CITY COUNCIL MEETING

Thursday, August 03, 2023 at 6:30 PM
Council Chambers, 60 West Main, Hyrum, Utah

AGENDA

Public notice is hereby given of a Hyrum City Council Meeting to be held in the Council Chambers, 60 West Main, Hyrum, Utah at 6:30 PM, August 03, 2023. The proposed agenda is as follows:

1. ROLL CALL

2. WELCOME

3. CALL TO ORDER

4. PLEDGE OF ALLEGIANCE

5. INVOCATION

6. APPROVAL OF MINUTES

7. AGENDA ADOPTION

8. PUBLIC COMMENT

9. SCHEDULED DELEGATIONS

A. **James Adams, Lightfield Energy** - To give a presentation on Solar Power.

10. INTRODUCTION AND APPROVAL OF RESOLUTIONS AND ORDINANCES

A. **Resolution 23-16** - A resolution restricting commercial vehicle through traffic on Anderson Avenue between Hyrum 165 and 600 East.

B. **Ordinance 23-05** - An Ordinance amending Section 10.08.010 and adding Section 10.18.020 of Chapter 10.18 of Title 10 (the Vehicles and Traffic Ordinance) of the Hyrum City Municipal Code regarding restricting the use of certain streets and/or segments of streets.

C. **Ordinance 23-06** - An ordinance amending Section 6.12.010 Licensing and Rabies Vaccinations to Title 6 (Animals) of the Hyrum City Municipal Code to not include a service animal in the number of dogs allowed per household.

D. **Ordinance 23-07** - An ordinance amending Title 3, Section 3.04.070 Competitive Bidding (the Purchasing Ordinance) of the Hyrum City Municipal Code.

11. OTHER BUSINESS

A. Consideration and approval of a sole source bid to clean out wastewater collection system.

B. Consideration and approval of an Agreement for Fire Suppression, Ambulance Service and Firefighter/AEMT Employment between Cache County Fire District and Hyrum City.

C. Discussion on vending machines in park, continued.

D. Consideration and approval of a Proclamation Declaring the week of September 18 through 24, 2023 as National Diaper Need Awareness Week.

E. Discussion of maintenance and liability of the dirt road at 2200 West Highway 101 to 400 North, continued.

F. Mayor and City Council reports.

12. ADJOURNMENT

_____

Stephanie Fricke
City Recorder

Council Members may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speakerphone. The speakerphone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Hyrum City at 435-245-6033 at least three working days before the meeting.

CERTIFICATE OF POSTING - The undersigned, duly appointed and acting City Recorder of Hyrum City, Utah, does hereby certify that a copy of the foregoing Notice was emailed to The Herald Journal, Logan, Utah, 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, 60 West Main, Hyrum, Utah, this **31st day of July, 2023**. Stephanie Fricke, MMC, City Recorder.

RESOLUTION 23-16

A RESOLUTION RESTRICTING COMMERCIAL VEHICLE THROUGH TRAFFIC ANDERSON AVENUE BETWEEN HIGHWAY 165 AND 600 EAST.

WHEREAS, municipal government has responsibility to provide for the health, safety, and welfare of its citizens; and

WHEREAS, the Hyrum City Municipal Code Title 10 (Vehicles and Traffic Ordinance) Section 10.18.020 authorizes the City Council to restrict use of certain streets, and/or segments of streets, within the municipality by certain class, definition, or kind of traffic when such traffic, in the opinion of the governing body, poses a threat to other classes or kinds of traffic, pedestrians, or neighborhood residents; and

WHEREAS, the Hyrum City Municipal Code Title 10 (Vehicles and Traffic Ordinance) Section 10.18.020 defines commercial vehicles, agricultural vehicles, exempted vehicles, and through-traffic; and

WHEREAS, the City Council, upon receiving has determined that commercial vehicle through-traffic poses a threat to other classes or kinds of traffic, pedestrians, or neighborhood residents on portions of Anderson Avenue; and

WHEREAS, Hyrum City has other alternatives to re-route the commercial vehicle through-traffic around the residential neighborhood; and

