

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MAY 20, 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, Stephanie Miller, and Craig L. Rasmussen.

**EXCUSED:** Councilmember Thomas C. LaBau

**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 three citizens. City Recorder Stephanie Fricke recorded the minutes.

**WELCOME:** Mayor Howard welcomed everyone in attendance.

**PLEDGE OF ALLEGIANCE:** Boy Scout Luis Cardea led the governing body and the citizens in the Pledge of Allegiance.

**INVOCATION:** Councilmember James

**APPROVAL OF MINUTES:**

The minutes of May 6, 2010 were approved as written.

**ACTION** Councilmember James made a motion to approve the City Council minutes of May 6, 2010 as written. Councilmember Felix seconded the motion and all four councilmembers present voted aye.

**AGENDA ADOPTION:** A copy of the notice and agenda for this meeting was faxed and e-mailed 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 Felix made a motion to approve the agenda as written. Councilmember Miller seconded the motion and all four councilmembers present voted aye.

AGENDA

8. SCHEDULED DELEGATIONS:
  - A. Zoning Administrator Ron Salvesen - To request site plan approval for an electric substation and metal power poles on Hammer Road.
  - B. ElRay Robinson, American Legion - To request approval for the use of the southeast corner of the Hyrum City Cemetery for a war memorial.
9. INTRODUCTION AND APPROVAL OF A RESOLUTION:
  - A. Resolution 10-07 - A resolution setting the firefighting and protection service assessment fee.
10. OTHER BUSINESS:
  - A. Consideration and appointment to the Cache County Nominating Commission.
  - B. Budget report.
  - C. Mayor and City Council reports.
11. ADJOURNMENT

***SCHEDULED DELEGATIONS:***

**ZONING ADMINISTRATOR RON SALVESEN - TO REQUEST SITE PLAN APPROVAL FOR AN ELECTRIC SUBSTATION AND METAL POWER POLES ON HAMMER ROAD.**

Zoning Administrator Ron Salvesen requested site plan approval for an electric substation and metal power poles on Hammer Road. The transmission line to the substation will have five metal poles: two metal poles will be near the OCB on Highway 101; two metal poles will be located next to the storm water pond on Hammer road; and a metal pole will be by the new substation on Hammer Road. The poles will range in height from 55 to 65 feet. The Planning Commission reviewed the site plan and is recommending approval.

**ACTION** Councilmember James made a motion to approve Hyrum City's site plan for an electric substation and metal poles on Hammer Road. Councilmember Miller seconded the motion and all four councilmembers present voted aye.

**ELRAY ROBINSON, AMERICAN LEGION - TO REQUEST APPROVAL FOR THE USE OF THE SOUTHEAST CORNER OF THE HYRUM CITY CEMETERY FOR A WAR MEMORIAL.**

ElRay Robinson with the American Legion said the southeast corner of the Hyrum City Cemetery is already designated as a veteran war memorial area. He needs a letter from the City officially declaring the area as a veteran war memorial area and granting permission for the tank and gun to be on display.

He will send the letter to the National American Legion office so an inventory of the equipment can be maintained.

**ACTION**

**Councilmember James made a motion to dedicate the southeast corner of the Hyrum City Cemetery as a veteran war memorial area. Councilmember Miller seconded the motion and all four councilmembers present voted aye.**

City Administrator D. Brent Jensen said it was his understanding the tank belonged to Eugene Petersen and Eugene donated to Hyrum City. The tank was displayed for many years on the City Square until the city relocated it to the veteran war memorial area in the Hyrum Cemetery in 1998. City officials researched the history of the tank, repainted it the correct color with authentic markings, and posted a bronze informational plaque near the tank.

The City Council asked City Administrator D. Brent Jensen to research the ownership of the tank before writing a letter declaring the tank as property of the American Legion.

***INTRODUCTION AND APPROVAL OF A RESOLUTION:*****RESOLUTION 10-07 - A RESOLUTION SETTING THE FIRE FIGHTING AND PROTECTION SERVICE ASSESSMENT FEE.**

Mayor Howard said the Hyrum City Council approved two interlocal agreements for fire protection services on May 6, 2010. The agreement excludes the Hyrum City Fire Department from conducting commercial fire inspections and allows for the fire protection assessment fee to be set by resolution. The proposed Fire Fighting and Protection Service Assessment Fee is \$5.50 per capita based on the most current population estimate.

**ACTION**

**Councilmember Rasmussen made a motion to approve Resolution 10-07 setting the Fire Fighting and Protection Service Assessment Fee. Councilmember Felix seconded the motion and all four councilmembers present voted aye.**

***OTHER BUSINESS:*****CONSIDERATION AND APPOINTMENT TO THE CACHE COUNTY NOMINATING COMMISSION.**

Mayor Howard said Justice Court Judge Stevens has announced he will be leaving the country for 18 months. He hasn't decided

if he is going to resign as the justice court judge or request a leave of absence from the City. In 2008 a law was passed requiring justice court judges be nominated by an appointed commission in each county. Commission members are responsible to review and interview applicants and forward three to five nominees to the local hiring authority, or Mayor, for consideration. The Mayor then makes the judicial appointment and has it ratified by the City Council. Prior to being sworn in to office, the appointee must be certified by the Judicial Council following successful completion of Justice Court New Judge Orientation conducted by the Administrative Office of the Courts.

The Administrative Office of the Courts has asked Hyrum City to appoint a member of its community to serve on the Cache County Nominating Commission.

Mayor Howard passed out a list of names to be considered, if Justice Court Judge Stevens resigns rather than requesting a leave of absence. No objections were raised to any of the names by the City Council.

#### **BUDGET REPORT.**

City Administrator D. Brent Jensen said due to storm water regulations Hyrum City is in the process of designing a street sweeping solids containment basin to be located on the northside of the pole yard on 900 West. All of the materials from the streets, sumps, etc. will be deposited in the basin to dry. Once the debris is dry it will be disposed of in accordance with State and Federal regulations. Aqua Engineering provided several options for development of Salt Hollow Park in phases based upon the cost of improvements. Option 1 (the most expensive option) includes the landscaping of the sleigh riding hill, parking lot, sidewalk, restrooms, sprayground, and grass and trees for an estimated cost of \$332,072.90. Option 4 (the cheapest option) includes a parking lot, grass and trees for an estimated cost of \$164,122.80.

The City Council discussed using volunteers to lower the cost of the park and also spraying seed for grass rather than applying sod.

#### **MAYOR AND CITY COUNCIL REPORTS.**

Councilmember James said the Hyrum City Sesquicentennial Cookbook is finished and is at the printers. The cookbook will be available to purchase at the Star Spangled Celebration.

Councilmember Miller said the Youth Council is going to help the American Legion place flags on the graves for Memorial Day. Posters for the Star Spangled Celebration will be printed next week and the Youth Council will distribute posters throughout Cache Valley.

Mayor Howard said he attended UAMPS Meeting earlier in the week. The Horse Butte Wind Project, located east of Idaho Falls, continues to move forward and hopes that it will be producing power by late 2012. While the Nebo Power Plant was being repaired \$87,000 worth of natural gas had to be sold at a lower price due to guaranteed purchase contracts prices.

**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 3, 2010  
As Amended