

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MAY 3, 2007 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor Pro-Tempore Douglas L. Stipes

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

EXCUSED: Mayor W. Dean Howard

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, Zoning Administrator Ron Salvesen, City Engineer Craig Neeley, Former Zoning Administrator Tom LaBau, and eleven citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Pro-Tempore Stipes welcomed everyone in attendance and invited audience participation.

PLEDGE OF ALLEGIANCE: Councilmember Rasmussen led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: Councilmember James

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

Mayor Pro-tempore Stipes recommended amending the City Council Agenda for May 3, 2007 by omitting the following items: 1) 6.A. Minutes of April 5, 2007; 2) 6.B. Minutes of April 24, 2007; 3) 9.D.I. City Engineer Craig Neeley to review the Wastewater Collection System Impact Fee Study; 4) 9.D.II. City Engineer Craig Neeley to review the Transportation and Public Safety Impact Fee Study; and 5) Award of bid for line extension at 500 East 100 North.

Councilmember Rasmussen recommended amending the City Council Agenda for May 3, 2007 by changing item 8.B. and 10.D. from "to amend Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code with multiple amendments to the revision of Hyrum City's General Plan" to "to amend Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code with multiple amendments as a result of the revisions to Hyrum City's General Plan."

ACTION

Councilmember James made a motion to approve the agenda with the above amendments. Councilmember Rasmussen seconded the motion and all five councilmembers voted aye.

AGENDA

8. PUBLIC HEARING:
 - A. To receive public comment concerning a proposal to amend Section 16.20.070 of Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code regarding the submission of water rights.
 - B. To receive public comment concerning a proposal to amend Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code with multiple amendments ~~to~~ as a result of the revision of to Hyrum City's General Plan.
9. SCHEDULED DELEGATIONS:
 - A. Nancy Augustus - To discuss parking problems at the Hyrum City Soccer Fields.
 - B. Kirk Hunt - To request site plan approval for the back building at 369 West Main to manufacture concrete forms out of wood panels.
 - C. Dan Larsen, Rolling Hills Subdivision - To request Preliminary Plat approval for Rolling Hills Subdivision Phase II (89 lots) located at approximately 300 South 400 East.
 - D. City Engineer Craig Neeley - To review:
 - ~~I. Wastewater Collection System Impact Fee Study;~~
 - ~~II. Transportation and Public Safety Impact Fee Study;~~
 - ~~III. Potable and Secondary Water Projections; and~~
 - ~~IV. Design Standards and Construction Specifications.~~
10. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:
 - A. Resolution 07-07 - A resolution amending the Design Standards and Construction Specification for Public Works Construction in Hyrum City. *First Reading*
 - B. Resolution 07-08 - A resolution adopting Elite Hall Rental Fees and Deposit Schedule. *First Reading*
 - C. Ordinance 07-03 - An ordinance amending Section 16.20.070 of Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code regarding submission of water rights or shares for new development in Hyrum City. *First Reading*
 - D. Ordinance 07-04 - An ordinance amending Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code with multiple amendments ~~to~~ as a result of the revision ~~of~~ to Hyrum City's General Plan. *First Reading*
11. OTHER BUSINESS:
 - A. Certification of Annexation Petition (Leon Savage).
 - B. Consideration and approval of interlocal agreement for Fire Protection Assistance between Hyrum City and Cache County.

- C. Present 2007-2008 Budget.
 - ~~D. Award of bid for line extension at 500 East 100 North.~~
 - DE. Appointment to the Planning Commission.
 - EF. Reconsideration of Ordinance 05-09 clarifying parking restrictions.
 - FG. Mayor and City Council reports.
12. ADJOURNMENT

PUBLIC HEARING:

TO RECEIVE PUBLIC COMMENT CONCERNING A PROPOSAL TO AMEND SECTION 16.20.070 OF TITLE 16 (THE SUBDIVISION ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE REGARDING THE SUBMISSION OF WATER RIGHTS.

Mayor Pro-Tempore Stipes opened this portion of the public hearing at 6:38 p.m.

Zoning Administrator Ron Salvesen said over the past six months the Hyrum City Council has held numerous discussions on the submission of water rights. After reviewing Section 16.20.070 the City Council recommended amending it to allow the submission of water rights upon development rather than annexation.