WHEREAS, Hyrum City determined that, the most viable truck route to access the commercial and industrial businesses is from Highway 165 through Highway or 600 East north to Highway 165; and

WHEREAS, it is not the intention of the City Council to hinder or prevent commercial vehicles from making pick-ups or deliveries to customers located within the restricted area and are thus exempted; and

WHEREAS, it is not the intention of the City Council to hinder or prevent public services (transportation, solid waste, utility, fire, safety, etc.) from being provided to

the residences of the neighborhood and are thus exempted; and

WHEREAS, it is not the intention of the City Council to hinder or prevent agricultural vehicles from transporting grain or other livestock feed between the railroad and the feedlots and are thus exempted; and

WHEREAS, Title 10 requires that all such restrictions be made by resolution.

NOW, THEREFORE BE IT RESOLVED by the City Council of Hyrum City, Cache County, State of Utah, that commercial vehicle through-traffic as defined in Title 10 is hereby restricted and prohibited on Anderson Avenue between Highway 165 and 600 East; and

BE IT FURTHER RESOLVED that commercial vehicle through-traffic is directed to utilize Highway 165 through Highway 101 or 600 East north to Highway 165.

This resolution shall be effective upon adoption and the installation of the required No Through Commercial Traffic signs.

ADOPTED AND PASSED by the Hyrum City Council this 3rd day of August, 2023.

Hyrum City

BY:_____
Stephanie Miller
Mayor

ATTEST:

_____
Stephanie Fricke
City Recorder

Posted: _____

ORDINANCE 23-05

WHEREAS, on January 6 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 10 of the Hyrum City Municipal Code is known as the Vehicles and Traffic Ordinance of Hyrum city and sets forth those regulation governing vehicle traffic regulations and restrictions; and

WHEREAS, the City Council finds it necessary to protect the safety of other kinds of traffic, pedestrians, neighborhood residents, and property to restrict certain kinds of vehicles and traffic on some city streets; and

WEREAS, the City Council finds that vehicular weight is an inadequate tool to define a class and use of a vehicle to determine an appropriate level of restriction to apply to vehicles traveling through a densely populated residential neighborhood.

NOW, THEREFORE, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING SECTION 10.08.010 AND ADDING SECTION 10.18.020 OF CHAPTER 10.18 OF TITLE 10 (THE VEHICLES AND TRAFFIC ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE REGARDING RESTRICTING THE USE OF CERTAIN STREETS AND/OR SEGMENTS OF STREETS.

BE IT ORDAINED, by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 10.08.010 of Title 10 of the Hyrum City Municipal Code is hereby amended to read as follows:

10.08.010 Violation-Penalty.

Any person violating, causing or permitting violation of any provision of Chapters 10.04, 10.12, 10.16 and 10.18 of this code shall be guilty of a misdemeanor. Notwithstanding other language or provisions in the State of Utah Traffic Rules and Regulations, 1983 Edition, and subsequent editions, adopted, any violator of Chapters 10.04, 10.12 and 10.16 of this code, upon

conviction, shall be punished by a fine of not more than two hundred ninety-nine dollars or by a jail sentence not to exceed six months, or by both a fine and jail sentence; provided, that minimum sentences and all other sanctions consistent with the aforementioned guidelines and contained in the 1983 code edition, and subsequent editions, are incorporated here in this section by reference. (Ord. 83-07 § 2: prior code § 11-327)

2. Section 10.18.020 of Chapter 10.18 of Title 10 of the Hyrum City Municipal Code is hereby added to read as follows:

Chapter 10.18

VEHICLE WEIGHT AND OTHER TRAFFIC RESTRICTIONS

Sections:
10.18.020 Restricting use of Certain Streets and/or Segments of streets

10.18.020 Restricting use of Certain Streets and/or Segments of streets.

The governing body may restrict use of certain streets, and/or segments of streets, within the municipality by certain class, definition, or kind of traffic when such traffic, in the opinion of the governing body, poses a threat to other classes or kinds of traffic, pedestrians, or neighborhood residents. All such restrictions shall be made by resolution and will be clearly posted at the entrance to the street or part thereof affected by these regulations.

