

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD APRIL 17, 2008 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

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

**CONDUCTING:** Mayor W. Dean Howard

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

**EXCUSED:** Councilmember Martin L. Felix

**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 seven citizens. Secretary Keesha Rinderknecht recorded the minutes.

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

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

**INVOCATION:** City Administrator Brent Jensen.

**APPROVAL OF MINUTES:**

The minutes of April 3, 2008 were amended as follows: Page 2, Scheduled Delegations Paragraph 1, after "As the developer of Blacksmith Fork Industrial Park Subdivision it" add "is"; and Page 3, Paragraph 1, after "located off the paved streets and surrounded by" change "sold" to "solid"; and Page 3, Paragraph 3, after "it has a bond from Blacksmith Fork Industrial Park and" change "an easement" to "a right-of-way"; and Page 4, Paragraph 1, after "upon the developers giving the City" change "an easement" to "a right-of-way"; and Page 4, Action Paragraph 2, after "completed if the City has" change "an easement" to "a right-of-way."

**ACTION** Councilmember Miller made a motion to approve the minutes of April 3, 2008 with the above amendments. Councilmember Rasmussen seconded the motion and Councilmembers James, Rasmussen, Miller voted aye and Councilmember LaBau abstained. The motion passed.

**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 Howard said that items "10.C. Bruce Blaine & Brook Staples,

Blacksmith Industrial Park" and "12.A. Appointment to the Hyrum City Library Committee" needed to be removed from the agenda.

**ACTION** Councilmember James made a motion to approve the agenda with the above amendments. Councilmember Miller seconded the motion and all four councilmembers present voted aye.

Councilmember James suggested amending his motion to remove items "12.A. Appointment to the Hyrum City Library Committee" and "12.B. Consideration and approval of Blacksmith Industrial Park Subdivision Surety Bond" leaving item "12.C. Bruce Blaine & Brook Staples, Blacksmith Industrial Park" on the agenda. Councilmember Miller seconded the amendment to the motion and all four councilmembers present voted aye.

AMENDED  
05-01-08

AGENDA

- 9. PUBLIC HEARING:
  - A. To consider a proposal to increase residential and commercial sewer service rates.
- 10. SCHEDULED DELEGATIONS:
  - A. Paul Berntson, Cache County Building Inspector - To present the 2007 Annual Building Permit Report.
  - B. Tony Guillen, C&C Recycling Services - To request site plan approval for a handling shed located at 1750 East Anvil Road.
  - C. Bruce Blaine & Brooke Staples, Blacksmith Industrial Park - To request site plan approval for storage units, and an office and warehouse building located at approximately 1875 Anvil Road.
- 11. INTRODUCTION AND ADOPTION OF AN RESOLUTION:
  - A. Resolution 08-19 - A resolution setting sewer service rates.
- 12. OTHER BUSINESS:
  - A. ~~Appointment to the Hyrum City Library Committee.~~
  - B. ~~Consideration and approval of Blacksmith Industrial Park Subdivision Surety Bond.~~
  - C. Mayor and City Council reports.
- 13. ADJOURNMENT

**PUBLIC HEARING:**

**TO CONSIDER A PROPOSAL TO INCREASE RESIDENTIAL AND COMMERCIAL SEWER SERVICE RATES.**

City Administrator D. Brent Jensen said he has reviewed the last few years of history of the reserves of the wastewater, which are at dangerous levels. When the audit report was presented this year the auditors made it a point that the City needed to increase the sewer rates. Wastewater expenditures have exceeded the revenues over the last four years. The City is looking at increasing residential sewer rates by 14% which would increase sewer rates by four dollars from \$28

to \$32. Operating expenses are high because of the cost of electricity, natural gas, and chemicals such as aluminum sulfate.

Mayor Howard said that the City doesn't have a choice but to increase sewer rates. Every city enterprise fund needs to stand on its own and hold a reserve incase of an emergency.

City Administrator Brent Jensen said that the City did a survey around the state of wastewater collection rates. A lot of the cities polled base sewer rates on water consumption. The proposal before the City Council is for two different rates, one based on water consumption during the winter which the base rate would go down. Those who consume more water in the winter months would see higher sewer rates some as high as \$100.

Mayor Howard said that Fairview, Utah has a similar system to ours with sewer rates at \$37.50. Richmond is building a plant similar to ours and plans on starting rates at \$41.

