

MINUTES OF A SPECIAL CITY COUNCIL MEETING HELD JANUARY 25, 2007
AT THE HYRUM CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 5:00 p.m.

CONDUCTING: Mayor W. Dean Howard and Mayor Pro-Tempore Douglas L. Stipes. Mayor Howard arrived at 6:00 p.m.

ROLL CALL: Councilmembers Martin L. Felix, Paul C. James, Stephanie Miller, Craig L. Rasmussen, and Douglas L. Stipes present.

CALL TO ORDER: There being five members present and five members representing a quorum, Mayor Pro-Tempore Stipes called the meeting to order.

OTHERS PRESENT: City Administrator D. Brent Jensen and Zoning Administrator Tom LaBau. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Pro-Tempore Douglas L. Stipes welcomed everyone in attendance.

ADOPTION OF AGENDA: Mayor Pro-Tempore Stipes suggested amending the agenda as follows: Move item "A. To discuss the proposed amendments to Title 16 & 17 of the Hyrum City Municipal Code." to the last item on the agenda; and add items "E. Pigeons", "F. Trailer Park", and "G. Appeals Board".

AGENDA: A copy of the notice and agenda for this meeting was faxed to The Herald Journal, e-mailed to each member of the governing body, and posted at the Civic Center more than forty-eight hours before meeting time.

AGENDA

4. WORKSHOP:

~~A. To discuss the proposed amendments to Title 16 & 17 of the Hyrum City Municipal Code.~~

AB. Asphalt and hard surface parking requirements.

BE. Subdivision Completion Policy.

CD. Water Dedication Ordinance.

I. Submission of water shares and rights.

II. Surface water for irrigation service.

DE. Site Plan fees.

E. Pigeons.

F. Trailer Park.

G. Appeals Board.

H. To discuss the proposed amendments to Title 16 & 17 of the Hyrum City Municipal Code.

5. ADJOURNMENT

WORKSHOP:

ASPHALT AND HARD SURFACE PARKING REQUIREMENTS.

City Administrator D. Brent Jensen said at the last City Council Meeting the City Council approved a site plan for storage units that didn't have a paved parking area. After that meeting someone asked him why the City was not consistent in requiring all businesses to provide an asphalt or hard surface parking area.

The City Council agreed that a storage unit business should not have to provide a paved parking area unless there is a manager's office or a residential dwelling on site. Title 17 of the Hyrum City Municipal Code will have to be amended to exclude storage units from the list of uses that need to provide asphalt or hard surface parking.

SUBDIVISION COMPLETION POLICY.

City Administrator D. Brent Jensen asked the City Council if it wanted to change the Subdivision Completion Policy to allow a developer to receive building permits before sidewalks are installed.

The City Council recommended City Administrator D. Brent Jensen prepare a resolution amending the Subdivision Completion Policy to allow building permits to be issued before sidewalks are installed if the subdivision is completed to the point it is ready for sidewalks and cold temperatures or other weather factors might jeopardize the quality and durability of the finished product, the City Council, upon recommendation of the City Engineer, may authorize the posting of an additional cash bond by the developer to cover the cost of the sidewalks, which should be installed as soon as weather permits. This deposit is separate from and in addition to the subdivision completion bond posted upon final plat approval and must be in the form of cash. Additional letters of credit or other types of bond will not be accepted for this purpose. Upon receipt of the deposit, the City will issue building permits for the subdivision but will not approve occupancy permits until all sidewalks have been completed within the development or applicable phase thereof. Subdividers/developers may likewise elect to deposit cash with the City equal to the amount of the cost to purchase and plant street trees as specified by City ordinance and development policies. Street trees must be planted before the City will approve an occupancy permit for the completed dwelling.

AMENDED
02-15-07

Councilmember Rasmussen said the City ~~needs to require~~ may consider requiring a complete set of construction drawings at the Preliminary Plat stage, so the City Engineer can review them and make recommendations before Final Plat approval. By the time a subdivision is at the Final Plat process the majority of the engineering work should be complete. The Final Plat is a formality and shouldn't need extensive review. The City should not approve a Final Plat with conditions.