A. Definitions: For the purposes of this section the follow definitions will apply:

1. Agricultural Vehicle: A vehicle licensed to operate in the state and the vehicle operator is required by the state to possess a Commercial Drivers License (CDL) and the vehicle is designed and used to transport grain and/or other feed for livestock.
2. Commercial Vehicle: A vehicle licensed to operate in the state with an apportion plate (otherwise known as a pro-rated plate) or a vehicle engaged in intra-state commercial activity and/or and the vehicle operator is required by the state to possess a CDL.
3. Exempted Vehicle: A vehicle licensed to operate in the state with an exempt plate.

4. Through Traffic: Vehicular traffic where the point of origin and the destination are located outside of a defined area.

3. REPEALER. All ordinances, resolutions, and zoning maps of the City, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

4. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance, the zoning map, or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

5. EFFECTIVE DATE. This ordinance shall become effective upon posting three(3) copies in three (3) public places within Hyrum City.

6. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 3rd day of August, 2023.

Hyrum City

BY:_____
Stephanie Miller
Mayor

ATTEST:

_____

Stephanie Fricke
City Recorder

Posted: _____

ORDINANCE 23-06

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the Hyrum City Municipal Code, a recodification of municipal ordinances encompassing the Revised Ordinances of Hyrum City and ordinances adopted through July 15, 1993; and

WHEREAS, Title 6 of the Hyrum City Municipal Code sets forth those regulations and conditions governing the keeping and use of certain kinds of animals within the limits of Hyrum City; and

WHEREAS, Chapter Title 6 of the Hyrum City Municipal Code includes specific provisions and conditions regulating the harboring, keeping, and licensing of dogs within the limits of Hyrum City; and

WHEREAS, the Hyrum City Council has concluded, there is a need to update Title 6 to not include a service dog trained to perform a task related to a person’s disability in the number of dogs allowed per household.

NOW, THEREFORE, the City Council hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING SECTION 6.12.010 LICENSING AND RABIES VACCINATIONS TO TITLE 6 (ANIMALS) OF THE HYRUM CITY MUNICIPAL CODE TO NOT INCLUDE A SERVICE ANIMAL IN THE NUMBER OF DOGS ALLOWED PER HOUSEHOLD.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 6.12.010 of Title 16 of the Hyrum City Municipal Code is hereby amended to read as follows:

6.12.010 Licensing and rabies vaccinations.

Except as provided in this section, no person shall own, keep, or harbor any dog over four (4) months of age within Hyrum City unless such dog is vaccinated and licensed. All dogs shall be vaccinated against rabies. The provisions of this section do not apply to animals owned by a licensed research facility or held in a veterinary medical facility or a licensed government operated animal shelter, a rescue agency or authorized foster care provider.

A. Application for a license must be made within thirty (30) days after obtaining a dog over four (4) months of age, except that this requirement will not apply to a nonresident keeping a dog within Hyrum City for no longer than thirty (30) calendar days. Temporary dogs must have a valid rabies certificate and are subject to all other ordinances, rules and regulations while in Hyrum City, pursuant to the provisions of this title. The city shall provide applications for a dog license and shall include the name and address of the owner and the name, breed, color, age, and sex of the dog. Applicants also shall pay the prescribed licensing fee and provide proof of current rabies vaccination.

B. The licensing period shall begin the first day of the calendar year and shall run for one year. License renewal may be applied for within sixty (60) days prior to the expiration date. New residents must apply for a license within thirty (30) days of establishing residency.

C. A license shall be issued after payment of a fee according to the prevailing fee schedule for each dog. Persons who fail to obtain a license as required within the time period specified in this section will be subjected to a late fee as set forth in the prevailing fee schedule.

D. Evidence of license for the previous year may be required of all persons desiring to relicense a dog under the provisions of this section. Any person attempting to license a dog that was not properly licensed during the previous year, had passed the age of four (4) months, and had been in the city more than thirty (30) days prior to January 1 of the current year, shall be required to pay:

1. The appropriate license fee for the previous year;
2. The appropriate license for the current year; and
3. The late fee as provided by subsection D of this section.