City Administrator Brent Jensen said other sewer rates in comparison, the lowest being South Salt Lake using an old system charges \$3.30 per month plus \$1 per thousand gallons of water used. Nibley City sends their sewer to Logan City's treatment plant and charges \$35, Hyde Park charges \$30, and Providence charges \$29.

**ACTION Councilmember James made a motion at 6:45 p.m. to open the Public Hearing to receive public comment regarding a proposal to increase residential and commercial sewer service rates. Councilmember Miller seconded the motion and all four councilmembers voted aye.**

Mayor Howard asked for public comment.

Phil Williamson asked what about those who are on fixed incomes.

Mayor Howard said that he understands that there are people in the community who are on fixed incomes, that \$2 a month would hurt. The City has dropped the reserves to a very scary level and can't continue to do so. The City is looking at possibly finding a way to mitigate some of these things for those who are on fixed incomes.

Phil Williamson asked is the rate increase for businesses and residents.

Mayor Howard said that the rate increase is for businesses and residents.

After no further public comment, Mayor Howard called for a motion to close the public hearing.

**ACTION Councilmember James made a motion at 6:51 p.m. to close the public hearing to receive public comment regarding a proposal to increase residential and commercial sewer service rates. Councilmember**

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

**SCHEDULED DELEGATIONS:**

**PAUL BERNTSON, CACHE COUNTY BUILDING INSPECTOR - TO PRESENT THE 2007 ANNUAL BUILDING PERMIT REPORT.**

Paul Berntson from the Cache County Building Department said that Hyrum has stayed similar to what the County was for 2006 and 2007. So far this year the building permits are down but they should bounce back and we should have a pretty reasonable year. The County has a new way of handling inspections with a printed form. If the inspection passes it shows in green, if it doesn't it will be printed in red with a code reference.

Mayor Howard asked if for some reason the inspection doesn't pass, does that stop the whole project until that problem is passed.

Paul Berntson said depending on what the problem is, construction can continue. The County will schedule another inspection to recheck that item.

Councilmember LaBau asked if a final inspection has to be passed to get an occupancy permit.

Paul Berntson said that a final inspection usually needs to be passed to get an occupancy permit. Something like grading or a deck that needs to be installed and the weather doesn't permit, to a degree those things can be worked with.

Councilmember James asked was the commercial box cooler expansion at E.A. Millers included in Hyrum City's report for last year or was it included in the unincorporated area. E.A. Millers is in Hyrum City limits so it should be included in Hyrum's report.

Paul Berntson said that he would check it may have been included in the unincorporated area.

Mayor Howard thanked Paul Berntson and said that the County does a great job handling the building permits.

**TONY GUILLEN, C&C RECYCLING SERVICES - TO REQUEST SITE PLAN APPROVAL FOR A HANDLING SHED LOCATED AT 1750 EAST ANVIL ROAD.**

Tony Guillen asked the Council for permission for a storage shed to keep the wind from blowing their product.

Councilmember James asked if C&C Recycling is in agreement with the Planning Commission to put in a curb, gutter and asphalt along this area to add a lane for the trucks to turn in.

Zoning Administrator Ron Salvesen said that C&C has had problems with the wind blowing garbage when trucks are being unloaded. They have been great at taking care of the problem and getting the garbage cleaned up. Adding this shed will help so they can unload trucks in a covered area and will contain it's trash on site.

Councilmember Rasmussen asked where the 5x12' panels are located on the site plan.

John Greene said that there will be six 5x12' panels used as a rolling gate to cover their product; it would close with attached tri-fold doors during the unloading process to keep it from blowing. The final plan may vary in height; the shed may have to be a little higher.

Councilmember Rasmussen asked if there would be hard surface parking on the south side of the building.

Zoning Administrator Ron Salvesen said that they are requiring C&C to provide hard surface parking for employees which would be located on the south side between the building and shed. The handling shed will be placed on the current hard surface employee parking so additional hard surface parking will be added.

Councilmember Rasmussen asked in relation to the proposed handling shed where the sump is located.

John Greene said that the sump is located on the north side between the building and the handling shed. The sump should be completed with the corrugated steel within a week to ten days.

**ACTION** Councilmember LaBau made a motion to approve the site plan for Tony Guillen, C&C Recycling Services for a handling shed located at 1750 East Anvil Road with the following conditions outlined by the Planning Commission: 1) Landscaping and maintenance plan be approved by City staff to fit park strip area; 2) Hard surface parking for each employee on south side of building; 3) Minimum 100 feet of curb, gutter and asphalt on Anvil Road; and 4) Complete sump on northeast corner of building. Councilmember James seconded the motion and all four councilmembers present voted aye.

