

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD FEBRUARY 1, 2024 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, Michael Nelson, 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: Power Superintendent Tom Cooper, Museum Director Jami VanHuss, Museum Curator Courtney Cochley, City Engineer Matt Holmes, and 13 citizens. City Recorder Stephanie Fricke recorded the minutes.

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

PLEDGE OF ALLEGIANCE: Councilmember Nelson

INVOCATION: Councilmember Rasmussen

APPROVAL OF MINUTES:

The minutes of a regular meeting on January 18, 2024 were approved as written.

ACTION

Councilmember Clawson made a motion to approve the minutes of a regular meeting held on January 18, 2024 as written. Councilmember Rasmussen seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

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

ACTION

Councilmember James made a motion to approve the agenda for February 1, 2024 as published. Councilmember Clawson seconded the motion and Councilmembers Adams,

Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

9. SCHEDULED DELEGATIONS
 - A. Garrett Grantham - To discuss amending Hyrum City Code to allow automotive repair shops as a home occupation business in residential zones.
 - B. Museum Director Jami VanHuss - To present Hyrum City Museum's Year End Report for 2023.
 - C. Museum Curator Courtney Cochley - To request approval of the Hyrum Museum Collection Management Policy.
10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES
 - A. Ordinance 24-01 - An ordinance repealing and reenacting Title 16 the Subdivision Ordinance of the Hyrum City Municipal Code.
 - B. Ordinance 24-02 - An ordinance amending Sections 10.20.090, 10.20.100, and 10.20.105 of Chapter 10.20 of Title 10 of the Hyrum City Municipal Code, to provide an exception to allow parking longer than 48 hours on a City street where curb and gutter do not exist.
 - C. Ordinance 24-03 - An ordinance amending Section 12.04.010 of Title 12 of the Hyrum City Municipal Code to no longer require sidewalks to be cleaned of snow before 9:00a.m. of the same day instead it be encouraged that snow removal is taken care of as soon as possible, and in areas where the sidewalks is next to the curb with no parking strip to not require snow removal.
11. OTHER BUSINESS
 - A. Consideration and appointment of Administrative Land Use Authority Members.
 - B. Appointment to the Hyrum Senior Center Board.
 - C. Consideration and approval of a Wireline Crossing Agreement between Union Pacific Railroad Company and Hyrum City (crossing at mile post 18.53 in Hyrum, Cache County, Utah).
 - D. Consideration and approval of a template agreement for professional services.
 - E. Mayor and City Council reports.

PUBLIC COMMENT:

Mayor Miller asked if a citizen had a question or comment to please keep it under three minutes.

Youth Council Lead Advisor Elise Haslam introduced the Youth Council Advisors Kristin Bersonnet and Wyatt and Janessa

McDaniels, and the Youth Council Leaders: Savannah Staffanson, Mayor; Kierra Bladen, Recorder; Tienna Harris, Historian; and Regan Bird; Membership. The Youth Council meets once a month and volunteers at least one function/activity a month. Youth Councilmembers also volunteer their time to work in the Candy Cabin throughout the summer months.

Mayor Miller and the City Council expressed their appreciation to the Youth Council Advisors and Leaders for their commitment to the City.

SCHEDULED DELEGATIONS:

GARRETT GRANTHAM - TO DISCUSS AMENDING HYRUM CITY CODE TO ALLOW AUTOMOTIVE REPAIR SHOPS AS A HOME OCCUPATION BUSINESS IN RESIDENTIAL ZONES.

Garret Grantham said he lives at 530 East 300 North in Hyrum and has a mobile auto repair business, however, there are times when he has to have the vehicle at his house in order to make the repair. He worked for years for companies as an auto mechanic and did not like the dishonesty of the shops and up charging policies these businesses had. He is not a greedy person and tries to help people. He doesn't charge his customers the same rates as a shop. The average auto repair bill is \$550; however, his average repair bill is only \$260. The majority of his customers are low income, and he doesn't want to take advantage of them. He is trying to build his business so that one day he can afford to move into an auto shop, but at this time he can't afford to do so. He received notice from the City that he could no longer do auto repair work at his house and he would like the City Council to change the ordinance to allow it. This business is his livelihood and if he is unable to do repair work from his house, he will not be able to provide for his family. He doesn't have clients broken down cars at his house. Once the car is repaired the client immediately comes to get it. He has heard from at least two dozen businesses that wanted to move to Hyrum, that Hyrum wouldn't approve their business.

Councilmember Clawson said Hyrum City's Home Occupation Business License does not allow for auto repair businesses due to the problems that this type of business has created in the past with noise and junk vehicles. Hyrum City is not against him having a mobile auto repair business because the repairs aren't being done at his house in a residential area.