E. License fees shall be waived for trained service dogs serving the disabled or government owned dogs used for law enforcement. All other licensing provisions shall apply.

F. Upon acceptance of the license application and fee, Hyrum City shall issue a durable license tag including

an identifying number, year of issuance, city, county, and state, which must be attached to the collar of the dog. Tags must be worn at all times. Hyrum City shall maintain a record of all licenses issued, and such records shall be available to the animal control officer.

G. When a resident purchases or otherwise acquires a dog already licensed with Hyrum City for the current year, the new owner may transfer the existing license for a fee in an amount set by resolution of the City Council. This transfer must take place within thirty (30) days from the date of purchase or acquisition or the dog must be re-licensed according to the provisions of this chapter. If the newly acquired dog comes from outside Hyrum City, or its owner has moved into Hyrum City and brought the dog with him, and the dog carries a valid license from another jurisdiction, the new owner may obtain a Hyrum City license by offering proof of rabies vaccination and paying a transfer fee in an amount set by resolution of the City Council. This transfer must take place within thirty (30) days from the date the dog is brought into Hyrum City or the dog must be relicensed according to the provisions of this chapter. (Ord. 92-10 § 1 (part): prior code § 13-242 (O); Ord. 08-06)

H. Each household may own, keep, harbor or maintain no more than two (2) dogs over the age of four (4) months unless they are <u>a service dog trained to perform a task related to a person's disability, or</u> operating a commercial kennel (see Chapter 20). Other than single family dwellings all other residential buildings will be permitted one (1) dog per dwelling unit, (e.g. Duplex – two (2) dogs total, Fourplex – four (4) dogs total). (Prior Code 18-03)

2. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance, the zoning map, or the Hyrum City Municipal Code to

which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

8. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

9. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 3rd day of August, 2023.

HYRUM CITY

BY:_____
Stephanie Miller
Mayor

ATTEST:

_____
Stephanie Fricke
City Recorder

Posted: _____

ORDINANCE 23-07

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the Hyrum City Municipal Code, a recodification of municipal ordinances encompassing the Revised Ordinances of Hyrum City and ordinances adopted through July 15, 1993; and

WHEREAS, Chapter 3.04 of the Hyrum City Municipal Code is known as the Purchasing Ordinance of Hyrum City and sets forth purchasing policies and procedures for use by municipal employees in acquiring equipment, materials, supplies, and services; and

WHEREAS, the City Council has determined there is a need to amend the purchasing ordinance to reflect changes in current purchasing practices and policies.

NOW, THEREFORE, the City Council hereby adopts, passes and publishes the following:

AN ORDINANCE AMENDING TITLE 3, SECTION 3.04.070 COMPETITIVE BIDDING (THE PURCHASING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Chapter 3.04.070 of Title 3 of the Hyrum City Municipal Code is hereby amended as follows:

3.04.070 Competitive bidding.

A. The general policy of Hyrum City is that all goods, services and equipment exceeding an estimated purchase price of forty thousand dollars for building improvements and seventy-five thousand dollars for public works projects shall be purchased only after competitive bidding unless otherwise directed by Hyrum City council.

B. The opportunity to bid should be largely unrestricted. Any attempt to eliminate or restrict competition, either through local preference or through manipulation of specifications, runs counter to this policy.

C. "Qualified bidder" means a bidder who has proven by experience or information furnished to the satisfaction of Hyrum City council that his current financial resources, production or service facilities, service or reputation and experience are adequate to

perform in a satisfactory and responsible manner the contractual services on which he bids; and who has not violated any provisions of this policy.

D. All bids submitted for construction projects with a total estimated cost in excess of forty thousand dollars must be accompanied by a bid bond or a cashier's check equal to five percent of the full bid amount.

E. All contracts awarded to the lowest qualified bidder for construction projects exceeding forty thousand dollars must be accompanied by a performance bond furnished by the contractor equal to the total amount of the contract.

F. Each invitation to bid should include only related items or services.

G. Each invitation to bid should specify the conditions of delivery as an integral part of the contract in order that competition is focused on the delivered price.

