

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD SEPTEMBER 1, 2011
AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 p.m.

CONDUCTING: Mayor W. Dean Howard

ROLL CALL: Councilmembers Thomas C. LaBau, Craig L. Rasmussen and Stephanie Miller present.

EXCUSED: Councilmembers Martin L. Felix, and Paul C. James.

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

OTHERS PRESENT: City Administrator D. Brent Jensen, Zoning Administrator Ron Salvesen, Senior Center Director Vicky McCoombs and three citizens. City Recorder Stephanie Fricke recorded the minutes.

WELCOME: Mayor Howard welcomed everyone in attendance.

PLEDGE OF ALLEGIANCE: Mayor Howard led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: City Administrator D. Brent Jensen

APPROVAL OF MINUTES:

ACTION Councilmember Miller made a motion to approve the minutes of August 18, 2011 as written. Councilmember Felix seconded the motion and all three councilmembers present 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 LaBau made a motion to approve the agenda for August 18, 2011 as written. Councilmember Rasmussen seconded the motion and all three councilmembers present voted aye.

AGENDA

8. SCHEDULED DELEGATIONS:

- A. Garret Willmore - To request a Home Occupation Business License at 261 South 700 East for welding services.
- B. Michelle Hunsaker - To request a Home Occupation

Business License at 273 South 300 East to teach dance classes.

- C. J.D. Rhea, West Point Dairy - To request site plan approval at 570 North 500 West for expansion of an asphalt semi-truck parking area with truck scales, and stormwater detention pond.
9. INTRODUCTION AND ADOPTION OF AN ORDINANCES:
- A. Ordinance 11-05 - An ordinance amending Sections 2.72.060 and 2.72.070 of Chapter 2.72 the Hyrum Senior Center Board of the Hyrum City Municipal Code to set the term limit for a Board Member to serve one five year term; and to specify all Board Members are covered under the Director's Food Management Permit.
- B. Ordinance 11-06 - An ordinance amending Title 17 of the Hyrum City Municipal Code to allow home for sale, lease, or rent signs for public general interest events; and to reduce the side yard widths for houses built before January 28, 1976.
10. OTHER BUSINESS:
- A. Mayor and City Council reports.
11. ADJOURNMENT

SCHEDULED DELEGATIONS:

GARRET WILLMORE - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 261 SOUTH 700 EAST FOR WELDING SERVICES.

Garret Willmore was not in attendance.

ACTION Councilmember LaBau made a motion to table, until later in the meeting, Garret Willmore's request for a Home Occupation Business License at 261 South 700 East for welding services. Councilmember Miller seconded the motion and all three councilmembers present voted aye.

This item was discussed later in the meeting. The City Council tabled Garret Willmore's request since he was not in attendance.

MICHELLE HUNSAKER - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 273 SOUTH 300 EAST TO TEACH DANCE CLASSES.

Michelle Hunsaker said she wants to teach dance classes in her garage. Her daughter is 16 and will be the only assistant teacher. There will be no more than ten students in a class.

Councilmember LaBau asked Michelle if there was a reason on the Home Occupation Business License Application that she drew a line through rather than initialing items E.6 to E.10.

Michelle Hunsaker said an employee in the City Office told her she could put a line through them rather than initialing each

item. She complies with all of the items and will initial each item on the form.

ACTION Councilmember Rasmussen made a motion to approve Michelle Hunsaker's request for a Home Occupation Business License at 273 South 300 East to teach dance classes with the condition that she initials item E.6 through E.10 on the Home Occupation Business License Application. Councilmember LaBau seconded the motion and all three councilmembers present voted aye.

J.D. RHEA, WEST POINT DAIRY- TO REQUEST SITE PLAN APPROVAL AT 570 NORTH 500 WEST FOR EXPANSION OF AN ASPHALT SEMI-TRUCK PARKING AREA WITH TRUCK SCALES, AND STORMWATER DETENTION POND.

Zoning Administrator Ron Salvesen said on August 25, 2011 the Planning Commission reviewed West Point Dairy's request and recommended site plan approval for expanded asphalt truck parking area, truck scales, and stormwater detention pond at 570 North 500 West as proposed with the following conditions: 1. The 8" water line be extended down to the corner, which will be coordinated with the city whether to put in a fire hydrant or four-way cap; 2. Pavement to the edge of the street with a small swale for runoff allowing for truck access; 3. The detention pond be maintained, grass covered and sprinkled; and 4. Two to five dark sky fixtures to light the trailer parking and scale areas.

ACTION Councilmember LaBau made a motion to approve the Site Plan for West Point Dairy located at 570 North 500 West for expansion of an asphalt semi-truck parking area, truck scales, and stormwater detention pond with the following conditions: 1. The 8" water line be extended down to the corner, which will be coordinated with the city whether to put in a fire hydrant or four-way cap; 2. Pavement to the edge of the street with a small swale for runoff allowing for truck access; 3. The detention pond be maintained, grass covered and sprinkled; and 4. Two to five dark sky fixtures to light the trailer parking and scale areas. Councilmember Rasmussen seconded the motion.

Councilmember Rasmussen asked if the stormwater impoundment was large enough or if there would be two impoundments.

J.D. Rhea said there is only one stormwater detention basin and it has the necessary capacity for Phase I. The basin is no deeper than one and one-half feet.