Bonnie Nielsen suggested combining Section 16.20.070. A. (1) and (3) since they both basically state the same thing. She questioned the legality of Section 16.20.070 F. since it requires a property owner to give the City the first right to purchase any water shares or rights appurtenant to or historically used with the property proposed for development beyond those needed to meet the requirements for adequate water for the development. She doesn't agree with Hyrum City requiring a property owner to give the City the first right to purchase his/her water rights/shares.

Lester Nielsen said water shares are not tied to a particular piece of property and can be sold separately. Hyrum City should not be entitled to any excess water shares if the property owner provides the City adequate water upon development.

City Administrator D. Brent Jensen said the City is only requiring landowners of newly annexed property to bring in 3.0 acre-feet of water per acre of ground.

Floyd Burnett thanked the Hyrum City Council for the time it has spent on revising the ordinance to allow water to be turned over to the City upon development rather than annexation.

Kenneth Allsop said he reviewed the proposed ordinance and he would agree with Bonnie Nielsen that the City could not require the first right to purchase water shares from a landowner that has already submitted the required amount of water for his property. He appreciates the City Council for its forward thinking in requiring a developer to provide sufficient water rights/shares upon development.

After no further public comment, Mayor Pro-Tempore Stipes adjourned this portion of the public hearing at 6:45 p.m.

TO RECEIVE PUBLIC COMMENT CONCERNING A PROPOSAL TO AMEND TITLE 16 (THE SUBDIVISION ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE WITH MULTIPLE AMENDMENTS AS A RESULT OF THE REVISION TO HYRUM CITY'S GENERAL PLAN.

Mayor Pro-Tempore Stipes said the City Council held several workshops to review the proposed amendments to Title 16 and 17. The proposed ordinance reflects the amendments requested by the City Council in previously held workshops.

Zoning Administrator Ron Salvesen said the majority of the changes to Title 16 are due to changes in State Law. Statements on exactions and vested rights have been included in Title 16. The Planning Commission is required to be more involved in the concept plan and will be required to conduct a site visit with the developer as part of the process. The Planning Commission is also required to hold a public hearing on all concept plans.

Bonnie Nielsen said Section 16.12.010 requires the preliminary plat to closely follow the concept plan and will be closely reviewed to verify compliance with City ordinances, regulations, and standards and may also need several revisions before final plat approval. She questioned whether the preliminary plat should be extensively reviewed rather than the final plat.

Councilmember Rasmussen said the preliminary plat is the stage of development where the majority of the design, density and engineering are completed. A final plat is a clean reproducible drawing with no corrections needed, it should include all previously approved engineering drawings and any collateral documents. If the City didn't require engineering drawings until final plat approval it could create problems with the layout of the roads, utility lines, lots, etc. in the subdivision. Preliminary plat is the phase where engineering works needs to be complete.

AMENDED
06-07-07

Former Zoning Administrator Tom LaBau said if a developer has to revise the preliminary plat several times that is due to his/her engineer leaving required items off of the plans.

After no further public comment, Mayor Pro-Tempore Stipes adjourned this portion of the public hearing at 7:05 p.m.

SCHEDULED DELEGATIONS:

NANCY AUGUSTUS - TO DISCUSS PARKING PROBLEMS AT THE HYRUM CITY SOCCER FIELDS.

Nancy Augustus said she lives across the street from the Soccer Fields on 200 South. For the past several years she has contacted the City about the parking problems on 200 South when

soccer games are being held. The City has a large parking lot that can be accessed on 700 East, however, not very many people park in it. Most of the cars are parked on 200 South and it creates a safety hazard with cars being double parked; parents letting children in and out of the car while stopped in the middle of the road; cars parked upon the curb on the north side of 200 South; and cars parked to close to the road on the south side of 200 South. She showed the City Council several pictures of cars parked illegally over the past couple of days. People attending the soccer games have parked their cars: in her driveway; in front of her driveway - blocking access to her home; in front of her mailbox; and on her lawn. She is frustrated with the situation but most of all she is concerned about a child getting hit either coming or going from a soccer game. With so many cars parked on both sides of the street on 200 South it makes it extremely difficult for someone to see before crossing the street. She asked the City Council to consider posting the south side of 200 South "No Parking" and to have the Cache County Sheriff's Office enforce the City's parking ordinance.