Garrett Grantham asked if the City Council would be willing to look at changing the ordinance to allow auto repair businesses again. He is trying to build his business and have a loyal customer base but due to shop rental rates it is cost prohibitive.

Councilmember James said the Home Occupation Business License Ordinance was changed several years ago to prohibit auto repair in residential zones due to the complaints the City received regarding them. There was one business who the City Council authorized 4 vehicles at his house, but he had over 17 vehicles. It wasn't fair to the neighbors and the City Council determined that auto repair businesses should be in a commercial area.

Councilmember Rasmussen said he drives by Garrett Grantham's house almost everyday on his way to work and he has never noticed cars or felt like his place needed to be cleaned up. He understands the City received a complaint from another mechanic about Garrett Grantham doing auto repair from his house. The City has not received any complaints from neighbors. He does not consider this a valid complaint where it is coming from another mechanic. Garrett's property is kept clean from junk or excessive vehicles and his neighbors haven't complained. He feels like the City should allow him to continue to conduct his mobile auto repair business with some small auto repairs being done at his house for the next two years until his business has grown enough to move into a commercial shop area.

A short discussion ensued with the City Council and it was decided that the legal action taken by the City should be put on hold and for the City Council to discuss changing the Home Occupation Business License to allow for auto repair.

MUSEUM DIRECTOR JAMI VANHUSS - TO PRESENT HYRUM CITY MUSEUM'S YEAR END REPORT FOR 2023.

Museum Director Jami VanHuss said the Museum displayed 14 permanent exhibits and hosted several traveling exhibits this year. The Museum received a \$5,000 grant from Utah Humanities for construction of a new secure storage area, which will have a dramatic and long-lasting impact on the care of the museum's collections by providing a secure and safe space for collections storage. This project should be completed in early 2024. The Museum partnered with the Utah Cold War Veterans Association to host a pinning ceremony for 53 veterans in our community. The Museum received a \$10,500 grant from the Utah Division of Arts and Museum to help pay staff salaries and benefits. This ensures that

Museum staff is paid a professional wage. The Museum hosted 4,795 visitors in 2023. Special events and programming attracted 1,861 visitors, including a significant increase in field trips from several local schools. The number of groups that attend the museum continues to trend downward with the museum hosting only five groups which totaled 62 visitors. Additionally, the museum is followed by 1,207 people and reached 21,038 people through Facebook and followed by 323 people and reached 692 people through Instagram. Museum staff evaluates its exhibits and programming. The feedback received from visitors and community partners drive future efforts and helps ensure that it is providing a relevant, long-lasting service to the community.

MUSEUM CURATOR COURTNEY COCHLEY - TO REQUEST APPROVAL OF THE HYRUM MUSEUM COLLECTION MANAGEMENT POLICY.

Museum Curator Courtney Cochley presented the Hyrum Museum Collection Management Policy. The Collection Management Policy is the institutional policy that governs how the Hyrum City Museum's Collection is developed, cared for, and managed. It is the document that ensures the Museum follows its mission to preserve objects that have been entrusted to its care by the public.

ACTION

Councilmember Rasmussen made a motion to approve the Hyrum Museum Collection Management Policy. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

INTRODUCTION AND APPROVAL RESOLUTIONS AND ORDINANCES:

ORDINANCE 24-01 - AN ORDINANCE REPEALING AND REENACTING TITLE 16 THE SUBDIVISION ORDINANCE OF THE HYRUM CITY MUNICIPAL CODE.

The City Council and City Engineer Matt Holmes had a lengthy discussion on proposed changes to Ordinance 24-01 an ordinance repealing and reenacting Title 16 the Subdivision Ordinance of the Hyrum City Municipal Code that were discussed at the January 18, 2024 City Council Meeting. There were still numerous changes to be made, and the City Council determined the proposed changes were not ready for adoption. The City Council and City Engineer Matt Holmes will work on the proposed changes for adoption for the February 9, 2024, City Council Meeting. The amendments required in Senate Bill 174 must be adopted by Hyrum City and other municipalities with similar population by February 1, 2024. State Law no longer allows the City to require a Concept Plan nor for

the City Council to be a part of the approval process for the Preliminary Plat, and Final Plat approval. The City Council also discussed setting fees to ensure that the professional fees of those members serving on the Administrative Land Use Authority are covered by the developer.

ACTION Councilmember Adams made a motion to adopt Ordinance 24-01 with the proposed changes, upon City Staff approval, as recommended in the draft that was provided to the City Council on January 17, 2024. Councilmember James seconded the motion.

