

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JUNE 18, 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.

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 seven citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Howard welcomed everyone in attendance.

PLEDGE OF ALLEGIANCE: Boy Scout Christopher Bland led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: Mayor W. Dean Howard

APPROVAL OF MINUTES:

The minutes of June 4, 2009 were approved as written.

ACTION Councilmember LaBau made a motion to approve the minutes of June 4, 2009 as written. Councilmember Rasmussen 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, posted on the State of Utah Public Notice website, 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 Rasmussen seconded the motion and all five councilmembers voted aye.

AGENDA

8. SCHEDULED DELEGATIONS:
 - A. Royce Yorgason, Elk Mountain P.U.D. - To discuss impact fees and construction changes to Elk Mountain P.U.D. located at approximately 1300 East 300 South.
9. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCE:
 - A. Resolution 09-08 - A resolution amending the 2008-2009

- General Fund, Water Fund, Sewer Fund, Electric Fund, Irrigation Fund, Storm Water Fund, Capital Projects Fund, and Library Trust Fund Operating Budgets.
- B. Resolution 09-09 - A resolution establishing the Municipal Certified Tax Rate for Fiscal 2009-2010.
 - C. Resolution 09-10 - A resolution approving and adopting the Fiscal 2009-2010 Operating Budgets for Hyrum City's General Fund, Culinary Water Fund, Sewer Fund, Electric Fund, Irrigation Water Fund, Storm Water Fund, Capital Projects Fun, Debt Service Fund, and Library Trust Fund.
 - D. Ordinance 09-06 - An ordinance amending Chapter 2.12, Section 2.12.010 of the Hyrum City Municipal Code, to provide for adjustments in the salaries of officers and employees of Hyrum City.
10. OTHER BUSINESS:
A. Mayor and City Council reports.
11. ADJOURNMENT

SCHEDULED DELEGATIONS:

ROYCE YORGASON, ELK MOUNTAIN P.U.D. - TO DISCUSS IMPACT FEES AND CONSTRUCTION CHANGES TO ELK MOUNTAIN P.U.D. LOCATED AT APPROXIMATELY 1300 EAST 300 SOUTH.

Ron Hales with Elk Mountain P.U.D. said the townhouses currently being constructed in Elk Mountain are high quality units, but are being sold for \$10,000 less than similar units in Cache Valley. In order for the development to be profitable they want to eliminate the sidewalk around the park, and the sidewalks and lights in between the townhouses. Phase I-B was originally planned as a retirement community, but this area is not the best location for senior housing. He suggested replacing the senior housing in Phase 1-B with twin homes and moving the retirement community to Phase 2-B.

Councilmember Rasmussen said the sidewalks in between the townhouses may not be necessary but a sidewalk is needed around the park area. He asked Ron when the park would be constructed and playground equipment installed.

Ron Hales said he will build the park when he has generated the funds necessary through the sale of townhouses. Due to the cost of liability insurance he may not install playground equipment.

Councilmember Rasmussen said if the City Council approves Ron's request to allow twin homes instead of senior housing the density for that area will be doubled. There needs to be playground equipment installed and additional open space if the City Council approves the twin homes.

Royce Yorgasen said the Home Owner's Association will maintain

the front yards of the twin homes just like it will for the townhouses.

ACTION

Councilmember LaBau made a motion approve the removal of sidewalks in between the townhouses in Phase I-A of Elk Mountain P.U.D. The sidewalk around the kidney shaped park is to remain until construction of Phase I-A is completed and then the City Council may reconsider the sidewalk at that time. The proposal to amend Phase I-B by allowing twin homes rather than senior housing, and for the senior housing area to be relocated to Phase 2-B be reviewed by the Planning Commission for its recommendations. Councilmember Felix seconded the motion.