Mayor Pro-Tempore Stipes suggested the City consider installing curb and gutter along the south side of 200 South. Curb and gutter would force people to park their cars parallel to the road, and would eliminate people from parking on private property.

Lester Nielsen said he lives on 200 South across from the Soccer Fields and he too has complained for several years about the parking problems during soccer season. Former Mayor Olson gave him permission to post the City's property in front of his home and extra lot "No Parking" to keep cars from parking in front of his driveway. He has seen Deputies with the Cache County Sheriff's Office drive past the soccer fields when there are cars parked illegally and not stop to issue a citation. He also is concerned about the safety of children crossing the street and the City's liability if an accident did occur. He suggested the City lock the entrance gate on the south side of the soccer fields, and move the two small fields to the center of the field rather than on the south side. These two changes would drastically improve the parking situation on 200 South.

Councilmember Miller said she received a call from someone earlier this week regarding the gate on the south side of the soccer fields being locked. Apparently, a handicapped older lady tried to enter the gate on the south side of the fields but it was locked. She could barely walk and it was a real struggle for her to have to walk back to her car. After parking in the main parking lot she then had to walk again to the south side of the soccer fields. If the City is going to lock the gates there needs to be a sign stating the "Gates Are Locked" and it needs to be large enough for people to read before they get out of the car.

Councilmember James said Hyrum City provides parking on the south

side of the soccer fields and the gate needs to be unlocked. If there are cars parked illegally then citations need to be issued rather than eliminating parking on the south side.

Dan Larsen said the parking problems on 200 South would be solved if the City installed curb & gutter along the south side of 200 South and had the Sheriff's Office enforce the City's parking regulations.

Brian Tippetts said he is Soccer President for the Hyrum District and he understands the concerns of the residents. The Cache Valley Soccer League only uses the fields April and May. During April and May the fields are used heavily due to the increasing number of children who want to play soccer. There is a shortage of soccer fields in the Valley and Hyrum is fortunate to have the amount of soccer fields it has. To help alleviate some of the impact on Hyrum City's Soccer Fields Principal Kennington at Canyon Elementary School has agreed to allow the Cache Valley Soccer League to use the school's grass area for Youth 6-8 soccer games next year. However, Principal Kennington just recently announced that he will not be the Principal for Canyon Elementary School next year. Brian will contact the new Principal to see if his agreement with Principal Kennington is acceptable. If the Youth 6-8 soccer games can not be moved to Canyon Elementary School, he has spoken with Parks Superintendent Brad Call about moving the smaller fields to the middle of the property.

The City Council decided to discuss this issue at a later date if the Cache Valley Soccer League can not use Canyon Elementary School's property for soccer games next year.

KIRK HUNT - TO REQUEST SITE PLAN APPROVAL FOR THE BACK BUILDING AT 369 WEST MAIN TO MANUFACTURE CONCRETE FORMS OUT OF WOOD PANELS.

Kirk Hunt said Mark Humphrey owns the buildings at 369 West Main and he is considering leasing the north building from Mark. He makes building concrete forms out of wood panels and also cuts trees into lumber. The wood for the concrete forms is very high quality lumber and has to be stored inside. The tree cutting would be outside on the north end of the building. He will put a tarp down to catch the sawdust and when the machine is not being used he will dismantle it and store it inside the building.

Zoning Administrator Ron Salvesen said Kirk Hunt met with the Planning Commission on April 12, 2007. The Planning Commission recommended approval of the site plan with the following conditions: 1) Property owner continue to work with City Staff on landscaping and maintenance plan; 2) Keep area clean; 3) Park on own property or enter agreement with neighboring property owner; and 4) return to Planning Commission for approval at time deemed necessary to add a sign.

Kirk Hunt said Mark Humphrey's didn't want to landscape the

property until late in the Fall.

ACTION Councilmember Rasmussen made a motion to approve the site plan for Kirk Hunt at 369 West Main for a concrete wood forms with the following conditions: 1) Property owner continue to work with City Staff on landscaping and maintenance plan; 2) Landscaping be completed by June 10, 2007; 3) Keep area clean; 4) Park on own property or enter agreement with neighboring property owner; and 5) return to Planning Commission for approval at time deemed necessary to add a sign. Councilmember James seconded the motion and all five councilmembers voted aye.