H. Each invitation to bid shall be published in a newspaper of local distribution in at least two issues, mailed, <u>electronically mailed, and/or other means of notification to meet the minimum requirements of State Law</u> to at least three of the most qualified providers of the equipment, materials, supplies or services requested. Bid deadlines shall not be less than ten days following the last publication or fifteen days from certification of mailed invitations.

I. All invitations for bids shall be authorized by the Hyrum City council. Inclusion of a specific item or service in an adopted budget shall be considered council authorization.

J. All bids shall be sealed. They shall be opened in a public meeting in order that bidders and other interested persons may be in attendance.

K. Awards should always be made in strict accordance with written specifications.

L. If a contract is awarded to other than the lowest qualified bidder, the reason for accepting a higher bid must be specified and made public.

M. Hyrum City reserves the right to accept or reject any and all bids, and waive any informality in the bidding process. (Ord. 00-02; Ord. 90-01 § 7)

2. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This

repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance, the zoning map, or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

4. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

5. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 3rd day of August, 2023.

HYRUM CITY

BY:_____
Stephanie Miller
Mayor

ATTEST:

_____
Stephanie Fricke
City Recorder

Posted:_____

AGREEMENT FOR FIRE SUPPRESSION, AMBULANCE SERVICE AND FIREFIGHTER/AEMT EMPLOYEMENT BETWEEN CACHE COUNTY FIRE DISTRICT AND HYRUM CITY

This AGREEMENT is made and entered into this ____ day of _____ 2023, by and between the CACHE COUNTY FIRE DISTRICT (the "FIRE DISTRICT"), a duly created fire protection district within CACHE COUNTY (the "COUNTY"), and HYRUM CITY (the "CITY"), a body corporate and politic of the State of Utah which operates a municipal fire department within the COUNTY. The FIRE DISTRICT and the CITY may be each be referred to individually herein as a Party and collectively herein at the Parties.

This AGREEMENT is made and entered into by and between the parties based upon the following:

A. The COUNTY has created a fire protection district pursuant to Utah Code Annotated section 17B-1-102(2) to provide fire protection and other emergency services in Cache County, agreement 91-3-13. The FIRE DISTRICT includes all areas within the COUNTY, with the exception of the incorporated areas of Logan City, and is divided into 12 zones.

B. The FIRE DISTRICT is desirous of ensuring fire suppression and other emergency services in all areas of the COUNTY and is responsible under Utah law to provide for the above mentioned services in the unincorporated portions of the COUNTY.

C. The FIRE DISTRICT possesses a ground transport ambulance license for emergency medical ground ambulance service (EMS) from the Utah Bureau of Emergency Medical Services and Preparedness and is responsible to provide EMS in all areas of the county designated by the EMS license.

D. The CITY maintains and operates a municipal fire department and a first responder medical unit that provides First Responder EMS services at their designated licensure level in the incorporated limits of the CITY.

E. The CITY is desirous of ensuring Fire and ambulance service in the incorporated areas of the CITY.

F. This agreement for fire protection and other emergency services is deemed to be in the best interest and for the general welfare of the CITY, the FIRE DISTRICT, and the COUNTY.

G. This agreement is made pursuant to Utah Code Annotated section 11-7-1 et. seq.

NOW THEREFORE, based upon the mutual consideration and mutual conditions contained herein, the parties hereto do hereby agree as follows:

1. The FIRE DISTRICT agrees to:

    a. Provide to the CITY fire apparatus as the FIRE DISTRICT budget allows; and

b. Provide insurance for any FIRE DISTRICT provided or FEPP provided apparatus; and

c. Pay the CITY for wildland fire response to private unincorporated areas indicated in the wildland response map attached hereto as Attachment B at the Forestry, Fire and State Lands MOU rate; and,

d. Allow deployment of FIRE DISTRICT apparatus out of the county on wildland fires with a 50% share of net earnings returned to the FIRE DISTRICT after all personnel, per diem, hotel, maintenance, fuel and other direct costs are deducted; and,

e. Provide basic and advanced fire, hazardous materials, wildland fire, and other fire related training to CITY fire personnel; and

f. Provide PPE laundry service to the CITY when requested; and

g. Provide annual OSHA 1910.120 fit testing when requested; and

h. Provide annual Emergency Vehicle Operations training; and

i. Provide Hazardous Emergency Response assistance when requested; provided, however, that the CITY shall be responsible for the cost of hazardous materials mitigation within the CITY.

