

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JANUARY 17, 2008 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, Stephanie Miller, and Douglas L. Stipes present.

EXCUSED: Councilmembers Paul C. James and Craig L. Rasmussen

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

OTHERS PRESENT: City Administrator D. Brent Jensen, City Engineer Craig Neeley, and seven citizens. City Recorder Stephanie Fricke recorded the minutes.

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

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

INVOCATION: Councilmember Stipes

MINUTES:

The minutes of January 3, 2008 were approved as written.

ACTION Councilmember Miller made a motion to approve the minutes of January 3, 2008 as written. Councilmember Stipes seconded the motion and all three 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 Stipes made a motion to approve the agenda as written. Councilmember Miller seconded the motion and all three councilmembers present voted aye.

AGENDA

8. SCHEDULED DELEGATIONS:

- A. Bruce Blaine, Blacksmith Fork Industrial Park - To request concept plan approval for the Blacksmith Fork

Industrial Park located between Hammer Boulevard and Anvil Road.

- B. Todd Pignatero, Hidden Valley Planned Unit Development
- To request final plat approval for Hidden Valley Planned Unit Development consisting of 102 lots and located at approximately 675 West 100 North.
9. OTHER BUSINESS:
- A. Impact Fees.
 - B. Mayor and City Council reports.

SCHEDULED DELEGATIONS:

BRUCE BLAINE, BLACKSMITH FORK INDUSTRIAL PARK- TO REQUEST CONCEPT PLAN APPROVAL FOR THE BLACKSMITH FORK INDUSTRIAL PARK LOCATED BETWEEN HAMMER BOULEVARD AND ANVIL ROAD.

Bruce Blaine said he and his partner Brook Staples have purchased land in the Blacksmith Fork Industrial Park. They want to clean up the area and subdivide the property into 21 lots. The master plan for the area requires all buildings to be constructed of concrete and/or masonry block; there will be no metal buildings in the development. The exterior colors and designs of the buildings will be cohesive with one another. The first building to be built is 15,000 feet and will be used as an office/storage building.

Brook Staples stated that according to the covenants they have set for this project there will be a six foot wall made out of pre-cast materials between each property; there will not be any chain link fences.

Bruce Blaine stated that with all the construction going on in the area he hopes the City Council will allow some commercial businesses, such as, a car wash, sandwich shop, tire shop, hair cutting place, perhaps even a bank.

Councilmember Stipes said with the residential growth taking place east of 800 East there will be need for commercial businesses in that area. He would be in favor of amending the M-2 Zone to include specific types of commercial businesses.

ACTION

Councilmember Stipes made a motion to approve the Concept Plan for Blacksmith Fork Industrial Park with the condition that all items required in Hyrum City's Concept Plan Checklist be submitted by the developer and approved by City Staff. Also, the developer needs to be aware that the M-2 Zone would have to be amended to include commercial businesses before the City Council approves any commercial uses. Councilmember Miller seconded the motion and all three councilmembers present voted aye.

TODD PIGNATERO, HIDDEN VALLEY PLANNED UNIT DEVELOPMENT - TO REQUEST FINAL PLAT APPROVAL FOR HIDDEN VALLEY PLANNED UNIT DEVELOPMENT CONSISTING OF 102 LOTS AND LOCATED AT APPROXIMATELY 675 WEST 100 NORTH.

Todd Pignatero said he is excited to be at the end of the approval process for Hidden Valley Planned Unit Development and is looking forward to beginning construction. He provided the City Council with two booklets: Hidden Valley Final Approval Documentation dated January 10, 2008; and Hidden Valley Covenants, Conditions, and Restrictions dated January 17, 2008. Inside the Final Approval Documentation Booklet there is a letter from Jay Stocking, developer of South Cache Subdivision, giving Todd permission to run utilities for Hidden Valley through South Cache Subdivision. He has obtained letters from Qwest, Questar Gas, and Comcast verifying service is available to Hidden Valley once the listed requirements are met. Hyrum Irrigation Company has given him a letter of permission to pipe the Feeder Canal from the Hyrum Dam through Leon Savage's and Craig Poppleton's land. The subdivision will have access to up to two second feet of water or there allocated amount for the land involved. Also a trail proposed to be developed on top of the piped canal was agreed upon. The Wellsville East Field Canal Company has approved the construction of a new concrete bridge structure where 2000 West crosses the canal, as well as, the crossings within Hidden Valley.

Todd Pignatero reviewed his proposal for submittal of irrigation shares of three acre-feet per acre of developed ground. There is a total of 33.33 irrigated acres which requires 99.99 acre-feet of water be turned over to the City. He will turn over to the City 12 shares of water from the Little Feeder Ditch. The State Water Engineer's office sent Leon Savage a letter confirming Bruce Savage's report titled, "An Analysis of the Water Available on the Feeder and Wellsville East Field Canals". This report reviews the history and irrigation allocations prior to the construction of Hyrum Dam, and determines that a share in the Little Feeder Ditch represents 8.31 acre-feet of water.

City Administrator D. Brent Jensen said Hyrum City's ordinance requires three acre-feet of water for irrigation use and .45 acre-feet per equivalent residential unit for indoor use. He asked Todd where the additional .45 acre-feet for 102 lots would come from.

