

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD APRIL 4, 2024 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Mayor Stephanie Miller

ROLL CALL: Councilmembers Steve Adams, Paul James, Michael Nelson, and Craig L. Rasmussen.

EXCUSED: Councilmember Jared Clawson

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

OTHERS PRESENT: City Engineer Matt Holmes, and eight citizens. Deputy Recorder Hailey Brown recorded the minutes.

WELCOME: Mayor Miller welcomed everyone in attendance and invited audience participation.

PLEDGE OF ALLEGIANCE: Councilmember James

INVOCATION: Councilmember Nelson

APPROVAL OF MINUTES:

The minutes of a regular meeting on March 21, 2024 were approved as written.

ACTION Councilmember Adams made a motion to approve the minutes of a regular meeting held on March 21, 2024 as written. Councilmember Rasmussen seconded the motion and Councilmembers Adams, James, Nelson, and Rasmussen voted aye. The motion passed.

AGENDA ADOPTION: A copy of the notice and agenda for this meeting was emailed to The Herald Journal, posted on the Utah Public Notice Website and Hyrum City's Website, provided to each member of the governing body, and posted at the City Offices more than forty-eight hours before meeting time.

ACTION Councilmember James made a motion to approve the agenda for April 4, 2024 with the following amendment: delete item 9C. Councilmember Rasmussen seconded the motion

and Councilmembers Adams, James, Nelson, and Rasmussen voted aye. The motion passed.

9. SCHEDULED DELEGATIONS:

- A. Maddi Soto, CAPSA - To discuss sexual assault awareness.
- B. Garrett Grantham - To request a Home Occupation Business License at 530 East 300 North for vehicle repair.
- C. ~~John Olsen - To request approval to use East Park parking lot for a Halloween/Paranormal mini-convention on a Saturday in October.~~

10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES

- A. Resolution 24-13 - A resolution amending the Hyrum City Baseball Fields and Soccer Fields rental fee and deposit schedule.

11. OTHER BUSINESS

- A. Discussion and decision by Board of Equalization of Hyrum Chevron's appeal for assessment of wastewater fees.
- B. Consideration and appointment of Cemetery Sexton.
- C. Consideration and approval of remodel for office spaces.
- D. Consideration and approval of the bid for the update of the Wastewater System Master Plan.
- E. Consideration and approval of Citizen Serve Contract.
- F. Mayor and City Council reports.

12. ADJOURNMENT

PUBLIC COMMENT:

Mayor Miller asked if a citizen had a question or comment to please keep it under three minutes.

There being no public comment, Mayor Miller moved to the next agenda item.

SCHEDULED DELEGATIONS:

MADDI SOTO, CAPSA - TO DISCUSS SEXUAL ASSULT AWARENESS.

CAPSA was not present, so Mayor Miller moved to the next agenda item.

GARRETT GRANTHAM - TO REQUEST A HOME OCCUPATION BUSINESS LICENSE AT 530 EAST 300 NORTH FOR VEHICLE REPAIR.

Mayor Miller asked if the City Council would like to set benchmarks

for the business.

Councilmember James asked what the zone currently is for the location.

Zoning Administrator Matt Holmes said it is zoned R-1A.

Councilmember James asked if that zone specifically states no vehicle repair business, and if so, how can the Council approve the business.

Mayor Miller said the Council would not be approving of the business itself rather the business license. Hyrum City's attorney advised setting a limit on how many cars can be there at a time, that Garrett is actively looking for a place to move the business to, the business license be reviewed annually with the Council, and the city isn't receiving complaints.

Councilmember James said his concern is approving the business.

Councilmember Nelson said the council had mentioned previously four to five cars at a time.

Councilmember Rasmussen noticed driving by that Garrett has been good at keeping to the number of cars.

Councilmember Nelson said he doesn't want the city to set precedence.

ACTION

Councilmember Rasmussen made a motion to approve a Home Occupation Business License for Garrett Grantham at 530 East 300 North for vehicle repair with the conditions that he actively seeks for a commercial shop, comes back to the City Council annually to renew his license, there be four or fewer cars with occasionally five cars, and any complaints will be reviewed with the license renewal annually. Councilmember Adams seconded the motion and Councilmembers Adams, James, and Rasmussen voted aye. Councilmember Nelson voted nay. The motion passed.

Garrett Grantham said he has a couple concerns. Setting his business up with the state went smoothly and he only had issues with Hyrum City. Garrett said nobody knew I existed, but he received letters to get his operation stopped so how does the Council not know of the business.