DAN LARSEN, ROLLING HILLS SUBDIVISION - TO REQUEST PRELIMINARY PLAT APPROVAL FOR ROLLING HILLS SUBDIVISION PHASE II (89 LOTS) LOCATED AT APPROXIMATELY 300 SOUTH 400 EAST.

Zoning Administrator Ron Salvesen said on April 19, 2007 the City Council denied preliminary plat approval for Rolling Hills Subdivision Phase II because it didn't include a legal boundary description on the plat. Included in the City Council Packet for tonight's meeting is a copy of an amended preliminary plat that includes the legal boundary description for Phase II.

**AMENDED
06-07-07**

Councilmember Rasmussen said the preliminary plat for Little Bear Creek Phase II still doesn't meet several requirements of Hyrum City's Design Standards and Construction Specifications: 1) The lot dimensions are not listed; 2) There is not a temporary turn around on 400 East 600 South; 3) Some of the proposed locations of the fire hydrants ~~are too far apart~~ weren't shown; and 4) The cul-de-sac in Phase 2C is 140' too long. These are just some of the issues that still need to be dealt with before the City Council approves the preliminary plat.

Mayor Pro-Tempore Stipes asked why the preliminary plat for Little Bear Creek Phase II was on the City Council agenda if it does not include or meet all of the requirements listed in Hyrum City's Design Standards and Construction Specifications.

Former Zoning Administrator Tom LaBau said the subdivider is responsible to ensure that his/her drawings contain and meet all of the requirements listed in Hyrum City's Ordinances and Design Standards and Construction Specifications. The subdivider is provided a copy of Hyrum City's Design Standards and Construction Specifications and there is no reason why the subdivider's drawings shouldn't be accurate and contain all required information.

City Engineer Craig Neeley said the developer is not completely to blame for not following City Code, it is partly the City's fault. The checklists included in Hyrum City's Design Standards and Construction Specifications book are not accurate and do not

list all of the information required. As part of the revisions to Title 16 & Title 17 he has been working with City Staff to amend the Design Standards and Construction Specifications book. The checklists have also been revised to accurately reflect the City's requirements. The proposed revisions to the Design Standards and Construction Specifications were sent to the City Council in April and a Resolution to approve those changes is on tonight's City Council agenda.

Zoning Administrator Ron Salvesen said if there are minor amendments to a plat the City Council can approve the plat with conditions.

Dan Larsen said he asked the City Council on April 19, 2007 if there were any other corrections to the preliminary plat that needed to be made before he brought it back before the City Council. The only correction the City Council had was that the boundary description needed to be added. He is getting frustrated with the City. He would like a complete list of the corrections to the preliminary plat, so that he doesn't have to keep coming back before the City Council only to be turned down with one or two changes each time.

City Engineer Craig Neeley said Tom LaBau is correct it is the subdivider's responsibility to ensure his/her drawings meet City ordinances and specifications, however, as City Engineer he should have caught the cul-de-sac length and the other problems with the preliminary plat. He understands Dan's frustration but the City Council has the authority and right to require a subdivider to follow City ordinances. Just because the City Council requests a change be made it doesn't mean the next time the drawings come before the City Council it has to approve them without any amendments. If there are additional problems with the plat, the City has every right to require a subdivider to follow the ordinances regardless of the number of times the plan has been before the City Council.

ACTION Councilmember Miller made a motion to waive the approval with no conditions rule. Councilmember Felix seconded the motion and Councilmembers Felix, James, Miller and Stipes voted aye; and Councilmember Rasmussen voted nay. The motion passed.

ACTION Councilmember Miller made a motion to approve the preliminary plat for Rolling Hills Subdivision Phase II with the following conditions: 1) The length of the cul-de-sac be corrected to be in compliance with City Ordinance; and 2) Lot dimensions be added. Councilmember James seconded the motion.

Councilmember Rasmussen said reducing the length of the cul-de-sac could substantially change the layout of the subdivision. He is not comfortable in approving the preliminary plat without

seeing the drawings with the shortened cul-de-sac.