Zoning Administrator Ron Salvesen said City Engineer Craig Neeley reviewed and approved the size and storage necessary for the stormwater detention basin.

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

INTRODUCTION AND ADOPTION OF AN ORDINANCE:

ORDINANCE 11-05 - AN ORDINANCE AMENDING SECTIONS 2.72.060 AND 2.72.070 OF CHAPTER 2.72 THE HYRUM SENIOR CENTER BOARD OF THE HYRUM CITY MUNICIPAL CODE TO SET THE TERM LIMIT FOR A BOARD MEMBER TO SERVE ONE FIVE YEAR TERM; AND TO SPECIFY ALL BOARD MEMBERS ARE COVERED UNDER THE DIRECTOR'S FOOD MANAGEMENT PERMIT.

Mayor Howard said on August 18, 2011 the City Council tabled Ordinance 11-05 amending Sections 2.72.060 and 2.72.070 of Chapter 2.72 the Hyrum Senior Center Board of the Hyrum City Municipal Code to set the term limit for a Board Member to serve one five year term; and to specify all Board Members are covered under the Director's Food Management Permit to research the legality of the Director's Food Management Permit and the reasons for limiting all Board Members to one five-year term.

City Administrator D. Brent Jensen said the Director's Food Management Permit will cover every person in the kitchen but each person has to have his own Food Handlers Permit. If the Senior Center held one single event then each person would not have to have his own Food Handlers Permit and would be covered under the Director's Food Management Permit.

Senior Center Director Vicky McCoombs said after speaking with the Bear River Health Department this past week she was informed that each person working in the kitchen needs to have Food Handlers permit. The Food Handlers Permit test can be taken on-line.

ACTION

Councilmember Miller made a motion to adopt Ordinance 11-05 amending Sections 2.72.060 and 2.72.070 of Chapter 2.72 the Hyrum Senior Center Board of the Hyrum City Municipal Code to set the term limit for a Board Member to serve one five year term and to specify all Board Members are covered under the Director's Food Management with the following amendment to Section 2.72.060 after "in the kitchen for special events" add "as long as each person in the kitchen has his or her own Food Handlers Permit. Councilmember Rasmussen seconded the motion.

Councilmember LaBau said he is concerned about limiting term limits for a Board Member to serve only one five year term. If a Board Member wants to continue to serve on the Board and is doing a good job why limit that person to five years. Allowing Board Members to serve continuous terms provides continuity to the

Board of Directors. If someone does not have the health or mental capacity to serve another term than that person should not be reappointed.

Senior Center Director Vicky McCoombs said by limiting term limits it will give more people an opportunity to serve on the Senior Center Board. It is a Senior Board and the Board Members are burned out after five years of service and agree to serve another term out of civic duty.

Councilmember Miller said she understands the reasoning for limiting terms because of her work with the Youth Council. There are so many youth that want to serve on the Youth Council that would never get an opportunity if the terms were longer. New people bring in new ideas and energy.

Councilmember LaBau said no one is forced to serve another term, however, if the City limits serving on the Senior Center Board to one five-year term then someone doing a great job will not have the option to continue to serve.

Senior Center Director Vicky McCoombs said the Senior Center Board discussed the pros and cons of limiting terms on the Board and it was a unanimous decision to limit service to a one five-year term.

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

ORDINANCE 11-06 - AN ORDINANCE AMENDING TITLE 17 OF THE HYRUM CITY MUNICIPAL CODE TO ALLOW HOME FOR SALE, LEASE, OR RENT SIGNS FOR PUBLIC GENERAL INTEREST EVENTS; AND TO REDUCE THE SIDE YARD WIDTHS FOR HOUSES BUILT BEFORE JANUARY 28, 1976.

Zoning Administrator Ron Salvesen said the Planning Commission has reviewed the proposed amendments and are recommending allowing home for sale, lease, or rent signs for public general interest events; and to reduce the side yard widths for houses built before January 28, 1976.

ACTION

Councilmember LaBau made a motion to adopt Ordinance 11-06 amending Title 17 of the Hyrum City Municipal Code to allow home for sale, lease, or rent signs for public general interest events; and to reduce the side yard widths for houses built before January 28, 1976. Councilmember Rasmussen seconded the motion and all three councilmembers present voted aye.

OTHER BUSINESS:

MAYOR AND CITY COUNCIL REPORTS

Councilmember LaBau said the Mosquito Abatement District will continue spraying and treating ponds with larvaside through September. Three additional barrels of malathion had to be purchased at \$2,300 a piece. The District is looking for a permanent location to operate from. The area needs to be in central location with parking for seven trucks and four trailers, and a heated and air conditioned building for storage of chemicals.

Councilmember Miller said she is meeting with the Youth Council tomorrow to discuss what to do with the money they earned this summer. The Youth Council is helping with the Top of Utah Marathon on Saturday, September 15.

Mayor Howard said the water effluent reuse project is moving forward and hopefully will be completed next spring. This is the first year the City has not had to start the pumps for irrigation water. The irrigation ponds have been full all summer long.

ADJOURNMENT:

ACTION There being no further business before the City Council, the Council Meeting adjourned at 7:15 p.m.

W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: October 6, 2011
 As written