

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD NOVEMBER 1, 2007
AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor W. Dean Howard

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

EXCUSED: Councilmember Douglas L. Stipes

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

OTHERS PRESENT: City Administrator D. Brent Jensen, Zoning Administrator Ron Salvesen, and eleven citizens. City Recorder Stephanie Fricke recorded the minutes.

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

PLEDGE OF ALLEGIANCE: Mayor Howard led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: Councilmember James

MINUTES:

The minutes of September 27, 2007 were approved as written.

ACTION Councilmember Rasmussen made a motion to approve the minutes of September 27, 2007 as written. Councilmember James seconded the motion and all four councilmembers present voted aye.

The minutes of October 4, 2007 were amended on Page 169, paragraph 3, change "ht" to "the".

ACTION Councilmember Rasmussen made a motion to approve the minutes of October 4, 2007 with the above amendment. Councilmember James seconded the motion and all four councilmembers present voted aye.

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.

ACTION Councilmember James made a motion to approve the agenda as written. Councilmember Miller seconded the motion and all four councilmembers present voted aye.

AGENDA

8. SCHEDULED DELEGATIONS:
 - A. Andy Beutler, Hyrum City Tree Committee - To report on Tree City USA and to request approval of an Arbor Day Proclamation.
9. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND AN ORDINANCE:
 - A. Resolution 07-21 - A resolution amending the Subdivision Building Permits Policy Statement governing the issuance of building permits within approved and platted subdivisions. *Second Reading*
 - B. Resolution 07-23 - A resolution approving Hyrum City's Capital Improvement List for the Community Development Block Grant (CDBG) and the State Permanent Community Impact Fund Board (CIB). *First Reading*
 - C. Ordinance 07-14 - An ordinance adding Chapter 17.32 Residential Agriculture (RA) Zone to Title 17 of the Hyrum City Municipal Code. *First Reading*
10. OTHER BUSINESS:
 - A. Safety and Accident Prevention Manual.
 - B. On-line Utility Bill Payment Service.
 - C. Budget Report.
 - D. Mayor and City Council reports.
11. ADJOURNMENT

SCHEDULED DELEGATIONS:

ANDY BEUTLER, HYRUM CITY TREE COMMITTEE - TO REPORT ON TREE CITY USA AND TO REQUEST APPROVAL OF AN ARBOR DAY PROCLAMATION.

Morgan Mendenhall from the Utah Division of Forestry, Fire and State Lands presented Hyrum City the 2006 Tree City USA Award. He presented the City with a flag to be displayed as well as a hat and pin.

Andy Beutler said this is the fourth year in a row that Hyrum City has earned this award. Hyrum City planted over 61 trees and pruned 75 trees this past year. The Tree Committee submitted a grant for the replacement of ash trees on Main Street. There are 235 trees on Main Street and 99 of those trees need to be replaced due to disease. The application for the grant proposes replacing 10 to 15 trees a year over then next ten years.

Andy Beutler read a Proclamation declaring the celebration of Arbor Day and asked the City Council to approve it.

ACTION Councilmember Miller made a motion to approve the Proclamation to Celebrate Arbor Day. Councilmember

James seconded the motion and all four councilmembers present voted aye.

Andrew Beutler said he is having trouble finding people to serve on the Tree Committee.

Mayor Howard asked each City Council to recommend one person to serve on Hyrum City's Tree Committee.

INTRODUCTION AND ADOPTION OF A RESOLUTION:

RESOLUTION 07-21 - A RESOLUTION AMENDING THE SUBDIVISION BUILDING PERMITS POLICY STATEMENT GOVERNING THE ISSUANCE OF BUILDING PERMITS WITHIN APPROVED AND PLATTED SUBDIVISIONS. SECOND READING

Mayor Howard said on October 18, 2007 the City Council discussed Resolution 07-21 amending the Subdivision Building Permits Policy Statement governing the issuance of building permits within approved and platted subdivisions to allow a developer to receive building permits before sidewalks are installed, if the developer places an additional cash bond for the cost of the sidewalks with the City. The City Council did not take action on this resolution at that meeting.

Councilmember Rasmussen said he is not in favor of changing the Subdivision Building Permits Policy to allow installation of sidewalks after building permits are issued. He is concerned about developers not wanting to come back and install the sidewalk for one house. Is the City willing to hold up an Occupancy Permit when a house is finished and the sidewalk can not be installed for a couple of weeks due to cold weather. The proposed changes may not be in the City's best interest and he would prefer the City not amend its policy.

Councilmember James said requiring the developer to place a cash bond with the City for the installation of sidewalks within one year from the subdivision construction start date alleviates his concerns with a developer not installing sidewalks in a timely manner.