Zoning Administrator Matt Holmes said the items addressed in the letters are enforced by code and can be sent before taking the concern to the Council.

Garrett Grantham said he has seen several Hyrum City trucks taking pictures of his property and asked if that can be done.

Mayor Miller said the photos are documentation for the attorney.

Councilmember James it's a public road and councilmembers are aware of surroundings in Hyrum.

INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES:

RESOLUTION 24-13 - A RESOLUTION AMENDING THE HYRUM CITY BASEBALL FIELDS AND SOCCER FIELDS RENTAL FEE AND DEPOSIT SCHEDULE.

Councilmember Adams asked if the tournament fee for \$100 is for a full day.

Councilmember Rasmussen said yes that would be to reserve the field for games.

Councilmember James said the issue is that not all towns allow super league teams to practice on their fields, so they are using fields that are available for practice. A few cities charge for the fields to be practiced on. The practice fee excludes city sponsored recreation teams.

Councilmember Rasmussen asked if someone signs up for \$20 per hour practice, if they would get charged the fine to play a game.

Councilmember James said the fine would be charged to those that use the field for an unauthorized use.

ACTION

Councilmember James made a motion to approve Resolution 24-13 amending the Hyrum City Baseball Fields and Soccer Fields rental fee and deposit schedule. Councilmember Adams seconded the motion and Councilmembers Adams, James, Nelson, and Rasmussen voted aye. The motion passed.

OTHER BUSINESS

DISCUSSION AND DECISION BY BOARD OF EQUALIZATION OF HYRUM CHEVRONS APPEAL FOR ASSESSMENT OF WASTERWATER FEES.

Councilmember Nelson asked if there was a carwash in Millville.

Councilmember James said there is a carwash in Nibley.

Councilmember James said the city can see all the water usage in Hyrum. He was thinking the carwash was in Millville and was questioning how the city would get water records for Millville.

Councilmember Rasmussen said once Millville gets an entity like that the representative on the Wastewater Board will be aware of that. Millville will bill their customers. They have an injection moldings place there, but they have their own reclamation treatment facility and won't be discharging sewer into the system. New customers that come on will go through the representative to ensure that the billing practices comply with water usages for commercial.

Councilmember James asked if there is a meter on the system to tell what is coming in from Millville.

Councilmember Rasmussen said yes.

Councilmember Nelson said he spoke with Ryan Kendrick one day and talked to him about the soaps he uses and how biodegradable they would be. I know he said the mud doesn't all get pushed down. I was trying to figure out if the soaps or detergents are higher than biodegradable.

Councilmember Adams said he can have the cleanest water in the world, but it still must be treated the same way.

Councilmember Rasmussen said he is probably using the types of soap most efficient for car washes. He probably isn't looking for soaps friendly to the sewer system rather one that does the best job for the lowest price. Whatever products are used the city must deal with it. If it's phosphorus we must chemically treat that in winter which comes at an expense. Compared to a residential waste stream it is probably a higher concentration of treatable material. The city can take water samples for pretreatment if needed. Just because of the accidental oversight in billing doesn't mean it can be ignored.

Councilmember Nelson said once Ryan figured it was an oversight and what was happening, he understood.

Councilmember James said Councilmember Rasmussen's previous

recommendation was good to make him aware of it so if he needs to charge extra on a car wash he can.

Councilmember Adams said to go with April or May to give him time.

Councilmember Rasmussen said Ryan was previously here in March so give him the month of April to prepare and start the billing in May.

ACTION

Councilmember Rasmussen made a motion to begin assessing the wastewater treatment fee to Chevron beginning with the May invoice cycle and to charge the standard commercial rate for water usage starting in May with no previous balance. Councilmember Adams seconded the motion and Councilmembers Adams, James, Nelson, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPOINTMENT OF CEMETERY SEXTON.

Mayor Miller said this is to appoint Keesha Rinderknecht as Hyrum City's Cemetery Sexton.

ACTION

Councilmember James made a motion to appoint Keesha Rinderknecht as the cemetery sexton. Councilmember Nelson seconded the motion and Councilmembers Adams, James, Nelson, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPROVAL OF REMODEL FOR OFFICE SPACES.

Mayor Miller asked if everyone got a chance to look at the consideration for remodeling of the office spaces.

Councilmember James asked if this is just for Design West to design the remodel.