j. Provide ground ambulance response and transport of the sick and injured at the license level approved to the FIRE DISTRICT by the Utah Bureau of EMS and Preparation to the CITY; and

k. Replace CITY purchased medical supplies used at each incident; and

l. Fund and coordinate Medical Control services to the CITY First Responder unit; and

m. Provide EMT and other emergency related training to CITY First Responder personnel except that CITY shall pay EMT testing fees; and

n. Hire and employ two qualified full-time Firefighter/AEMT's to staff the Hyrum fire station.

    i. The interview committee will include the following: Cache County Fire Chief, Hyrum Fire Chief, representative from Cache County Human Resource office, representative from the Hyrum Human Resource Office

    ii. Selection of the successful candidate shall be mutually agreed upon.

    iii. The successful candidates must be certified through the Utah Fire Certification system as Firefighter 1 and Hazmat Operations upon hiring. They must be certified as an Advanced Emergency Medical Technician within 12 months of their hire date.

iv. The employees will follow the COUNTY's employee policies and guidelines including all benefits, payroll, and training requirements. Disciplinary issues shall be resolved jointly through the COUNTY and the CITY human resource offices and the two fire chiefs.

v. The employees will follow the Cache County Fire District and Hyrum Fire Department's standard operating guides/standard operating procedures.

vi. The employees will work a regular schedule of 40 hours per week with weekends and COUNTY observed holidays off. Their primary work location will be in the Hyrum Fire station.

vii. Except for their regular work period, the full-time employees will be considered members of the Hyrum Fire Department and the CITY shall consider them as CITY employees for emergency response, training, and drills.

viii. The employees will respond to the Cache County fire station to staff additional ambulances as needed during their regular work period.

2. The CITY agrees to:

a. Provide structural and wildland fire suppression, rescue, extrication, hazardous materials, and other hazard emergency services as their ability, training, staffing, and equipment will allow within the unincorporated areas of Zone 8, which is defined in Attachment A hereto; provided, however, that the CITY will, at a minimum, meet the National Fire Protection Association 1720 Standard to have a minimum staff of 6 personnel on scene within 14 minutes of notification of a fire 80% of the time through department staffing and/or through automatic and mutual aid; and,

b. Provide and pay for service and maintenance of any COUNTY provided apparatus or equipment, including without limitation by performing annual safety and equipment inspections and by providing a heated building for the storage of any COUNTY provided apparatus; and,

c. Ensure that all of the CITY's responding personnel are Utah Firefighter I and Wildland Firefighter 1 certified and respond with proper personal protective equipment, undergo annual SCBA fit testing meeting OSHA 1910.120 standards, and attend bi-annual Emergency Vehicle Operation training provided by the FIRE DISTRICT; and,

d. Ensure that all of the City's firefighters who drive COUNTY vehicles are a minimum of 21 years of age and follow COUNTY vehicle operation policies when operating COUNTY and FEPP emergency vehicles.

e. Provide daily supervision of the full-time County employees staffing the Hyrum fire station in consultation with the Cache County Fire Chief.

f. Provide a safe and clean work environment consistent with fire and EMS employment conditions.

g. Provide all personal protective equipment for the full-time County employees staffing the Hyrum fire station for fire and EMS response as needed.

h. Allow the employees to respond to the Cache County fire station to staff additional ambulances as needed.