Councilmember Rasmussen made a substitute motion to require the park to be completed prior to the construction of Phase I-B; to require the developers to include additional open space in Phase I, if Phase I-B is redesigned with twin homes; and to approve the removal of sidewalks in between the townhouses in Phase I-A of Elk Mountain P.U.D. The sidewalk around the kidney shaped park is to remain until construction of Phase I-A is completed and then the City Council may reconsider the sidewalk at that time. The proposal to amend Phase I-B by allowing twin homes rather than senior housing, and for the senior housing area to be relocated to Phase 2-B be reviewed by the Planning Commission for its recommendations. . Councilmember Felix seconded the motion and all five councilmembers voted aye.

INTRODUCTION AND ADOPTION OF AN ORDINANCE:

RESOLUTION 09-08 - A RESOLUTION AMENDING THE 2008-2009 GENERAL FUND, WATER FUND, SEWER FUND, ELECTRIC FUND, IRRIGATION FUND, STORM WATER FUND, CAPITAL PROJECTS FUND, AND LIBRARY TRUST FUND OPERATING BUDGETS.

Mayor Howard said the public hearing to discuss the following resolutions and ordinance was held on June 4, 2009.

ACTION

Councilmember Felix made a motion to approve Resolution 09-08 amending the 2008-2009 General Fund, Water Fund, Sewer Fund, Electric Fund, Irrigation Fund, Storm Water Fund, Capital Projects Fund, and Library Trust Fund Operating Budgets. Councilmember LaBau seconded the motion and all five councilmembers voted aye.

RESOLUTION 09-09 - A RESOLUTION ESTABLISHING THE MUNICIPAL

CERTIFIED TAX RATE FOR FISCAL 2009-2010.

ACTION Councilmember LaBau made a motion to approve Resolution 09-09 establishing the Municipal Certified Tax Rate for Fiscal 2009-2010 at .001437. Councilmember Rasmussen seconded the motion and all five councilmembers voted aye.

RESOLUTION 09-10 - A RESOLUTION APPROVING AND ADOPTING THE FISCAL 2009-2010 OPERATING BUDGETS FOR HYRUM CITY'S GENERAL FUND, CULINARY WATER FUND, SEWER FUND, ELECTRIC FUND, IRRIGATION WATER FUND, STORM WATER FUND, CAPITAL PROJECTS FUND, DEBT SERVICE FUND, AND LIBRARY TRUST FUND.

ACTION Councilmember Rasmussen made a motion to approve Resolution 09-10 adopting the Fiscal 2009-2010 Operating Budgets for Hyrum City's General Fund, Culinary Water Fund, Sewer Fund, Electric Fund, Irrigation Water Fund, Storm Water Fund, the Capital Projects Fund, Debt Service Fund, and Library Trust Fund. Councilmember Miller seconded the motion and all five councilmembers voted aye.

AMENDED
07-16-09

ORDINANCE 09-06 - AN ORDINANCE AMENDING CHAPTER 2.12, SECTION 2.12.010 OF THE HYRUM CITY MUNICIPAL CODE, TO PROVIDE FOR ADJUSTMENTS IN THE SALARIES OF OFFICERS AND EMPLOYEES OF HYRUM CITY.

ACTION Councilmember Rasmussen made a motion to approve Ordinance 09-06 amending Chapter 2.12, Section 2.12.010 of the Hyrum City Municipal Code, to provide for adjustments in the salaries of officers and employees of Hyrum City. Councilmember Felix seconded the motion and all five councilmembers voted aye.

OTHER BUSINESS:

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Miller said the Hyrum Saddle Club changed the time of the rodeo from 8:00 p.m. to 7:00 p.m. She asked Mayor Howard to be on the City Square at 9:00 a.m. on July 4 to congratulate the Freedom Runners.

Mayor Howard said there is a possibility of the City getting a grant for a solar system at the library. The Payson Power Plant is in operation after a full overhaul.

ADJOURNMENT:

ACTION There being no further business before the City

Council, the Council Meeting adjourned at 7:25 p.m.

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: July 16, 2009
As Amended