Zoning Administrator Matt Holmes said this is for the design and the other part is for the estimate of the remodel. It also includes shifting the money from other things in the budget that the city hasn't spent money on this year to cover the remodel. The money for the general plan would be moved to next year's budget since the general plan hasn't been started and Kade Maughan also had some money in his budget for part of the remodel.

ACTION

Councilmember Rasmussen made a motion for approval of remodel for office spaces for Design West Architects for

the amount of \$18,500 not to exceed. Councilmember Adams seconded the motion and Councilmembers Adams, James, Nelson, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPROVAL OF BID FOR THE UPDATE OF WASTEWATER SYSTEM MASTER PLAN.

Councilmember James asked if this bid is different than the two meetings ago. He never saw a tabulation.

Mayor Miller said this would be for a different one.

Councilmember Rasmussen said he hadn't seen anything come out, so he had Angela Pritchett send him the information.

Mayor Miller said one sheet was missing from the document. This item can be discussed and brought back if needed.

Councilmember Rasmussen said Angela Pritchett sent an email saying they will look at the treatment plan and collection system in their proposal. In the RFP it mentions Millville and there is ambiguity on the separation of scope. Rasmussen mentioned it should just be looking at the collections system. If looking at the treatment plan, Millville is 20% owner in treatment facility so something of that magnitude should go through the wastewater treatment board because they would need to budget for 20% of that.

Councilmember James said that should be divided out in the document so that the Council knows what they are approving.

Councilmember Rasmussen said the fee proposal has a disconnect. In the scope of work they refer to the city's scope of work in the RFP which doesn't include treatment plant. It does include projections for what Millville is bringing into the system. The fee structure doesn't give very much time for evaluating how much wastewater comes from Millville. Part of this study is an impact fee and rate study. Matt Holmes and Mayor Miller can attest to this, but Millville asks what Hyrum charges residents for collection. Hyrum doesn't separate treatment and collection fees. It's all one wastewater fee. If excluding the treatment plan, this will give us fees on just the collection system. This proposal was the only one because Aqua has worked with the city for a long time so it's not a surprise to receive one response.

Mayor Miller asked if these items need to be worked out to match the price.

Councilmember Rasmussen would like to have a discussion with Aqua on a few things to have a better understanding. Logan City is looking at a wastewater plan for their collection system which was about \$200,000 and \$100,000 for Hyrum City seems excessive.

ACTION

Councilmember James made a motion to table of bid for the update of Wastewater System Master Plan that Aqua review this and separate bids out for the treatment facility and collection facility and address at the next council meeting. Councilmember Rasmussen seconded the motion to include the bid to be looked at from an engineering perspective and to have the scope be simplified. Councilmembers Adams, James, Nelson, and Rasmussen voted aye. The motion passed.

CONSIDERATION AND APPROVAL FOR CITIZEN SERVE CONTRACT.

Councilmember James asked what the contract is for.

Zoning Administrator Matt Holmes said it is a cloud-based software to take in any development applications and route to different departments. Inspections can be uploaded and seen through the site. Developers would be able to upload items on their end for the city to see. Code enforcement can upload property conditions, and well as business licenses can be done through the software.

Councilmember James asked if the software collects fees.

Zoning Administrator Matt Holmes said yes payments will be paid for there.

Councilmember James asked if there are more fees besides the standard credit card fees.

City Treasurer Todd Perkins said in the past the city hasn't allowed credit cards for large amounts because of high processing fees.

Power Superintendent Tom Cooper said extra fees go through the city's card processors.

Councilmember Rasmussen said the Council may want to set card amount limits.

City Treasurer Todd Perkins said people can go on citizen serve

and view the amount due and then bring in a check.

Councilmember James asked if a convenience fee could be implemented.

City Treasurer Todd Perkins said the city can discriminate against building department payments rather than saying no Visa or MasterCard.

Power Superintendent Tom Cooper asked if the Council could set a limit on credit card limits for payments. Cache County charges a .50 cent fee to do an e-check rather than bringing in payments.

City Treasurer Todd Perkins said there is an option for e-checks on Xpress Bill Pay where city payments are processed.

ACTION

Councilmember James made a motion for approval of the Citizen Serve Contract. Councilmember Adams seconded the motion and Councilmembers Adams, James, Nelson, and Rasmussen voted aye. The motion passed.

Councilmember Rasmussen said the terms of service show the contract starts April 1st.

Zoning Administrator Matt Holmes said there is a setup fee, and they will start billing in July. The set-up fee will be distributed over time.

Councilmember Rasmussen asked when the set up and training will start.

