

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MAY 21, 2009 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, Thomas C. LaBau, Stephanie Miller, and Craig Rasmussen present.

EXCUSED

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

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

WELCOME: Mayor Howard welcomed everyone in attendance.

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

INVOCATION: City Administrator D. Brent Jensen

APPROVAL OF MINUTES:

The minutes of May 7, 2009 were approved as written.

ACTION Councilmember LaBau made a motion to approve the minutes of a regular meeting on May 7, 2009 as written. Councilmember Miller seconded the motion and all five councilmembers voted aye.

The minutes of May 14, 2009 were approved as written.

ACTION Councilmember James made a motion to approve the minutes of a special meeting on May 14, 2009 as written. Councilmember Felix seconded the motion and all five councilmembers 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 Miller made a motion to approve the agenda as written. Councilmember LaBau seconded the motion and all five councilmembers voted aye.

8. SCHEDULED DELEGATIONS:
 - A. Anna Lopez, Azteca Market - To request site plan approval for an expansion to Azteca Market at 290 West Main Street.
9. OTHER BUSINESS:
 - A. Consideration and approval of an Interlocal Agreement between Cache County and Hyrum City for Law Enforcement Services.
 - B. Tentative adoption of the 2009-2010 Operating Budgets, and setting a date for a public hearing.
 - C. Certification of Annexation Petition (M. Miller Annexation).
 - D. Mayor and City Council reports.
10. ADJOURNMENT

SCHEDULED DELEGATIONS:

ANNA LOPEZ, AZTECA MARKET - TO REQUEST SITE PLAN APPROVAL FOR AN EXPANSION TO AZTECA MARKET AT 290 WEST MAIN STREET.

Anna Lopez said she owns Azteca Market at 290 West Main Street. She rents out the building for private parties but the building is not large enough to store a stage, table, chairs, and other miscellaneous items. She wants to expand the building with a 20' x 60' storage area on the east side. There will be a double door in the new area that will also serve as an emergency exit. The area will be landscaped, and sidewalks and outside lighting will be installed.

Zoning Administrator Ron Salvesen said the Planning Commission reviewed the site plan for an expansion to Azteca Market on May 14, 2009 and recommended approval. Fire Department requirements will be determined during the building permit process.

ACTION

Councilmember LaBau made a motion to approve Anna Lopez's request for site plan approval for an expansion to Azteca Market at 290 West Main Street. Councilmember Felix seconded the motion.

Councilmember Rasmussen recommended amending Councilmember LaBau's motion to include that the sidewalk and emergency exit door meet all Code requirements. Councilmember LaBau and Felix accepted Councilmember Rasmussen's amendment to the motion.

Councilmember LaBau recommended amending his motion to include that if there is any new outside lighting that it needs to be dark sky friendly. Councilmember Felix accepted the amendment.

Mayor Howard called for a vote on the motion and all five councilmembers voted aye.

OTHER BUSINESS:

CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN CACHE COUNTY AND HYRUM CITY FOR LAW ENFORCEMENT SERVICES.

Mayor Howard said the City received the 2009-2010 Law Enforcement Services contract with Cache County Sheriff's Office. The contract is the same as last year; 6,240 hours of service for \$287,040.

ACTION Councilmember James made a motion to approve the
AMENDED Interlocal Agreement ~~betwee3n~~ between Cache County
06-04-09 and Hyrum City for Law Enforcement Services.
Councilmember Rasmussen seconded the motion and all five councilmembers voted aye.

TENTATIVE ADOPTION OF THE 2009-2010 OPERATING BUDGETS, AND SETTING A DATE FOR A PUBLIC HEARING.

ACTION Councilmember Felix made a motion to adopt the tentative 2009-2010 Operating Budgets and to schedule a public hearing on June 5, 2009. Councilmember James seconded the motion and all five councilmembers voted aye.

CERTIFICATION OF ANNEXATION PETITION (M. MILLER ANNEXATION).

City Recorder Stephanie Fricke said she reviewed the Mark Miller annexation petition and has 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 the Cache County Council, and Cache County School District.

ACTION Councilmember Rasmussen made a motion to accept certification of the Mark Miller Annexation Petition. Councilmember LaBau seconded the motion and all five councilmembers voted aye.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember James said there were over 500 kids from Hyrum that played soccer this year and over 300 Hyrum kids have registered for softball and baseball.

Councilmember Rasmussen asked if the City could install a garbage can near the bus stop at 25 North 400 West to help prevent litter.

Councilmember Miller said the Youth Council is helping put flags on the graves of Veterans. She is finalizing all of the arrangements for the July 4th Celebration and should have posters out by the end of May. She asked if the Soccer Fields and East Park could be sprayed for mosquitoes before July 2. She is putting together a committee of past elected officials to help plan and organize Hyrum City's Sesquicentennial Celebration.

Mayor Howard reported on the UAMPS Board Meeting. There is a proposal to put a \$30 tax per ton on coal. The flow in Lake Power is anticipated to be 92% of average, but the water level in the lake is not as high as it should be. There is going to be a flow study from May 21 through May 27. CRSP is considering lowering its rates. Hunter and San Juan sold SO2 credits this past fall. Increased usage in the Payson Nebo Plant has created some maintenance problems that need to be fixed immediately. Since the plant has to be shut down the major maintenance scheduled for next year will be done now. He is recommending no change in the call back of IPP Power this summer.

ADJOURNMENT:

ACTION **There being no further business before the City Council, the Council Meeting adjourned at 7:05 p.m.**

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: June 4, 2009
 As Amended