City Recorder Stephanie Fricke said an ordinance shouldn't be approved if the proposed amendments are not presented in written form, or if the motion doesn't include the exact language of the amendments. She suggested the changes agreed upon at tonight's meeting be made to the draft ordinance and brought to the City Council for adoption at the February 9, 2024 Special City Council Meeting.

ACTION Councilmember James made a substitute motion for City Staff to make the proposed amendments from tonight's meeting to Ordinance 24-01 and for it to be on the February 9, 2024 City Council Meetings agenda for adoption. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

ORDINANCE 24-02 - AN ORDINANCE AMENDING SECTIONS 10.20.090, 10.20.100, AND 10.20.105 OF CHAPTER 10.20 OF TITLE 10 OF THE HYRUM CITY MUNICIPAL CODE, TO PROVIDE AN EXCEPTION TO ALLOW PARKING LONGER THAN 48 HOURS ON A CITY STREET WHERE CURB AND GUTTER DO NOT EXIST.

Mayor Miller said Hyrum resident Eric Derr is recommending the City adopt the proposed changes to allow parking longer than 48 hours on a City Street where curb and gutter do not exist. Eric attended the last City Council meeting and expressed his concern about receiving a letter from the City asking him to move his trailer off City property. The trailer is permanently parked in the City's right-of-way and Eric feels like he has hauled in gravel for a trailer pad and doesn't see why the City would prohibit him from parking a vehicle in the City's right-of-way when the right-of-way is 100' wide. Ordinance 24-02 proposes amending Sections 10.20.090, 10.20.100, and 10.20.105 of Chapter 10.20 of Title 10 of the Hyrum City Municipal Code, to provide an exception to allow

parking longer than 48 hours on a City street where curb and gutter do not exist.

ACTION

Councilmember James made a motion to not adopt Ordinance 24-02 amending Sections 10.20.090, 10.20.100, and 10.20.105 of Chapter 10.20 of Title 10 of the Hyrum City Municipal Code, to provide an exception to allow parking longer than 48 hours on a City Street where curb and gutter do not exist. Councilmember Clawson seconded the motion.

Councilmember Clawson said the City needs to enforce its ordinances fairly and not single out any one person. There are numerous vehicles parked on the sides of City streets that haven't moved in years.

Councilmember Nelson said he spoke with Hyrum City's Water and Roads Superintendent Kade Maughan and he was concerned about the proposed changes to the ordinance. Kade has had to delay repairing water lines before because vehicles were left parked in the City's right-of-way, one of the incidences it took four days to get the vehicles moved. He is concerned about what the City would look like if everyone permanently left their recreational vehicles parked on the sides of the City's streets. The current ordinance allows parking on sides of City streets for 48 hours and that shouldn't change. If people have extra vehicles or recreational vehicles, they need to have room on their property to park it. The City's right-of-way should not be used for long term parking solutions.

Councilmember Rasmussen said the City has the right to call a tow-truck to have a vehicle removed out of the City's right-of-way if an emergency repair to a utility line is needed. Hyrum City's road right-of-way in the older part of town is 100' wide there is plenty of room for vehicles to be parked at least 15' from the edge of the pavement and not impeded traffic, or cause an accident. Where curb and gutter does not exist residents should be able to park a vehicle in the City's right-of-way for longer than 48 hours.

ACTION

Councilmember James rescinded his original motion and made a substitute motion to table Ordinance 24-02 until the February 9, 2024 City Council Meeting. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

ORDINANCE 24-03 - AN ORDINANCE AMENDING SECTION 12.04.010 OF TITLE 12 OF THE HYRUM CITY MUNICIPAL CODE TO NO LONGER REQUIRE SIDEWALKS TO BE CLEANED OF SNOW BEFORE 9:00A.M. OF THE SAME DAY INSTEAD IT BE ENCOURAGED THAT SNOW REMOVAL IS TAKEN CARE OF AS SOON AS POSSIBLE, AND IN AREAS WHERE THE SIDEWALKS IS NEXT TO THE CURB WITH NO PARKING STRIP TO NOT REQUIRE SNOW REMOVAL.

Mayor Miller said at the January 18, 2024 City Council Meeting Gordon Jeppson addressed the City Council snow removal concerns and safety issues from snow being plowed from the road onto the sidewalk. Westridge Subdivision's sidewalks are against the curb and there is no planter strip for snow placement. When the City's snowplows come down the road all the heavy snow ends up on the sidewalks and the residents are unable to move the heavy snow from the sidewalks. Gordon wanted a buffer zone between the road and sidewalk for snow to be placed there. The City Council was concerned about the safety issues it would create with traffic and snowplow drivers so instead the City Council recommended amending the ordinance to no longer have sidewalks to be cleaned of snow before 9:00a.m. of the same day instead it be encouraged that snow removal is taken care of as soon as possible.

