properties as those annexed after July 17, 2003, which was the effective date of the original water dedication ordinance. However, the resolving clause incorrectly stated that the updated fee applied only to properties annexed after January 16, 2025, the date Resolution 25-03 was adopted. The corrective resolution clarifies that the updated fee of $7,000 per acre-foot applies uniformly to all properties annexed after July 17, 2003. Allowing properties annexed between July 17, 2003, and January 16, 2025, to pay the previous rate of $3,500 per acre-foot would result in a significant financial loss to the City and place an unnecessary financial burden on taxpayers to subsidize water demands associated with private development.

ACTION **Councilmember Rasmussen made a motion to approve Resolution 26-26 a resolution amending and clarifying the Hyrum City Water Rights per acre foot of water fee in lieu of dedication at $7,000 per acre foot for all property annexed into Hyrum City after July 17, 2003. Councilmember Michael Nelson seconded the motion and Councilmembers Foulger voted aye, Nalyn Nelson voted aye, Michael Nelson voted aye, Rasmussen voted aye, and Wright voted aye. The motion passed.**

ORDINANCE 26-18 - AN ORDINANCE AMENDING SECTION 13.16.235 DISTRIBUTION SYSTEM EXTENSIONS OUTSIDE CITY LIMITS OF CHAPTER 13.16 OF TITLE 13 OF THE HYRUM CITY MUNICIPAL CODE TO SET FORTH REGULATIONS, REQUIREMENTS, AND APPROVAL PROCESS FOR ELECTRICAL EXTENSIONS OR CONNECTIONS OUTSIDE CITY LIMITS.

Mayor Miller said Ordinance 26-18 an ordinance amending Section 13.16.235 Distribution System Extensions outside City Limits of Chapter 13.16 of Title 13 of the Hyrum City Municipal Code to set forth regulations, requirements, and approval process for electrical extensions or connections outside City limits.

Power Superintendent Larry Coleman reported that, following the previous Council discussion, he solicited feedback from Councilmembers and incorporated their recommendations into the proposed ordinance. South of Hyrum Dam there are approximately 10 to 15 additional parcels that could potentially meet the criteria to request approval for connections. There would be only one connection per original parcel that existed before June 15, 2013.

Councilmember Michael Nelson reiterated his suggestion from the past couple of City Council Meetings that the City consider selling the power lines south of Hyrum Dam rather than continuing to allow additional connections. He asked whether Rocky Mountain Power had been approached about purchasing the lines.

Power Superintendent Larry Coleman stated that Rocky Mountain Power had agreed to consider the proposal but was not willing to make substantial financial investment at this time.

Councilmember Michael Nelson noted that the difference in cost was approximately $8,000 to $10,000 and expressed concern that requests for additional connections would continue indefinitely.

Councilmember Foulger noted that the proposed ordinance restricts connections and requires City Council approval for additional connections.

Councilmember Rasmussen expressed concern that the City does not have a long-term plan to provide power to properties south of Hyrum Dam. He noted that there have been discussions regarding the dam and the possibility of permanently closing the road, making future annexation into Hyrum City unlikely. He stated that as additional parcels are developed, annexation becomes less likely and questioned whether the City should continue providing power to properties outside its boundaries. Due to the lack of City water infrastructure for fire protection, increased emergency response times, and limited financial return from providing power in the area, he does not support providing power to properties south of Hyrum Dam. He noted that although the electric utility operates as an enterprise fund, continued service could expose City taxpayers to financial risk. He expressed a preference for limiting additional connections as much as possible. At the last City Council Meeting a property owner south of Hyrum Dam expressed their hardship of $8,000 cost difference between Rocky Mountain Power and Hyrum City for the requested power connection. However, following that meeting, he learned that the property owner was aware that Hyrum City was no longer providing additional power connections and that a connection through Rocky Mountain Power

would be required, but proceeded with purchasing the property. This information changed his perspective regarding the hardship associated with the connection request. He further explained that the proposed ordinance would require applicants to execute and record documents establishing obligations should the property ever be annexed into Hyrum City. Those obligations would include dedicating roadway rights-of-way, paying applicable impact and connection fees, providing water and sewer service, and discontinuing use of a private well. He expressed concern that these requirements could negatively affect property values.