Councilmember Stipes recommended at the next City Council Meeting the City Council adopt a procedure for subdivision approvals.

WATER DEDICATION ORDINANCE.

SUBMISSION OF WATER SHARES AND RIGHTS. City Administrator D. Brent Jensen said the Hyrum City Municipal Code requires an annexation petitioner to dedicate three acre-feet of water per acre of ground upon annexation. Several developers have inquired about deeding or paying for water shares/rights upon development of the property rather than annexation. It is a financial hardship for an annexation petitioner, who is annexing a large piece of property, to pay for the water upon annexation, when the property may not be completely developed for several years after it has been annexed.

The City Council recommended City Administrator D. Brent Jensen prepare an ordinance amending Section 16.20.070 of the Hyrum City Municipal Code to allow water shares and rights to be submitted to the City upon development of property rather than at annexation.

SURFACE WATER FOR IRRIGATION SERVICE.

City Administrator D. Brent Jensen said Hyrum City's current ordinance does not specify whether a developer has to submit irrigation shares rather than water rights if the developer's property is to be served by the pressurized irrigation system.

The City Council recommended City Administrator D. Brent Jensen prepare an ordinance amending Section 16.20.070 of the Hyrum City Municipal Code to require a developer to provide upon development two and one-half (2.5) acre-feet of surface water per gross acre developed, which water is available for use in the municipal piped irrigation system if such property is to be served by the municipal piped irrigation system, and one-half (0.5) acre-feet of subsurface water that is or can be appropriated through the city's culinary water wells, for a total of three (3.0) acre-feet of water. The City will also accept three (3.0) acre-feet of surface water to meet water dedication requirements for both culinary and irrigation purposes where surface water can be exchanged for sub-surface rights.

SITE PLAN FEES.

City Administrator D. Brent Jensen suggesting amending the Hyrum City Municipal Code to require a deposit for all site plan reviews. He suggested a \$500 deposit to cover engineering review fees. This proposed amendment could be included in the revision of Title 16 and 17.

PIGEONS.

Mayor Pro-tempore Stipes asked if the City had found someone to trap the pigeons that are now living on the roof of the Elite Hall and Hawn's Lounge. He recommended purchasing a Bird X electronic sound system to warn off the birds.

TRAILER PARK.

City Administrator D. Brent Jensen updated the City Council on the enforcement of zoning violations in the Mobile Home Park.

The City Council suggested amending the Hyrum City Municipal Code to eliminate the Mobile Home Park (MH-1) Zone; and asked City Administrator D. Brent Jensen to contact City Attorney Scott Wyatt about issuing a drop dead date of 2010, or sooner if the law allows it, for the park.

APPEALS BOARD.

City Administrator D. Brent Jensen said Hyrum City's Personnel Policies and Procedures Manual sets forth the process and requirements for an Appeals Board. Upon written receipt of an Employee Termination Notice, an employee has the right to appeal the disciplinary process and action imposed by the Mayor, or his/her designee, to an Appeals Board. The Appeals Board is made up of five members. Two of the members are City Council members and one shall be the Appeals Board Chairman, and the other three are City employees.

Councilmember Miller and Councilmember Stipes were selected to serve on the Appeals Board. Councilmember Stipes will be the Chairman.

TO DISCUSS THE PROPOSED AMENDMENTS TO TITLE 16 & TITLE 17 OF THE HYRUM CITY MUNICIPAL CODE.

Mayor Howard arrived at 6:00 p.m.

The City Council reviewed the proposed amendments and made additional revisions to Title 17. There were several amendments made that will need to be applied to various zones. The City Council removed the Residential Open Space Zone (ROS). There are numerous places in Title 17 that refer to a special exception and the City Council is uncertain about State Law allowing special exceptions. If State Law no longer allows special exceptions then all reference to it should be omitted.

ADJOURNMENT

ACTION

There being no further business before the Council, the Council Meeting adjourned at 7:45 p.m.

Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: February 15, 2007
As Amended