3. CALCULATION OF PAYMENT FOR SERVICES PROVIDED BY THE PARTIES

Payment for services shall be calculated as follows:

a. AMBULANCE SERVICE: The CITY shall pay the FIRE DISTRICT semi-annually $7.96 dollars per capita for a total of $15.92 dollars per capita annually with an increase of 3% per year beginning July of 2024 based on current U.S. Census estimates for persons living in the incorporated area of the CITY for ambulance service.

b. FULL TIME FIREFIGHTERS: The CITY shall pay the FIRE DISTRICT on a semi-annual basis, the cost of wages and benefits for the employee's time less any time spent staffing the FIRE DISTRICT's fire station or while on wildland deployments for the CITY.

c. FIRE SERVICE: The FIRE DISTRICT shall pay the CITY annually an amount equal to the number of persons living in the unincorporated areas of Zone 8 multiplied by the CITY'S fire department budget per capita rate.

   i. The CITY's fire department per capita rate is calculated based on the CITY Fire Department's prior year budget exclusive of capital budget, and revenue from grants, wildland deployments, this and other contracts for fire service.

   ii. The population of the unincorporated areas served by the CITY is calculated by multiplying the number of unincorporated residential units in the CITY's Zone (8) by 3.2. The COUNTY will provide the CITY the number of residential units in Zone 8.

4. INCIDENT COMMAND:

a. Both parties agree to operate all incidents under the National Incident Management System.

b. The CITY Fire Department members shall assume or be assigned Incident Command at all emergencies within the Zone except for wildfires that exceed initial attack capabilities or become delegated to the State. FIRE DISTRICT personnel shall report to the CITY incident commander for assignment.

c. FIRE DISTRICT personnel shall not assume or be assigned Incident Command except at fires that exceed initial attack capabilities.

d. FIRE DISTRICT personnel shall assume or be assigned to a Unified Command at wildland fires in the unincorporated county that become delegated to the state and require Utah Forestry, Fire and State Lands or Federal firefighting resources.

5. MUTUAL AND AUTOMATIC AID:

   a. The CITY Fire Department shall have, through this Agreement, mutual and/or automatic aide from any other department or agency which holds a current agreement with the FIRE DISTRICT. In return, the CITY agrees to provide the same service to other departments contracting with the FIRE DISTRICT.

   b. The CITY agrees to respond with only those resources requested by dispatch when responding to automatic/mutual aid calls. Furthermore, the CITY agrees to send only certified firefighters to calls outside of the Zone.

6. CODE ENFORCEMENT:

   a. The CITY and the COUNTY shall each be responsible for code enforcement within their own geographic boundaries. The FIRE DISTRICT shall conduct all annual business inspections, plan reviews, zoning inspections and other building and fire code related functions within the unincorporated portion of the Zone.

   b. The FIRE DISTRICT shall provide cause and origin determination of all fires in the unincorporated portion of the Zone and may be requested to provide cause and origin determination at fires in the CITY by the CITY's Incident Commander. The CITY shall request FIRE DISTRICT investigation personnel through 911 dispatch to respond to fires in any unincorporated portion of the Zone when the FIRE DISTRICT is not a part of the response plan.

   c. The CITY and the FIRE DISTRICT may issue burn permits within the Zone in accordance with Utah laws, rules, and regulations.

7. This Agreement does not supersede any responsibilities, regulations, and/or requirements imposed by state laws or local ordinances upon the FIRE DISTRICT's Fire Chief or the CITY's Fire Chief as Authority Having Jurisdiction under the Utah State Fire Code.

8. This Agreement supersedes any previous agreement entered into by and between the CITY and the COUNTY/FIRE DISTRICT for fire protection and/or other emergency services.

9. Unless sooner terminated as hereinafter provided, the term of this Agreement shall be for a period of 1 year commencing July 1, 2023. The Agreement shall automatically renew for an additional 1 years on each anniversary date of this Agreement under the same terms and conditions as set forth herein, unless a Party delivers written notice to the contrary to the other Party at least thirty (30) days prior to the date of expiration.

10. This contract may be terminated by either Party because of the other Party's failure to perform any of its obligations under the Agreement by giving written notice of termination to the defaulting Party. Termination of the Agreement will become effective ninety (90) days after such written notice is delivered to the defaulting Party.

11. This Agreement and the Parties' performance under this Agreement shall be governed by the laws of the State of Utah.

12. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of the Parties and their permitted successors and assigns; provided, however, that this Agreement cannot be assigned, transferred or conveyed by either Party, without the express, written consent of the other Party.