ACTION

Councilmember James made a motion approve Resolution 07-21 amending the Subdivision Building Permits Policy governing the issuance of building permits within approved and platted subdivisions with the following amendments to item #2: "At the developer's option, a cash deposit or other form of surety acceptable to the City Council may be provided in an amount equal to 120 percent of the city engineer's estimated cost to install sidewalks throughout the subdivision in lieu of the initial sidewalk installation as required by this policy. Upon acceptance of said deposit or surety the

City Council will allow the developer to defer installation of sidewalks for a period of 12 months from the date of final plat approval subdivision construction start date. The city will issue building and ~~occupancy~~ permits until the 12-month period expires, at which time the developer must proceed to immediately install sidewalks throughout the entire development, whether or not the lots have been sold and built upon, or the city will exercise its interest in the deposit or surety and proceed to install the sidewalks as required by city ordinance and this policy. If a house is under construction before sidewalks are installed, the City will not approve an occupancy permit until the sidewalk has been completed for that particular lot. Councilmember Miller seconded the motion and Councilmembers Felix, James, and Miller voted aye and Councilmember Rasmussen voted nay. The motion passed.

RESOLUTION 07-23 - A RESOLUTION APPROVING HYRUM CITY'S CAPITAL IMPROVEMENT LIST FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND THE STATE PERMANENT COMMUNITY IMPACT FUND BOARD (CIB). FIRST READING

Mayor Howard said to be eligible to apply for a CDBG or CIB funds, BRAG requires all cities to submit an updated capital improvement list each year. The only forthcoming project that may be eligible for CDBG funding is the new fire station, carried over from last year.

ACTION

Councilmember Miller made a motion to approve Resolution 07-23 approving Hyrum City's Capital Improvement List for the Community Development Block Grant (CDBG) and the State Permanent Community Impact Fund Board (CIB). Councilmember Felix seconded the motion and all four councilmembers present voted aye.

ORDINANCE 07-14 - AN ORDINANCE ADDING CHAPTER 17.32 RESIDENTIAL AGRICULTURE (RA) ZONE TO TITLE 17 OF THE HYRUM CITY MUNICIPAL CODE. FIRST READING

Zoning Administrator Ron Salvesen said when the City Council revised Title 17 to comply with the General Plan the City Council didn't adopt the proposed amendments to Chapter 17.32 the Agriculture Zone. The City Council sent the zone back to the Planning Commission for further discussion. The Planning Commission has reviewed Chapter 17.32 and is recommending adding light manufacturing back into the zone, and leaving the minimum lot size at 12,000 square feet rather than one-acre.

ACTION Councilmember Rasmussen made a motion to waive the first reading rule for Ordinance 07-14. Councilmember Felix seconded the motion and all four councilmembers present voted aye.

ACTION Councilmember Rasmussen made a motion to adopt Ordinance 07-14 adding Chapter 17.32 Residential Agriculture (RA) Zone to Title 17 of the Hyrum City Municipal Code. Councilmember James seconded the motion and all four councilmembers present voted aye.

OTHER BUSINESS:

SAFETY AND ACCIDENT PREVENTION MANUAL.

Mayor Howard asked the City Council to review the Safety and Accident Prevention Manual before the next City Council Meeting.

ONLINE UTILITY BILLING SERVICE.

Mayor Howard said Utility Billing Clerk Stephanie Eggleston, City Treasurer Lynn Coulam, and Councilmember James have researched software to provide on-line bill payment capability for the City. After checking software compatibilities and references they are recommending Intellipay. It is more expensive but there is greater customer satisfaction.

ACTION Councilmember James made a motion for the City to contract with Intellipay for on-line utility billing services. Councilmember Miller seconded the motion and all four councilmembers present voted aye.

BUDGET REPORT.

Mayor Howard said the electric utility can not afford to operate at the current electric rates. The City Council is going to have to consider raising electric utility rates within the next couple of months.

City Administrator D. Brent Jensen reviewed Hyrum City's power usage and rates. He suggested the City consider charging a higher electric rate in the summer when it is more expensive to purchase power.

Councilmember Rasmussen suggested the City mail out educational information on how to conserve electricity to its customers.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember James said he is having the front page of the City's website redesigned.

Councilmember Miller said the Youth Council advisors are accepting applications to serve on the Youth Council and will be conducting interviews within the next week.

City Administrator D. Brent Jensen said the City Council agreed to sell the 40 acre parcel up Lefthand Fork Canyon by sealed bids. However, the Forest Service locks the gate in the middle of November and potential bidders will not be able to look at the property. He will wait to notice the property for sale until this spring.

ADJOURNMENT:

ACTION **There being no further business before the Council, the Council Meeting adjourned at 7:50 p.m.**

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: December 6, 2007
As Written