

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MARCH 4, 2010 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 L. Rasmussen.

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 five citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Howard welcomed everyone in attendance.

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

INVOCATION: Councilmember Rasmussen

APPROVAL OF MINUTES:

The minutes of February 18, 2010 were approved as written.

ACTION Councilmember Miller made a motion to approve the minutes of February 18, 2010 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 Rasmussen made a motion to approve the agenda as written. Councilmember James seconded the motion and all five councilmembers voted aye.

AGENDA

8. SCHEDULED DELEGATIONS:

- A. Doug Bingham - To request a home occupation business license at 290 West 200 North for a road grading business.
- B. Denae Pruden - To request a home occupation business license at 359 South 100 East for a preschool.

- C. Aaron Wiser, Blacksmith Village Subdivision - To request a one year extension for the recording of the final plat for Blacksmith Village Subdivision; and to divide Phase I into two phases.
9. OTHER BUSINESS:
- A. Cache Valley Ranch water rights.
- B. Mayor and City Council reports.
10. ADJOURNMENT

SCHEDULED DELEGATIONS:

DOUG BINGHAM - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 290 WEST 200 NORTH FOR A ROAD GRADING BUSINESS.

Doug Bingham requested a home occupation business license at 290 West 200 North for a road grading business. He has purchased a road grader that he wants to park on his property at 290 West 200 North, when it is not left at a construction site. There is a long driveway on one side of his house and another driveway that leads to his shop behind his house. The road grader will be parked in the driveway or shop.

Councilmember Rasmussen asked if the road grader was the only construction vehicle he would have.

Doug Bingham said currently he only has a road grader and if he buys additional equipment he will not keep or park it at his residence.

ACTION

Councilmember LaBau made a motion to approve a home occupation business license for Doug Bingham at 290 West 200 North for a road grading business with the following conditions: the road grader is parked on private property; and no additional construction vehicles will be parked at his residence. Councilmember James seconded the motion and all five councilmembers voted aye.

DENAE PRUDEN - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 359 SOUTH 100 EAST FOR A PRESCHOOL.

Denae Pruden requested a home occupation business license at 359 South 100 East for a preschool. She is planning on having two and one-half hour sessions in the morning and the afternoon. She anticipates having up to ten children at each session. She does not plan on parents staying during the preschool session, but her driveway is long enough to accommodate several parked cars.

ACTION

Councilmember James made a motion to approve a home occupation business license for Danae Pruden at 359 South 100 East for a preschool. Councilmember LaBau

seconded the motion and all five councilmembers voted aye.

AARON WISER, BLACKSMITH VILLAGE SUBDIVISION - TO REQUEST A ONE YEAR EXTENSION FOR THE RECORDING OF THE FINAL PLAT FOR BLACKSMITH VILLAGE SUBDIVISION; AND TO DIVIDE PHASE I INTO TWO PHASES.

Aaron Wiser said in February of 2009 the City Council granted him a one-year extension for the recording of the final plat for Blacksmith Village Subdivision. Due to economic conditions it is still unfeasible for him to start construction on Blacksmith Village. Phase I is 12.54 acres with 29 building lots. He would prefer dividing Phase I into two phases: Phase 1A lots 1-5 and 25-29 for a total of 10 lots; and Phase IB lots 6-24 for a total of 19 lots. If the City Council approves the dividing Phase I into two phases he hopes to start construction on Phase 1A this summer. In Phase 1A he is prepared to bond for the entire 500 South street to where it exits on 800 East and if needed loop the culinary water line so that fire flow requirements are met

ACTION

Councilmember LaBau made a motion to approve a one year extension for the recording of the final plat for Blacksmith Village; and to divide Phase I into two Phases. Councilmember Felix seconded the motion.

Councilmember Rasmussen suggested amending Councilmember LaBau's motion to include that dividing Phase I into two phases is based on the following conditions: Before starting construction on Phase IA bond that is renewable or lasts longer than 18 months will need to be submitted to the City for the entire cost of the 500 South street to where it exits on 800 East; and If needed in Phase IA the culinary water line may need to be looped so that fire flow requirements are met. Councilmember LaBau and Felix accepted Councilmember Rasmussen's amendment to the motion and all five councilmembers voted aye.

OTHER BUSINESS:

CACHE VALLEY RANCH WATER RIGHTS.

City Administrator D. Brent Jensen said the City Council voted last year to enter into a long-term agreement with Curtis Dent for use of our Cache Valley Ranch water providing the state engineer approved the transaction. Bob Fotheringham recommended the City not enter into an agreement to sell water to Curtis and recommended the City advice Curtis to purchase water rights from Cache Valley Ranch.

ACTION Councilmember Rasmussen made a motion based upon the recommendation of Bob Fotheringham to rescind the City Council's previous motion to enter into a long term agreement with Curtis Dent for use of the City's Cache Valley Ranch water. Councilmember LaBau seconded the motion and Councilmembers Felix, LaBau, Miller, and Rasmussen voted aye and Councilmember James voted nay. The motion passed.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Felix said the Census starts April 1, 2010 and posters are being hung-up throughout the community.

Councilmember James said baseball registration starts in March and participants will be able to register on line through Hyrum City's website.

Councilmember Miller said the Hyrum City Princess Pageant is tomorrow night at 7:00 p.m. in the Hyrum Civic Center. The Youth Council is attending the USU Leadership Training Conference on March 18 and 19, so she will not be in attendance at the March 18 City Council meeting.

ADJOURNMENT:

ACTION There being no further business before the City Council, the Council Meeting adjourned at 7:00 p.m.

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: March 18, 2010
As Written