Councilmember Rasmussen reiterated that the property owner purchased the lot knowing that Hyrum City power service was not guaranteed and that the City had previously discussed limiting future connections.

Councilmember Foulger asked whether property owners would have any ability to extend power service if the City prohibited further extensions.

Mayor Miller stated that Hyrum City has historically provided power to residents in the area and has an ownership interest and responsibility for the infrastructure and community beyond the dam. He expressed the view that the City should continue recognizing its responsibility to those residents.

Councilmember Rasmussen raised the concern of how power outages would be addressed in the area.

Mayor Miller reiterated that the City has ownership and accountability for the existing power infrastructure. He acknowledged the distinction between extending new transmission lines over substantial distances and allowing a property owner to connect to an existing power line located directly in front of the property. He stated that he believes the City should allow the connection because the infrastructure is already available.

Power Superintendent Larry Coleman noted that the existing power line has been in place for approximately 50 years. He did not anticipate negative impacts from allowing a limited number of additional connections and questioned the benefit of prohibiting a handful of connections.

Councilmember Wright clarified that the proposal does not authorize the City to extend power lines indefinitely.

Councilmember Michael Nelson stated that he was not opposed to providing power to the property owner but wanted to ensure that future extensions would be limited. He expressed his intention to vote against the ordinance based on his concerns about limiting additional connections and stated that he wanted his position reflected in the discussion.

ACTION **Councilmember NaLyn Nelson made a motion to adopt Ordinance 26-18 an ordinance amending Section 13.16.235 Distribution System Extensions outside City Limits of Chapter 13.16 of Title 13 of the Hyrum City Municipal Code to set forth regulations, requirements, and approval process for electrical extensions or connections outside City limits. Councilmember Wright seconded the motion and Councilmembers Foulger voted aye, Nalyn Nelson voted aye, Michael Nelson voted nay, Rasmussen voted nay, and Wright voted aye. The motion passed with a 3-2 vote.**

ORDINANCE 26-19 - AN ORDINANCE AMENDING TITLE 17 (THE ZONING ORDINANCE) AND TITLE 16 (THE SUBDIVISION ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE AS FOLLOWS: REPEAL CHAPTER 17.60 PLANNED UNIT DEVELOPMENT; AMEND SECTION 17.04.070 DEFINITIONS TO REMOVE PLANNED UNIT DEVELOPMENT AND AMEND INNER BLOCK DEVELOPMENT DEFINITION; AMEND SECTION 17.28.005 PURPOSE TO REMOVE PLANNED UNIT DEVELOPMENT; AMEND SECTION 17.28.010 USE REGULATIONS TO REMOVE PLANNED UNIT DEVELOPMENT AS A PERMITTED USE; AMEND SECTION 17.30.010 USE REGULATIONS TO REMOVE PLANNED UNIT DEVELOPMENT AS A PERMITTED USE; AMEND SECTION 16.04.010 DEFINITIONS TO REMOVE PLANNED UNIT DEVELOPMENT; AMEND SECTION 16.06.030.B. EXEMPTIONS TO REMOVE PLANNED UNIT DEVELOPMENT; AND AMEND SECTION 16.10.010 CONCEPT PLAN TO REMOVE PLANNED UNIT DEVELOPMENT.

Mayor Miller said Ordinance 26-19 is an ordinance amending Title 17 (the Zoning Ordinance) and Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code as follows: Repeal Chapter 17.60 Planned Unit Development; Amend Section 17.04.070 Definitions to remove Planned Unit Development and amend Inner block development definition; Amend Section 17.28.005 Purpose to remove Planned Unit Development; Amend Section 17.28.010 Use Regulations to remove Planned Unit Development as a Permitted Use; Amend Section 17.30.010 Use Regulations to remove Planned Unit Development as a Permitted Use; Amend Section 16.04.010 Definitions to remove Planned Unit Development; Amend Section 16.06.030.B. Exemptions to remove Planned Unit Development; and Amend Section 16.10.010 Concept Plan to remove Planned Unit Development.

