

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JULY 7, 2011 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, City Administrator Ron Salvesen and two 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:** Mayor W. Dean Howard

**APPROVAL OF MINUTES:**

**ACTION** Councilmember James made a motion to approve the minutes of June 16, 2011 as written. Councilmember LaBau 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 Rasmussen made a motion to approve the agenda for July 7, 2011 as written. Councilmember Felix seconded the motion and all five councilmembers voted aye.

AGENDA

8. SCHEDULED DELEGATIONS:

A. Jay Stocking, South Cache Subdivision - To request final plat approval for Phase II of South Cache Subdivision (12 single family building lots) located at approximately 60 South 500 West.

9. OTHER BUSINESS:

A. Consideration and approval of an Interlocal Agreement with Cache County to provide Law Enforcement Services.

- B. Mayor and City Council reports.  
10. ADJOURNMENT

***SCHEDULED DELEGATIONS:***

**JAY STOCKING, SOUTH CACHE SUBDIVISION - TO REQUEST FINAL PLAT APPROVAL FOR PHASE II OF SOUTH CACHE SUBDIVISION (12 SINGLE FAMILY BUILDING LOTS) LOCATED AT APPROXIMATELY 60 SOUTH 500 WEST.**

Jay Stocking was not in attendance.

**ACTION** Councilmember James made a motion if Jay Stocking arrives at tonight's meeting for this item to be discussed after Mayor and City Council Reports. Councilmember Rasmussen seconded the motion and all five councilmembers voted aye.

***OTHER BUSINESS:***

**CONSIDERATION AND APPROVAL OF AN INTERLOCAL AGREEMENT WITH CACHE COUNTY TO PROVIDE LAW ENFORCEMENT SERVICES.**

Mayor Howard said the law enforcement contract is basically the same as last years. Cache County Sheriff's office will provide Hyrum City with 5,640 hours of service (three assigned deputies at 1,880 hours per year) for \$259,440. The time frame of the contract is July 1, 2011 through June 30, 2012.

**ACTION** Councilmember James made a motion to approve an Interlocal Agreement with Cache County to provide Law Enforcement Services from July 1, 2011 through June 30, 2012. Councilmember Rasmussen seconded the motion and all five councilmembers voted aye.

Councilmember Miller said the Cache County Sheriff Deputies handled the protestors in front of the library on the 4<sup>th</sup> of July very well. There were a couple of issues during the 4<sup>th</sup> of July Celebration that she wants to discuss with the Sheriff's Office so they do not happen again next year. There were no Sheriff Deputies at the rodeo. When she asked the Sheriff's Office how come there were no deputies at the rodeo she was told someone said the City did not need them at the event. The Sheriff's Office did not know the name of the person. Fortunately, there were no incidents at the Rodeo where law enforcement was needed. The Youth Dance was held after the fireworks on the 4<sup>th</sup> of July. There were three deputies at the Elite Hall but they weren't doing a thorough job. The Youth Council advisor had to walk outside and check around the building because the deputies were standing around talking to each other. After the parade on the 4<sup>th</sup> of July there was no traffic control at the intersection of 600 East and Highway 165. The traffic on 600 East was backed up at

least three blocks.

**MAYOR AND CITY COUNCIL REPORTS.**

Councilmember Felix said last Friday was craft day for the Library's Summer Reading Program. There were at least 400 kids in attendance making dragons, stress balls, and other fun things. The final activity for the Summer Reading Program is on July 15 at the Logan Aquatic Center.

Councilmember James said JBS Swift has offered to donate the hamburger patties for National Night Out Against Crime. JBS Swift asked the City to display a sign recognizing it as a sponsor of the event.

Councilmember Miller thanked everyone for their help and support with the City's 4<sup>th</sup> of July Celebration. She said this year there were over 300 kids who participated in the water fight on July 2. It was the largest turnout she has seen at the water fight and hopes more will come next year.

Mayor Howard said construction of the Two Million Gallon Water Reservoir is almost complete. Gerald Miller and volunteers are busy working on Salt Hollow Park. The City hired Lee's Plumbing to help with the plumbing of the restrooms.

**JAY STOCKING, SOUTH CACHE SUBDIVISION - TO REQUEST FINAL PLAT APPROVAL FOR PHASE II OF SOUTH CACHE SUBDIVISION (12 SINGLE FAMILY BUILDING LOTS) LOCATED AT APPROXIMATELY 60 SOUTH 500 WEST.**

Jay Stocking with Sierra Homes-South Cache Subdivision said he was not able to attend the June 16, 2011 City Council Meeting and sent Adam Mackelprang in his stead. There were questions regarding drainage problems in the area and Adam was not able to answer some of the City Council's questions. The approval of the subdivision was tabled until he could address the drainage issues with the City Council. In Phase I of South Cache Subdivision he raised the foundation of two houses when the water level was higher than expected. He understands the City Council's concern with the high water table, but he hopes it won't be a problem in Phases II and III. The water table varies in South Cache Subdivision from lot to lot. He has advised lot owners not to build basements because of the high water table, but ultimately it is the homeowner's decision as to whether a basement is built. To help with the drainage problems in Phases II and III he is recommending houses with basements install a sump pump with a drainage line that connects into the main storm water line.

Councilmember Rasmussen said he wouldn't be in favor of sump pumps being drained into the storm drain lines because the storm water system is for storm water not ground water. What happens when there is a storm and the lines and pond are already full

from the ground water in that area? If ground water is drained into the storm water retention pond then the basin could be full of water and never have a chance to dry. The property owners adjacent to the pond will not be able to maintain it because it will always be a wet mess.

Councilmember LaBau said he is uncomfortable approving Phase II until the ground water issue has been resolved. If a basement is requested in an area with high ground water then that request should be denied.

Jay Stocking said he doesn't want to build a house that has to have a sump pump constantly running, but it is up to the homeowner. He is planning to dig a test hole on every lot with a basement to help determine the depth of the basement.

Councilmember Rasmussen said if tests show that the ground water table is not conducive to a basement then a basement should not be built regardless of what the homeowner wants.

City Administrator D. Brent Jensen said it won't be the original homeowner that complains about the water level it will be the second and third owners. The City can't keep approving subdivisions with basements in areas with a high water table.

Jay Stocking said the test holes should determine if there is going to be a problem with water. Rather than City not allowing basements in high water table areas let the homeowner make that decision.

Councilmember Rasmussen said in locations where ground water can be seen upon excavation the developer should install a piezometer. The piezometer will allow for weekly readings of the level of ground water. A history will be established and then if there are fluctuations in water level it will be known.

**ACTION**

**Councilmember LaBau made a motion for Hyrum City's Engineer to recommend language addressing the ground water level in South Cache Subdivision that can be included on the plat. Councilmember Felix seconded the motion.**

**Councilmember Rasmussen recommended amending the motion to have Hyrum City's engineer include on the plat a statement about installing a long term piezometer to start a historical record of ground water levels in that area. Councilmember LaBau and Felix accepted Councilmember Rasmussen's amendment to the motion.**

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

***ADJOURNMENT:***

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

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W. Dean Howard  
Mayor

ATTEST:

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Stephanie Fricke  
City Recorder

Approved: July 21, 2011  
              As written