

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MARCH 6, 2008 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

**CONVENED:** 6:30 p.m.

**CONDUCTING:** Mayor W. Dean Howard

**ROLL CALL:** Councilmembers Thomas C. LaBau, Stephanie Miller, and Craig Rasmussen present.

**EXCUSED:** Councilmembers Martin L. Felix and Paul C. James

**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, Zoning Administrator Ron Salvesen, and eight 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 Rasmussen

**APPROVAL OF MINUTES:**

The minutes of February 21, 2008 were approved as written.

**ACTION** Councilmember Rasmussen made a motion to approve the minutes of February 21, 2008 as written. Councilmember Miller 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 Rasmussen 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. Lieutenant Chad Jensen, Cache County Sheriffs Office  
- To report on the Youth Safety Council Committee.
- B. Aaron Wiser - To request final plat approval for

Phase I of Blacksmith Village Subdivision located at approximately 500 South between 650 East and 800 East.

- C. Kevin Maughan, Hyrum Fire Department - To discuss requiring a fire inspection of all businesses applying for a business license including annual renewals.
- 9. INTRODUCTION AND ADOPTION OF AN ORDINANCE:
  - A. Ordinance 08-05 - An ordinance amending Section 6.08.090 of the Hyrum City Municipal Code to further define the length of time a dog maybe kept, boarded, harbored or maintained in Hyrum City.
- 10. OTHER BUSINESS:
  - A. Mayor and City Council reports.
- 11. ADJOURNMENT

***SCHEDULED DELEGATIONS:***

**LIEUTENANT CHAD JENSEN, CACHE COUNTY SHERIFFS OFFICE - TO REPORT ON THE YOUTH SAFETY COUNCIL COMMITTEE.**

Sergeant Mitch Frost with the Cache County Sheriffs Office said Lieutenant Chad Jensen is unable to attend tonight's meeting and asked him to report on Cache County Youth Safety Council Committee. The Cache County Youth Safety Council Committee is comprised of youth members between the ages of 16 and 18. Every city in Cache County has the opportunity to have one of its youth serve on the Youth Safety Council Committee. This Committee will meet monthly to discuss the problems and challenges facing the youth of our communities, such as, gangs, drugs, safety, etc. Committee members are not expected to tell on ~~there~~ their fellow classmates, but to discuss everyday issues and concerns.

AMENDED  
03-20-08

Councilmember Miller said one of the members of the Hyrum City Youth Council serves on the Hyrum City Public Safety Committee and she will invite that member to represent Hyrum City on the Cache County Youth Safety Council Committee.

**AARON WISER - TO REQUEST FINAL PLAT APPROVAL FOR PHASE I OF BLACKSMITH VILLAGE SUBDIVISION LOCATED AT APPROXIMATELY 500 SOUTH BETWEEN 650 EAST AND 800 EAST.**

Aaron Wisser said Phase I of Blacksmith Village consists of 29 single family residential lots. The building lots range in size from 12,000 square feet to 27,723 square feet. However, the majority of the lots are 12,000 square feet. Lots that front State Highway 165 shall access their driveways from 700 East, but the houses will face the highway.

Zoning Administrator Ron Salvesen said Hyrum City's Engineer Craig Neeley has reviewed the final plat for Phase I of Blacksmith Village and is recommending approval. Phase I will

have an access onto State Highway 165 and an access from Glenwood Drive. The sewer for for Phase I will tie into the Leo C. Nielsen Subdivision on 500 South. The developers of Blacksmith Village will have to install a 12" sewer line stub and manholes from State Highway 165 through the intersection of 700 East and 600 South so that in the future Rolling Hills can tie into it. The City has a signed agreement with Kartchner Homes to allow the sewer line to be installed for Phase 2 and 3.

Councilmember Rasmussen suggested reducing the number of monuments in Phase I of Blacksmith Village from five to three, if City Engineer Craig Neeley approves it.

**ACTION**

**Councilmember LaBau made a motion to approve the final plat for Phase I of Blacksmith Village Subdivision located at approximately 500 South between 650 East and 800 East with the following conditions: 1) Upon approval by City Engineer Craig Neeley the monuments may be reduced from five to three; and 2) The developer provide the City with a copy of all easements necessary for the development of Blacksmith Village. Councilmember Miller seconded the motion and all three councilmembers present voted aye.**

**KEVIN MAUGHAN, HYRUM FIRE DEPARTMENT- TO DISCUSS REQUIRING A FIRE INSPECTION OF ALL BUSINESSES APPLYING FOR A BUSINESS LICENSE INCLUDING ANNUAL RENEWALS.**

Kevin Maughan, Hyrum City Fire Department, said to further comply with State Law the Hyrum City Fire Department needs to implement a fire inspection program for the businesses in Hyrum. The Fire Department is recommending the City Council require all businesses to be inspected annually by a member of the Hyrum City Fire Department before the business license is renewed. An inspection would be required of all businesses including Home Occupation Businesses. The Fire Department would inspect the businesses for obstructions at exits and stairways; fire extinguishers; functioning sprinkler system; alarm systems; electrical panels & wiring; flammable liquids; and storage issues.