City Planner Tony Ekins discussed concerns regarding the City's current Planned Unit Development (PUD) ordinance, including parking challenges, overflow parking outside development boundaries, and PUDs located within established neighborhoods. Some developments have sought to avoid infrastructure requirements such as curb, gutter, and sidewalks. Other concerns included requests for the City to assume maintenance responsibilities, particularly snow removal on privately owned roads, and whether some PUDs adequately integrate with the surrounding community. Rather than repealing the PUD ordinance he recommended reviewing the approval process and establishing clearer, stronger standards rather than eliminating PUDs entirely. He explained that PUDs provide flexibility compared to traditional zoning and allow the City to establish conditions for individual developments. He described PUDs as another tool available to the City and cautioned that repealing the ordinance would remove an option without necessarily resolving parking, housing, or affordability concerns. The Planning Commission expressed concern that eliminating PUDs could remove a development option without providing an alternative. The City needs to establish clearer standards and guardrails while preserving flexibility for appropriate projects.

Mayor Miller asked whether Hyrum currently has any PUDs that function successfully without significant issues.

City Planner Tony Ekins said there are several PUD's in Hyrum that function the way a PUD should there is Silver Willow, the senior housing and Blacksmith Assisted Living Center, the townhouses on the north side of Hyrum, and Rolling Hills. Mt. Sterling Farms is a mix of lot sizes and frontages that has been successful; however, the three-foot setbacks and private driveways have created challenges with drainage, snow removal, and snow storage. City employees have reported that the setbacks are insufficient, swales are not functioning adequately, and snow is sometimes pushed onto individual properties.

Councilmember Foulger noted that the State requires moderate-income housing and that PUDs can help the City meet those requirements.

City Planner Tony Ekins agreed that PUDs can provide opportunities for affordable housing but explained that accessory dwelling units (ADUs) may provide additional housing options. The City has multiple approaches available to meet its moderate-income housing requirements. He also expressed uncertainty about whether units marketed as affordable within a PUD necessarily qualify under applicable housing requirements. He reported receiving inquiries

from developers seeking more rental units than ownership units, even when the development has already reached its rental-unit maximum.

Councilmember Michael Nelson expressed concern that some PUDs do not integrate well with surrounding neighborhoods. He stated that developers often seek to maximize the number of units and reduce costs by limiting setbacks, rights-of-way, curb and gutter, and other infrastructure. He questioned whether the amenities provided justify the increased density. He also reported receiving comments from residents who do not want additional PUDs and prefer Hyrum's rural character.

Councilmember Rasmussen discussed the differing perspectives residents have regarding what represents Hyrum's community character. He questioned whether those expressing opposition had longstanding ties to Hyrum or had moved to the community more recently, noting that perceptions of community character can be subjective. He also observed that residents within planned developments may develop strong neighborhood relationships and a sense of community.

Councilmember Michael Nelson responded that public comments had come from residents throughout the City and reflected a variety of perspectives and experiences.

Mayor Miller stated that he agreed with concerns raised by both Councilmembers Michael Nelson and Rasmussen. He suggested that the City focus on revising the ordinance to establish clear expectations for what should be included in a PUD and what standards developers must meet. He stated that eliminating PUDs was not necessarily realistic and emphasized the importance of establishing criteria that reflect the City's expectations.

Councilmember NaLyn Nelson questioned the effectiveness of the existing ordinance if the City does not consistently enforce its requirements.

Councilmember Wright discussed the importance of maintaining control over development requirements, including homeowners associations and enforcement of approved conditions. He stated that PUDs can provide valuable options when they benefit the City and contribute to property values, provided developers meet the established restrictions before receiving approval.

City Administrator Dan Ferris stated that PUDs provide the City with flexibility and that the City Council retains authority to

approve or deny proposed developments. He emphasized that the Council should establish its expectations and evaluate each proposal accordingly.

Councilmember Michael Nelson questioned why a developer would pursue a PUD rather than a traditional subdivision if the development was required to meet the same infrastructure standards.

Mayor Miller reiterated that the City should revise the ordinance and establish firm requirements rather than automatically reject PUD proposals. He expressed concern about developers progressing through the Planning Commission process only to have their proposals denied by the City Council. He also noted that developers may primarily be motivated by financial considerations rather than long-term community interests.

City Administrator Dan Ferris cautioned that overly restrictive requirements could limit developers' creativity and flexibility. He stated that staff can provide recommendations but that additional restrictions may reduce opportunities for innovative development proposals.