Councilmember Rasmussen suggested amending Councilmember LaBau's motion to require C&C Recycling to provide City staff with an updated site plan including the roof elevation adjustment of the proposed shed, hard surface parking and curb and gutter for City Staff approval. Councilmember LaBau and James accepted Councilmember Rasmussen's amendment to the motion and all four councilmembers present voted aye.

**BRUCE BLAINE & BROOKE STAPLES, BLACKSMITH INDUSTRIAL PARK - TO REQUEST SITE PLAN APPROVAL FOR STORAGE UNITS, AND AN OFFICE AND WAREHOUSE BUILDING LOCATED AT APPROXIMATELY 1875 ANVIL ROAD.**

Zoning Administrator Ron Salvesen said that Bruce Blaine and Brooke Staples were unable to attend tonight's meeting and asked him to represent them. They are in agreement with all the Planning Commission comments and will be using part of the building for an office for a construction company.

Mayor Howard asked if the office would be a brick building.

Zoning Administrator Ron Salvesen said it would be a very nice brick building. They are very excited to get going on the project.

Councilmember Rasmussen asked if the project is located in the industrial subdivision.

Zoning Administrator Ron Salvesen said the project is located on a piece of property next to the industrial subdivision that was owned by John Greene. The property has gone through the mini sub-division approval with the Planning Commission. The building will be built with a conditional use permit from the Planning Commission.

Councilmember Rasmussen asked if the property transfer of this property has been completed.

City Administrator Brent Jensen said that the property transfer is complete, the mini subdivision process took longer then they expected.

Zoning Administrator Ron Salvesen said the width of entrances and 30' setbacks all meet the requirements. The fire department has asked to wait until this project is ready for building permit approval to see the building up close to dictate the location of fire hydrants.

Councilmember Rasmussen asked what the setback is on the east side of the property line.

Zoning Administrator Ron Salvesen said the setback will be a minimum of one foot or whatever is needed to contain storm water which will probably need to be two feet. They are planning on adding a swell to help contain the storm water as well.

**ACTION** Councilmember James made a motion to approve the site plan for storage units, office and warehouse building located at approximately 1875 Anvil Road with the following conditions outlined by the Planning Commission: 1) Storage sheds setback from property line at whatever needed to contain storm water on property with a minimum of one foot; 2) Any signage approved by Zoning Administrator; 3) Fire code requirements added at building permit review (# fire hydrants etc.); 4) If 8' waterline needs to be relocated at developers expense; 5) Lighting approved on construction drawings by city staff; 6) Site maintenance plan approved by city staff; 7) Dumpster enclosure indicated. Councilmember LaBau seconded the motion and all four councilmembers

**present voted aye.**

**INTRODUCTION AND ADOPTION OF A RESOLUTION:**

**RESOLUTION 08-19 - A RESOLUTION SETTING SEWER SERVICE RATES.**

**ACTION Councilmember LaBau made a motion to approve Resolution 08-19 setting sewer service rates at a flat rate. Councilmember James seconded the motion and all four councilmembers present voted aye.**

**MAYOR AND CITY COUNCIL REPORTS.**

Councilmember James said almost 400 kids signed up to play soccer this year and will be starting to play in full force this week. Using the smaller fields has helped a lot this year with the parking problems. Brian Tippetts is looking for someone in Hyrum to be a soccer director and would like to include the information in the city newsletter.

Councilmember Miller said that the new Dairy Princess royalty is listed on the web-site and would like to have a picture of the girls in the Herald Journal. She recently received a Cache County library petition with over 480 names on it so far, wanting the City to sign onto it. Saturday morning a crew of people is putting the float together in the City shop.

Mayor Howard said that the Bough group would like to hold a financial analysis workshop with the City Council on May 13<sup>th</sup> at 4:00 p.m. The future of power costs are a big concern right now. Crisp power is our cheapest source right now and it looks like we should have a good water year to balance Lake Powell and Lake Mead. San Juan bonds are lower than they have been before and making about a two percent profit. Payson is running well and is a valuable source. UAMPS is currently looking at other sources of power like the Two Elk Plant in Wyoming.

**ADJOURNMENT:**

**ACTION There being no further business before the Council, the Council Meeting adjourned at 7:43 p.m.**

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W. Dean Howard  
Mayor

ATTEST:

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Stephanie Fricke  
City Recorder

Approved: May 1, 2008  
As Amended