Councilmember LaBau said he agrees with the Fire Department that commercial buildings should have a fire inspection, but he feels that it is an invasion of privacy to inspect the house of a Home Occupation Business License applicant.

Kevin Maughan said if the City Council does not feel comfortable with the Fire Department inspecting a house that has a Home Occupation Business License then the City Council could require the owner to conduct an inspection of the house. The City could charge a small fee of \$10 for self inspections to cover the costs of reviewing the self inspection form and filing the form, and

\$20 per hour fee for Commercial Businesses.

Councilmember Miller said she agrees with Councilmember LaBau that Commercial Businesses should be inspected on an annual basis by the Fire Department, but she is unsure about Home Occupation Businesses.

Councilmember LaBau said he didn't feel comfortable assessing a fee for a Home Occupation Business because the City is not conducting the inspection. He is also concerned about how the Fire Department would inspect storage sheds since the contents of the storage shed are private and can not be inspected.

Kevin Maughan said storage sheds are different from a regular commercial business and he would research the Fire Code to determine what type of inspection needs to be conducted on storage sheds.

**ACTION** Councilmember LaBau made a motion to require all Commercial Businesses except for storage sheds to have a Fire Safety Inspection conducted annually by the Hyrum Fire Department, for a fee of \$20 per hour. The Fire Safety Inspection is to be done prior to renewal or issuance of a business license. A Fire Safety Self Inspection worksheet will be sent to all Home Occupation Business License holders to be filled out and sent back with the Business License Renewal Application. There will be no Fire Safety Inspection fee assessed to Home Occupation Business Licenses. Councilmember Miller seconded the motion and all three councilmembers present voted aye.

**INTRODUCTION AND ADOPTION OF AN ORDINANCE:**

**ORDINANCE 08-05 - AN ORDINANCE AMENDING SECTION 6.08.090 OF THE HYRUM CITY MUNICIPAL CODE TO FURTHER DEFINE THE LENGTH OF TIME A DOG MAY BE KEPT, BOARDED, HARBORED OR MAINTAINED IN HYRUM CITY.**

**AMENDED**  
**03-20-08**

Mayor Howard said Ordinance 08-05 will amend the length of time a dog ~~may be~~ maybe kept at a temporary location from a period not to exceed thirty consecutive days in any calendar year to a period not to exceed thirty days in a calendar year.

Animal Control Officer Kirt Lindley said there are people in Hyrum that are babysitting dogs five days a week all year long and the current ordinance allows it. The proposed amendments would allow a person to keep a dog at a temporary location not more than thirty days a calendar year.

**ACTION** Councilmember LaBau made a motion to adopt Ordinance 08-05 amending Section 6.08.090 of the Hyrum City Municipal Code to further define the length of time a

**dog may be kept, boarded, harbored, or maintained in Hyrum City. Councilmember Miller seconded the motion and all three councilmembers voted aye.**

***OTHER BUSINESS:***

**MAYOR AND CITY COUNCIL REPORTS.**

Councilmember LaBau said the Cache Mosquito Abatement District was incorporated in December of 2005. Currently it is providing mosquito abatement to all be Logan, River Heights, and Paradise and the College-Young Ward Mosquito Abatement District. All operating funds are obtained through a tax levy on real property plus business personal property and other tax sources. Last year there were two deaths in Utah caused by the West Nile Virus, and Cache Valley had 11 reportable cases of the West Nile Virus. He passed out the 2007 Mosquito Abatement Report. This year's fogging schedule for Hyrum City will generally take place on Thursdays between the hours of 8:00 p.m. and 1:00 a.m.

Councilmember Miller said the Youth Council Leadership Training Workshop is being held between March 13 and March 15 at Utah State University. She has contacted a group of women about designing and constructing this year's Community Booth for the Cache County Fair.

Mayor Howard said he participated in a conference call with City Staff, FERC, and the Forest Service regarding a new fish ladder that the Fish and Game and the Forest Service want Hyrum City to install as part of its Hydro Plant Relicensing Project. FERC told the Forest Service that it was not going to require Hyrum City to build a new fish ladder. Now the Forest Service has 30 days to file an appeal against FERC's decision.

***ADJOURNMENT:***

**ACTION                    There being no further business before the Council, the Council Meeting adjourned at 7:30 p.m.**

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W. Dean Howard  
Mayor

ATTEST:

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Stephanie Fricke  
City Recorder

Approved: March 20, 2008  
As Amended