ACTION

Councilmember Clawson made a motion to adopt Ordinance 24-03 amending Section 12.04.010 of the Hyrum City Municipal Code to no longer require sidewalks to be cleaned of snow before 9:00 a.m. of the same day instead it be encouraged that snow removal is taken care of as soon as possible with the following amendment to Section 12.04.010 1. to not include "In the event a sidewalk is next to the curb, and there is no parking strip to push the snow to, snow removal from sidewalks will not be required." as an amendment to the Ordinance. Councilmember Adams seconded the motion Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS:

CONSIDERATION AND APPOINTMENT OF ADMINISTRATIVE LAND USE AUTHORITY MEMBERS.

Mayor Miller said Hyrum City is in the process of adopting Ordinance 24-01 that will repeal and reenact Title 16 the Subdivision Ordinance to meet the requirements of Senate Bill 174. In order to comply with the changes in Ordinance 24-01 Hyrum City will need to appoint members to serve on its Administrative Land

Use Authority Board. This Board will need to be compromised of professionals such as an Engineer from an outside firm, Land use Attorney, and Hyrum City's Engineer. Since these are professional positions, the City will be billed for their hours and in return the City will set Administrative Land Use Authority Board fees that the developer will be responsible to pay.

ACTION Councilmember James made a motion for Mayor Miller to move forward with finding a Land Use Attorney, and an Outside Engineering Firm to serve on Hyrum City's Administrative Land Use Authority Board. Councilmember Clawson seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

APPOINTMENT TO THE HYRUM SENIOR CENTER BOARD.

Councilmember James recommended the appointment of Jean Willmore to serve on the Hyrum Senior Center Board.

ACTION Councilmember James made a motion to appoint Jean Willmore to serve on the Hyrum Senior Board. Councilmember Adams seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPROVAL OF A WIRELINE CROSSING AGREEMENT BETWEEN UNION PACIFIC RAILROAD COMPANY AND HYRUM CITY (CROSSING AT MILE POST 18.53 IN HYRUM, CACHE COUNTY, UTAH).

ACTION Councilmember Clawson made a motion to approve a Wireline Crossing Agreement between Union Pacific Railroad Company and Hyrum City (Crossing at Mile Post 18.53 in Hyrum, Cache County, Utah). Councilmember James seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPROVAL OF A TEMPLATE AGREEMENT FOR PROFESSIONAL SERVICES.

Mayor Miller said Wastewater Superintendent Angela Pritchett has requested a template agreement that can be used for professional services. This agreement has been reviewed by Hyrum City's Attorney.

Councilmember Rasmussen said this agreement seems quite lengthy and doesn't address some of the issues it should. He emailed the City Council a different template agreement for professional services that he considers a better agreement. He suggested the City Council approve the template agreement that he emailed to the City Council rather than approving the one that was originally presented.

ACTION

Councilmember Rasmussen made a motion to approve the revised template agreement for Professional Services with the condition that the City Attorney approves it. Councilmember James seconded the motion and Councilmembers Adams, Clawson, James, Nelson, and Rasmussen voted aye. The motion passed.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Nelson said he is reviewing the City's emergency response system and had the City's HAM Radios tested. The radios need to be replaced since they are old and the audio is not very good. There will be CERT Training in March.

Councilmember Clawson said in January 2010 Hyrum City traded 36 shares of High Line Canal Shares for Alan Julie Nielsens 9 shares of Hyrum Irrigation. The agreement stipulated that if the Nielsens ceased farming, sold their land, etc. that Hyrum City would have the option to trade reacquire the Highline Shares and Nielsens would receive the Hyrum Irrigation Shares back. Nielsens are wanting to sale some of their irrigation shares and in order to do so the City and Nielsens will have the exchange water shares. Nielsens will be giving back 16 shares of High Line Canal to the City and Hyrum City will give 4 shares of Hyrum Irrigation back to the Nielsen. The approval of the exchange will be on the next City Council Agenda.

Mayor Miller said she has been working with City Staff and State Representatives to try to get an answer on whether Hyrum City has to install irrigation meters on its system.

ADJOURNMENT:**ACTION**

There being no further business before the City Council, the Council Meeting adjourned at 9:29 p.m.

ATTEST:

Stephanie Miller
Mayor

Stephanie Fricke
City Recorder

Approved: February 15, 2024
As Written