City Engineer Craig Neeley said he agreed with Councilmember Rasmussen that the City Council should not approve the preliminary plat until a new drawing has been submitted to the City Council showing the shortened cul-de-sac. Reducing the length of the cul-de-sac may reduce the number of lots, it could create a problem with the location of utility lines, etc.

ACTION **Councilmember Rasmussen made a substitute motion to deny the request for preliminary plat approval for Rolling Hills Phase II. Councilmember James seconded the motion and Councilmembers Felix, James and Rasmussen voted aye; and Councilmembers Miller and Stipes voted nay. The motion passed.**

CITY ENGINEER CRAIG NEELEY - TO REVIEW POTABLE AND SECONDARY WATER PROJECTIONS; AND DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS.

POTABLE AND SECONDARY WATER PROJECTIONS

City Engineer Craig Neeley reviewed the Potable and Secondary Water Projections dated April 2007. Hyrum City owns potable water rights totaling 10,078 acre-feet from wells and 1,448 to 2,686 acre-feet from springs for a total of 11,527 to 12,762 acre-feet. The variation in spring water right is due to a seasonal limitation imposed by the State. Recently an additional surface water right of 469 acre-feet was purchased from the Cache Valley Ranch Association and allocated to the wells. Assuming that commercial usage stays constant at 2,088 acre-feet and residential consumption grows proportionate to the population, an annual demand of 5,371 acre-feet will be realized in the year 2057. This is the end of the 50-year projection with a resulting population of 24,408. This means that surplus of 6,525 acre-feet will be available following the 50-year projection with the ability to serve an additional 14,490 residents.

A secondary water right of 2,927 acre-feet owned by Hyrum City currently serves 1,745 connections. In order to project the future secondary water rights with the understanding that large agricultural areas will be converted to residential areas, the current 1,745 physical connections were converted to ERC. This was accomplished using Hyrum City's water right ordinance that requires 3.0 acre-feet of water per gross acre divided by 2.4 ERC per gross acre and reducing it by the indoor water right requirement of .45 acre-feet per ERC, resulting in current ERC of 2,515. The annual Outdoor Water Right Requirement provided in the State Administrative Code R309-510 is calculated by multiplying ERC by 1.87 acre-feet per year per irrigated acre, multiplied by 1/3 irrigated acre per ERC. The current measured secondary water demand amount of 2,012 acre-feet results in a current surplus of 915 acre-feet. With current secondary water

rights of 2,927 acre-feet, an estimated population of 13,730 or 3,659 ERC can be accommodated which is projected to occur in 2033. For the 50-year study period a total secondary water right of 4,485 acre-feet will be required yielding a 1,558 acre-feet deficit.

The potable water source demands for residential and light commercial are based on the State of Utah Administrative Codes for Public Working Water Systems R309-510. The code states that sources must be capable of supplying two times the average daily requirement of 400 gallons per ERC per day to satisfy peak day demands, this equates to 800 gallons per ERC per day. The current potable water source capacity is 9,153 gpm. The current potable water source demand of 3,887 gpm results in a surplus of 5,266 gpm. In the year 2057, the total demand is estimated to be 6,837 gpm for a future surplus of 2,316 gpm with the capacity to serve an additional 4,170 ERC or a population of 13,310.

The current annual secondary water source demand is 2,927 acre-feet. To estimate the peak day flow from this annual capacity, acre-feet was converted to gpm and multiplied by two resulting in 3,630 gpm. From Table 4, the current demand of 1,247 gpm results in a surplus of 2,393 gpm which is estimated to be reached in the year 2038 with a population of 15,377 before additional source capacity will need to be acquired. For the 50 year projection, the secondary water source demand of 6,347 gpm results in a 2717 gpm deficit.