Todd Pignatero said he didn't know the City required an additional .45 acre-feet per unit for indoor use. He has more water, but does not want to turn it all over to the City. He hopes to purchase additional land in that area to construct a second phase and may need the extra water. The land Hidden Valley will sit on has 16 shares in the Little Feeder Ditch (8.31 acre-feet per share = 132.96 acre-feet) and 12.5 shares in the Wellsville East Field Canal (3.72 acre-feet per share = 46.5

acre-feet). He will turn over to the City the Wellsville East Field Canal 12.5 shares for the .45 acre-feet per unit for indoor use.

Todd Pignatero said he is going to fully landscape the east and west boundaries, and the community center. He will hire a landscaper to take care of the grass, plants, and trees. The 2000 West road is in Cache County, however, Cache County wants Todd to build the road to Hyrum City's specifications in anticipation of it being annexed into the City. Cache County also wants the money to improve the road to be included in the City's bond. Todd will plow the 2000 West road and maintain it until the County or City takes over the road.

Todd Pignatero asked for permission to build the community center and six model houses in his development before all of the improvements are completed. The website for Hidden Valley www.liveinhiddenvalley.com shows the house designs, price ranges, and lists the amenities of the Planned Unit Development. He wants to build six different model houses: Lot 39 - House Plan 399943; Lot 40 - House Plan 30032; Lot 54 - House Plan 39250; Lot 55 - House Plan 39260; Lot 24 - House Plan 37975; and Lot 25 - House Plan 23755. These six houses will not be for sale for at least two years, he just wants to show potential residents of Hidden Valley what types of houses are going to be built in this development. He wants the model homes and all of the improvements completed by July. He is planning on holding an open house celebration on July 4th to introduce his development. Lots will not be sold until the buyer provides proof of financing and is ready to begin construction of a house. He does not want lots to be sold for investment purposes. An outside contractor can build a house, but the house plan has to be approved by the Home Owners Association Design Review Board.

City Engineer Craig Neeley said there are still some minor details that need to be worked out, but it won't affect the aesthetics or the layout of the project.

ACTION

Councilmember Stipes made a motion to approve the Final Plat for Hidden Valley Planned Unit Development consisting of 102 lots. Councilmember Miller seconded the motion.

Councilmember Stipes amended his motion that before the improvements are completed seven building permits may be issued for six model houses and one for the community center; to accept 12 shares from the Little Feeder Ditch for irrigation purposes and 12.5 shares from the Wellsville East Field Canal for culinary water purposes; the irrigation system will be owned and operated by Hyrum City; Hyrum City will be responsible for the maintenance of the Hyrum City will maintain the

wastewater lift station once it is installed and tested by the developer and accepted by the City; and the Hidden Valley Home Owners Association is responsible for the landscaping and maintenance of the storm drainage area. Councilmember Miller accepted Councilmember Stipes' amendment to the motion. Mayor Howard called for a question on the motion and all three councilmembers present voted aye.

OTHER BUSINESS:

IMPACT FEES.

City Administrator D. Brent Jensen said the City Council should consider revising the impact fee schedule to reflect current values. Hyrum City could increase its impact fees to all the way to \$12,526 (Zone 1), \$14,120 (Zone 2), and \$16,311 (Zone 3). This would put us higher than all other communities in Cache Valley. As a realistic minimum, we probably ought to consider: 1) increasing the road impact from \$1,300 to \$1,597; 2) bringing parks to the full amount eligible (\$2,803); 3) adjusting culinary water from \$482 to \$637; and 4) adding a fire impact fee of \$376. We could leave the sewer impact fee alone but should add the \$1,350 southeast collector fee, and irrigation impact fees should be boosted to reflect the current cost of water. This would leave electrical out, which brings the fee total down to \$7,773 (Zone 1), \$9,367 (Zone 2), and \$11,558 (Zone 3). Ignoring irrigation for comparison's sake, our R/P/W/S fees would be: \$4,695 (Zone 1), \$4,695 (Zone 2), and \$6,292 (Zone 3), not including the \$1,350 southeast collector.

The City Council agreed that the impact fees need to be reviewed and directed City Staff to schedule a public hearing.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Felix said the displays for the Museum are being constructed and will hopefully be finished by Spring. The Library has received approval for a \$268,000 Federal Grant and the money should be available in February 2008.

Councilmember Miller said she invited Doug Wright, host of the KSL Doug Wright Talk Radio Show, to speak at this year's Patriotic Program. She attended a meeting with Kim Datwyler regarding nonprofit, government subsidized, and senior housing. Afterwards she visited with a few of the residents from Hyrum that attended and they are hoping Hyrum City will have a senior housing area in the near future. She has heard of so many people that have lived in Hyrum their entire lives and have had to move out of the community because there is no senior housing.

Mayor Howard reported that the CRSP power rate is going to

increase 14% to 16% by October, due to operation costs and loan repayments. The participants in IPP 3 have filed a lawsuit against Los Angeles and other California participants to require them to: continue with the IPP 3 project; relinquish capacity in IPP 1 and 2 to the amount equivalent to the capacity that the other participants would have received from IPP 3; or pay IPP 3 participants over one hundred million dollars for incurred costs. The California participants have already filed a lawsuit to have the above case dismissed.

ADJOURNMENT:

ACTION **There being no further business before the Council, the Council Meeting adjourned at 8:00 p.m.**

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: February 7, 2008
 As Written