Zoning Administrator Matt Holmes said as soon as possible.

Power Superintendent Tom Cooper said the software will go live July 1st.

Zoning Administrator Matt Holmes said the \$1,500 is for staff users only.

Councilmember Rasmussen said the twelve-month user fees look to be double paid for three months. Change the contract start date to be July 1st.

Power Superintendent Tom Cooper said an invoice won't happen till July 1st, and it would be the base fee plus prorated support.

Councilmember Adams confirmed the \$180,000 can be spread over four years.

Power Superintendent Tom Cooper said that is correct.

Councilmember Rasmussen asked how training will go.

Power Superintendent Tom Cooper said there will be a set person that coordinates the system, and all issues will be addressed with that person.

Councilmember Rasmussen recommended amending the motion for the Citizen Serve contract service term start date of July 1st.

ACTION

Councilmember James made a motion to approve Councilmember Rasmussen's amendment to the Citizen Serve contract and for the contract to run with Hyrum's fiscal year. Councilmember Adams seconded the amendment to the motion and Councilmembers Adams, James, Nelson, and Rasmussen voted aye. The motion passed.

Councilmember Rasmussen said the software is being implemented for licensing, code enforcement, zoning, etc. Does the cost change if the software isn't used for all those items?

Zoning Administrator Matt Holmes said some adjustments can be made but primarily off the number of users.

MAYOR AND CITY COUNCIL REPORTS.

Councilmember Adams said his biggest concern is the buffalo property in which two new Hyrum City streets have been torn up. Can Hyrum City go back on them to get the roads redone.

Zoning Administrator Matt Holmes said the agreement is they will dig out wider and patch the roads.

Councilmember Adams said Hyrum City should get back on them for not good work that has been done.

Councilmember James said they need to mill and seal the roads properly and have a warranty period.

Councilmember Nelson asked if water has quit flowing in the basements there.

Mayor Miller said it is still seeping through.

Zoning Administrator Matt Holmes said the developers have done extra test holes to check water levels and fix the pond. They will get data to their engineer to get it infiltrated properly.

Councilmember James asked if Hyrum City has a metering point to see if water is infiltrating into the sewage.

Councilmember Rasmussen said Hyrum City can check water levels and pressure test pipes to check metals. The city can also observe manholes for leakage which should be done. The area may want to revert to a detention pond rather than retention for the water to go out at a slower rate.

Zoning Administrator Matt Holmes said with a detention pond water goes out at a set rate to drain within 72 hours.

Councilmember James said Hyrum City doesn't want to see an increase in mosquitoes.

Zoning Administrator Matt Holmes said they have been treating for mosquitoes.

Councilmember Nelson asked where the pond water goes to.

Councilmember Rasmussen said it goes to canals before going to the irrigation ditch. Rasmussen asked if the developer has mentioned anything about the manhole lid 2.5 feet above ground.

Zoning Administrator Matt Holmes said no they haven't.

Councilmember Rasmussen said they were going to saw it off and put cover on top, but it needs to have a manhole. Everything is going well for the museum and the car show has had a few signups. The museum board is getting sponsorships with good food trucks.

Councilmember James said all is well with softball and baseball fields. The Easter egg hunt went well in the rain, and he is glad it happened. The ten hunt also went well. Six to seven thousand eggs were picked up. 4th of July is coming along good.

Mayor Miller said she has got the 4th of July assignments written out.

Councilmember Nelson asked how the rodeo proposal went.

Mayor Miller said she hasn't met with them yet and is writing the changes for next year so she can make them aware of those changes now. They will meet a month or two before the rodeo.

Councilmember Adams said if they can't cover next year's cost maybe they will raise prices this year to cover the future costs.

Councilmember James said the USU Wellbeing Survey is going well.

Councilmember Nelson said at the monthly meetings with Cache County for emergency plans, they have increased the number of radios and are going to put a grant together for the County and disperse the radios and equipment they get to the communities.

Mayor Miller said the green waste survey is open for one more week with almost 400 submissions. She is putting out a mayor's message for May's newsletter on irrigation and green waste. The green waste survey will close April 10th to get a final count of results on the direction Hyrum City is taking.

City Treasurer Todd Perkins said Hyrum Chevron has already paid one month and wanted to clarify that Hyrum City should reimburse them for the month already paid.

Councilmember James said to make the month paid as a credit.

ADJOURNMENT:

ACTION **There being no further business before the City Council, the Council Meeting adjourned at 7:36 p.m.**


Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Approved: May 2, 2024
As Written