Hyrum City has three potable water storage tanks totaling 3,265,000 gallons to provide an emergency supply when there is a disruption of the source such as a break in a water main, water supply for fire fighting purposes, and to equalize peak flow requirements. With the consideration of only the indoor water demand utilizing the potable water system and the large storage available for secondary water, only the indoor demand is considered for the water storage analysis. Communities in Utah are required to provide adequate water storage capacity to satisfy both indoor and outdoor average day water demands and fire suppression storage, as stated in the Utah State Administrative Codes for Public Drinking Water Systems. The indoor storage requirement for residential and light commercial is 400 gallons per ERC per day. To determine the heavy industrial water storage capacity the current annual demand of 2,088 acre-feet was converted to an average day demand of 1,864,046 gallons or 93,202 gallons per connection. Hyrum City currently requires a sustained fire protection flow of 1,500 gpm for 2 hours, equating to a total fire protection storage requirement of 180,000 gallons. Hyrum City has the ability to store 3,265,000 gallons of potable water. The current storage requirement is 2,978,450 gallons for a net excess of 286,550 gallons. With the assumption that heavy industrial demand remains constant, the excess storage of 286,550 gallons would accommodate the residential and light commercial indoor demand until the year 2019 or a population of 9,743. In the year 2057

the storage requirement will be approximately 5,102,850 equaling a net deficit of 1,837,850 gallons.

DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS

City Engineer Craig Neeley said Hyrum City's Design Standards and Construction Specifications book has been revised to comply with State Laws and the proposed changes to Title 16 & 17. As mentioned earlier in the meeting the checklists contained in the Design Standards and Construction Specifications are accurate and complete.

The City Council scheduled a workshop on May 31, 2007 at 6:00 p.m. to discuss the Wastewater Collection System Impact Fee Study and the Transportation and Public Safety Impact Fee Study.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

RESOLUTION 07-07-A RESOLUTION AMENDING THE DESIGN STANDARDS AND CONSTRUCTION SPECIFICATION FOR PUBLIC WORKS CONSTRUCTION IN HYRUM CITY. FIRST READING

Mayor Pro-Tempore Stipes said Resolution 07-07 amends the Design Standards and Construction Specifications for Public Works Construction as reported on earlier in the meeting by City Engineer Craig Neeley.

Due to the First Reading Rule, no action was taken on Resolution 07-07.

RESOLUTION 07-08 - A RESOLUTION ADOPTING ELITE HALL RENTAL FEES AND DEPOSIT SCHEDULE. FIRST READING

Mayor Pro-Tempore Stipes said Resolution 07-08 amends the Elite Hall Rental Fees and Deposit Schedule for dance lessons and/or practices by including a \$2.00 monthly fee per student that resides in Hyrum City Limits and a \$4.00 monthly fee per student that resides outside Hyrum City Limits.

ACTION Councilmember James made a motion to waive the first reading rule for Resolution 07-08. Councilmember Rasmussen seconded the motion and all five councilmembers voted aye.

ACTION Councilmember James made a motion to approve Resolution 07-08 adopting Elite Hall Rental Fees and Deposit Schedule. Councilmember Felix seconded the motion and all five councilmembers voted aye.

The City Council asked City staff to research why a private family party is limited to 75 participants when the maximum occupancy of the building is 660.

ORDINANCE 07-03 - AN ORDINANCE AMENDING SECTION 16.20.070 OF TITLE 16 (THE SUBDIVISION ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE REGARDING SUBMISSION OF WATER RIGHTS OR SHARES FOR NEW DEVELOPMENT IN HYRUM CITY. FIRST READING

ACTION Councilmember Rasmussen made a motion to waive the first reading rule for Ordinance 07-03. Councilmember Felix seconded the motion and all five councilmembers voted aye.

ACTION Councilmember Rasmussen made a motion to adopt Ordinance 07-03 amending Section 16.20.070 of Title 16 (the Subdivision Ordinance) of the Hyrum City Municipal Code regarding submission of water rights or shares for new development in Hyrum City. Councilmember Miller seconded the motion and all five councilmembers voted aye.

ORDINANCE 07-04 - AN ORDINANCE AMENDING TITLE 16 (THE SUBDIVISION ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE WITH MULTIPLE AMENDMENTS AS A RESULT OF THE REVISION TO HYRUM CITY'S GENERAL PLAN. FIRST READING

Mayor Pro-Tempore Stipes said the City Council held a public hearing earlier in the meeting to discuss the proposed changes to Title 16 included in Ordinance 07-04.

Due to the First Reading Rule, no action was taken on Ordinance 07-04.

OTHER BUSINESS:

CERTIFICATION OF ANNEXATION PETITION (LEON SAVAGE).