Councilmember Foulger suggested establishing tighter acreage requirements and stated that she believed a middle ground could be reached by strengthening the ordinance without eliminating PUDs.

ACTION **Councilmember Michael Nelson made a motion to adopt Ordinance 26-19 an ordinance amending Title 17 (the Zoning Ordinance) and Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code as follows: Repeal Chapter 17.60 Planned Unit Development; Amend Section 17.04.070 Definitions to remove Planned Unit Development and amend Inner block development definition; Amend Section 17.28.005 Purpose to remove Planned Unit Development; Amend Section 17.28.010 Use Regulations to remove Planned Unit Development as a Permitted Use; Amend Section 17.30.010 Use Regulations to remove Planned Unit Development as a Permitted Use; Amend Section 16.04.010 Definitions to remove Planned Unit Development; Amend Section 16.06.030.B. Exemptions to remove Planned Unit Development; and Amend Section 16.10.010 Concept Plan to remove Planned Unit Development as presented. The motion died due to a lack of a second.**

The City Council recommended holding a workshop to continue to

discuss the changes to the PUD ordinance, and for City Planner Tony Ekins to work with the Planning Commission on revising the PUD ordinance rather than removing it.

ORDINANCE 26-20 - AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE, TO REPEAL CHAPTER 17.48 LIGHT MANUFACTURING M-1 AND REPEAL CHAPTER 17.49 MANUFACTURING M-2; AND CREATE CHAPTER 17.48 MANUFACTURING ZONES M-1 AND M-2; AND AMENDING SECTION 17.04.070 DEFINITIONS TO AMEND AND INCLUDE MANUFACTURING ACTIVITIES DEFINITIONS.

Mayor Miller said Ordinance 26-20 is an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, to repeal Chapter 17.48 Light Manufacturing M-1 and repeal Chapter 17.49 Manufacturing M-2; and create Chapter 17.48 Manufacturing Zones M-1 and M-2; and amending Section 17.04.070 Definitions to amend and include manufacturing activities definition.

City Planner Tony Ekins said Ordinance 26-20 combines the repetitive ordinance text of Light Manufacturing and Manufacturing Zones into one Chapter with efforts made to clarify impact levels and regulations for impact levels with supporting manufacturing activities definitions. On August 13, 2026, the Planning Commission held the required public hearing and the Planning Commission made a motion (5-0 vote) to recommend approval to the City Council.

ACTION **Councilmember NaLyn Nelson made a motion to approve Ordinance 26-20 - An ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, to repeal Chapter 17.48 Light Manufacturing M-1 and repeal Chapter 17.49 Manufacturing M-2; and create Chapter 17.48 Manufacturing Zones M-1 and M-2; and amending Section 17.04.070 Definitions to amend and include manufacturing activities definitions. Councilmember Foulger seconded the motion.**

Councilmember Rasmussen recommended amending the motion to include: 1. Amending "3. Chapter 17.48 Manufacturing Zones M-1 and M-2 of the of the…" by striking one of the "of the" so it reads "3. Chapter 17.48 Manufacturing Zones M-1 and M-2 of the….”; and 2. Amend 17.48.020 A.4. from "…storage is screened and buffered from all adjacent properties." to "…storage is screened or buffered from all adjacent properties not in manufacturing zones."; and 3. Amend 17.48.030 Use

Regulations from "…manufacturing districts" to "…manufacturing zones."

Councilmember NaLyn Nelson and Councilmember Foulger accepted Councilmember Rasmussen's amendments to the motion. Councilmember Foulger voted aye, Councilmember Michael Nelson voted aye, Councilmember NaLyn Nelson voted aye, Councilmember Rasmussen voted aye, and Councilmember Wright voted aye. The motion passed.

OTHER BUSINESS:

CONSIDERATION AND APPOINTMENT TO THE MUSEUM BOARD.

Councilmember Rasmussen said as per the museum bylaws, there should be seven members of the museum's advisory board. One of the board members had to leave the board for personal reasons, so, per the bylaws, we need to select a new citizen to fill the remainder of that term. Nancy Hyde has volunteered to fill the board position. She previously served on the Elite Hall Restoration Committee and is a life-long resident of Hyrum. She is very dependable and proactive and provides a meaningful voice from the community. Nancy attended the museum's monthly board meeting on September 8th and met everyone.

ACTION **Councilmember Rasmussen made a motion to appoint Nancy Hyde to the Museum Board. Councilmember NaLyn Nelson seconded the motion and Councilmember Foulger, Councilmember Michael Nelson, Councilmember NaLyn Nelson, Councilmember Rasmussen, and Councilmember Wright voted aye. The motion passed.**

CONSIDERATION AND AWARD OF BID FOR THE 700 NORTH (200 WEST TO 500 WEST) ROADWAY IMPROVEMENT PROJECT.

City Administrator Dan Ferris said the City received 11 bids with one of those bids being rejected for the 700 North (200 West to 500 West) Roadway Improvement Project.

Bidder	*Bid Amount*
LeGrand Johnson Construction	$639,016.43
Birch Creek Excavation	$ 773,897.50
Staker & Parson Companies	$ 811,072.00
Next Construction	$ 995,118.70
3XL Construction	$1,024,899.94
Suncore Construction	$1,036,807.00
Ormond Construction	$1,042,109.50
Forefront General Contracting	$1,088,417.50

Forge Industries	$1,399,357.47
Beck Construction and Excavation	$1,864,500.00

Rupp Trucking and Excavation Non Responsive

City Staff and Aqua Engineering have reviewed the bids and are recommending awarding the bid to LeGrand Johnson Construction Co. LeGrand Johnson Construction is the low bidder and has completed other jobs for the City that have exceeded expectations.

ACTION **Councilmember Rasmussen made a motion to award the 700 North (200 West to 500 West) Roadway Improvement Project to LeGrand Johnsson Construction in the amount of $639,016.43. Councilmember Wright seconded the motion and Councilmember Foulger, Councilmember Michael Nelson, Councilmember NaLyn Nelson, Councilmember Rasmussen and Councilmember Wright voted aye. The motion passed.**

BUDGET REPORT.

City Treasurer Todd Perkins reported that the City is on budget for the year. He noted that power costs have been a significant topic of discussion, explaining that the power market is highly volatile and can result in substantial financial gains or losses. The Fire Department continues to monitor its budget closely. The City had anticipated having all positions filled by this time; however, hiring is still ongoing. As a result, professional services expenses are higher than anticipated because some employees are still being paid through the County while the City works toward transitioning those employees to City payroll. No other significant budget concerns were identified.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Rasmussen reported that the Hyrum Museum's Know Your Treaty exhibit is progressing. He stated that Hyrum Museum was selected as one of a limited number of recipients nationwide to participate in the exhibit, which is sponsored by the Smithsonian Institution. The Smithsonian provides funding for staff time associated with the project. The Museum is also preparing displays in collaboration with the Shoshone Tribe. Through the exhibit, Hyrum Museum will receive approximately $3,000 worth of display walls, which will remain with the Museum after the exhibit concludes. Work is underway on a Fire and Police exhibit, with an intern assisting with development. A display is anticipated within the next few months.

Councilmember NaLyn Nelson reported that she served on the interview committee for the Senior Center Assistant position and an applicant was offered the position and is expected to begin shortly. She also reported that the National Day of Service was successful, with approximately 125 volunteers participating in various projects. Volunteers stained fences at Salt Hollow and the Cattleman's area, and youth prepared care packages for first responders.

Councilmember Michael Nelson reported that the Historic Preservation Committee met earlier in the month and discussed the Elite Hall funding not being carried forward yet. The roof is complete, and window installation is forthcoming. There are plans for the October newsletter to feature a cemetery historical walk. The event may include older residents sharing life sketches of early settlers, visits to their gravesites, and presentations about their lives and history. A possible Headless Horseman appearance at the cemetery was also discussed.

Councilmember Rebecca Foulger reported that school is back in session and the Library is doing well.

Mayor Miller reported that the Utah Department of Environmental Quality's Division of Air Quality toured the North Fields area and identified several concerns involving odor from local businesses. The Department will work with Hyrum City to address the concerns.

ADJOURNMENT:

ACTION **There being no further business before the City Council, the Council Meeting adjourned at 10:04 p.m.**

_____
Steve J. Miller
Mayor

ATTEST:

_____
Stephanie Fricke
City Recorder

Approved: October 1, 2026
As Written