City Recorder Stephanie Fricke said she and City Attorney Scott Wyatt reviewed the Leon Savage and Craig Poppleton annexation petition and have determined it meets all of the requirements listed in Section 10-2-403 of the Utah State Code.

A copy of the Notice of Certification was given to each member of the City Council. A copy of the certification will be mailed to Leon Savage and Craig Poppleton, Cache County Council, and Cache County School District.

CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT FOR FIRE PROTECTION ASSISTANCE BETWEEN HYRUM CITY AND CACHE COUNTY.

City Administrator D. Brent Jensen said in November of 2005 the Cache County Emergency Medical Services proposed an interlocal agreement for fire protection assistance that agreement would have allowed Hyrum City to use the ambulance drivers, who are trained firemen, as firemen when they were not on ambulance runs. The City Council did not approve the agreement due to concerns

about using ambulance drivers as firemen since it could delay the response time to a medical call. It has been one and one-half years since this agreement was originally considered by the City Council. Over the past one and one-half years he has paid attention to the ambulance calls and fire calls and he has reconsidered the benefits of having the ambulance drivers respond to fire calls. He asked the City Council to reconsider approval of the Interlocal Agreement for Fire Protection Assistance between Hyrum City and Cache County.

EMT President and Fire Department Captain Blake Christensen said not having the ambulance respond to fire calls places members of the Fire Department in danger if there is an accident on the scene. This past year there were two structure fires where a fireman was injured and had to wait for the ambulance to be dispatched. The Fire Department would feel safer if an ambulance was on the scene and is recommending the City Council approve this agreement.

ACTION **Councilmember James made a motion to approve the Interlocal Agreement for Fire Protections Assistance between Hyrum City and Cache County. Councilmember Miller seconded the motion and all five councilmembers voted aye.**

PRESENT 2007-2008 BUDGET.

Mayor Pro-Tempore Stipes said Mayor Howard asked him to distribute a copy of the 2007-2008 Operating Budgets proposal.

The City Council scheduled a workshop to discuss the 2007-2008 Operating Budgets proposal on May 24, 2007 at 6:00 p.m.

APPOINTMENT TO THE PLANNING COMMISSION.

Mayor Pro-Tempore Stipes said Mayor Howard has contacted Wayne Olson about serving as an alternate member on the Planning Commission. Wayne has accepted the invitation to serve.

ACTION **Councilmember James made a motion to appoint Wayne Olson as an alternate member on the Hyrum City Planning Commission. Councilmember Miller seconded the motion and all five councilmembers voted aye.**

RECONSIDERATION OF ORDINANCE 05-09 CLARIFYING PARKING RESTRICTIONS.

City Administrator D. Brent Jensen said a couple of years ago the City Council considered adopting an ordinance adding parking restrictions for recreational vehicles, agricultural equipment and supplies, and semi-trucks and trailers, as well as restrictions against storage and disposal on public property. He asked the City Council to review this ordinance and contact him

with any suggestions or concerns with the proposed ordinance. He would like the City Council to consider adopting this ordinance at a future City Council Meeting.

MAYOR AND CITY COUNCIL REPORTS.

City Engineer Craig Neeley said after attending tonight's City Council Meeting he would like the City Council to give him permission to contact an applicant's engineers with any concerns, corrections, or comments that he has before the plans are sent to the City Council for its review.

Mayor Pro-Tempore Stipes said he would prefer Craig meet with an applicant's engineer to resolve the majority of the issues on a set of plans. There is no reason for an applicant to come before the City Council if his/her plans do not comply with Hyrum City Ordinances.

Councilmember Miller said the International Food Festival has been moved from September to August 24 and 25. The Pig Wrestling Competition is scheduled for August 18.

Councilmember James reminded the City Council about the dance at the Elite Hall on May 12.

Councilmember Felix said the New Library Dedication Ceremony is May 26, 2007 at 2:00 p.m. He will need city staff to help move and set-up chairs.

Mayor Pro-Tempore Stipes said he met with the High Valley Home Owner's Association and it thanked the City for mowing its part property. The Home Owner's Association has established a five year plan for the subdivision and is hoping to install playground equipment in the park within the next five years.

ADJOURNMENT:

**ACTION There being no further business before the Council, the
 Council Meeting adjourned at 9:55 p.m.**

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: June 7, 2007 _____
 As Amended