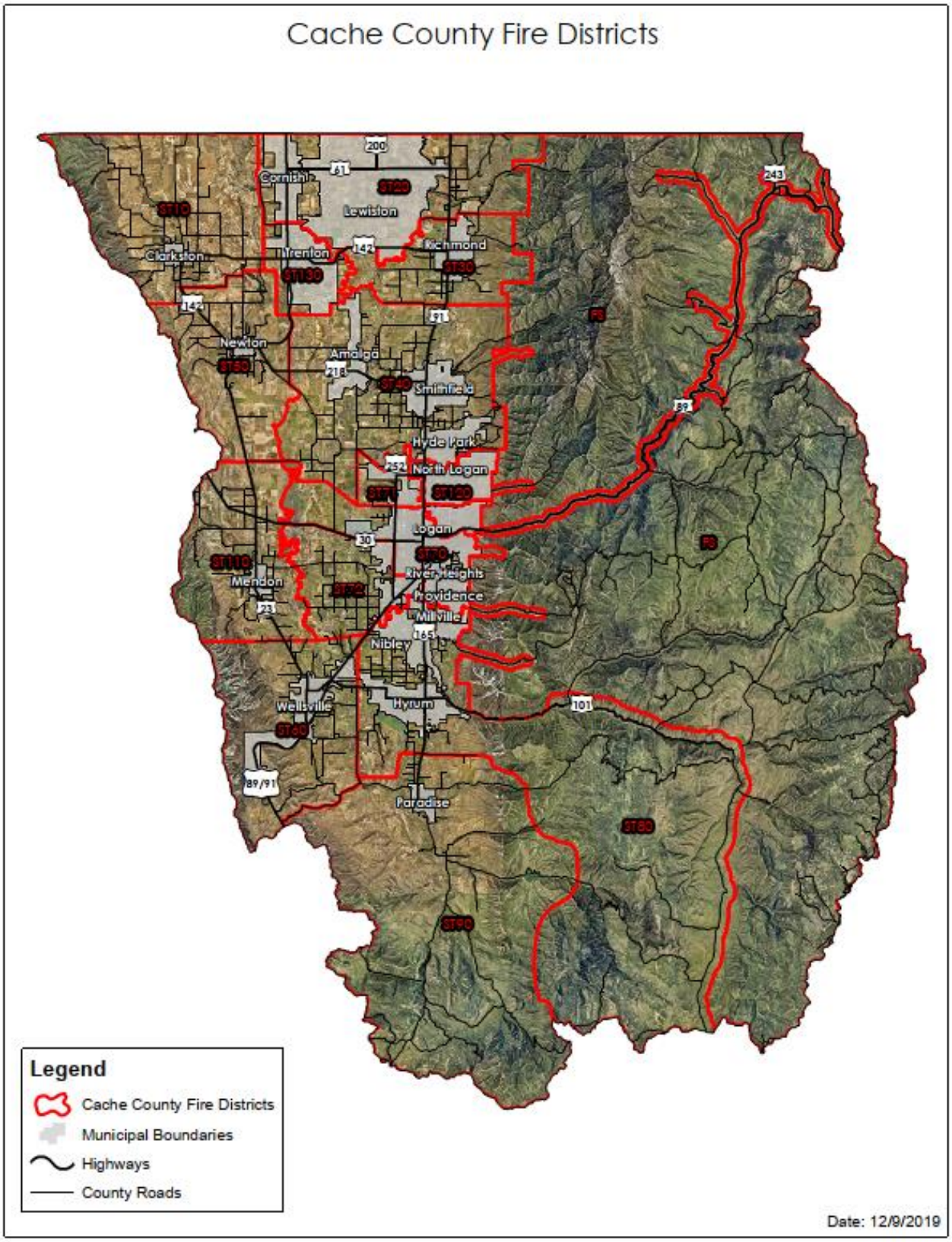
13. This Agreement and the Attachments thereto constitute the entire agreement for fire/hazmat response between the COUNTY and the CITY. The Parties acknowledge that there are no other underlying agreements, oral or written, pertaining to the terms of this Agreement.

14. The FIRE DISTRICT and the CITY can amend this contract only by a written addendum, duly executed by authorized agents of the parties during the time this Agreement is in force.

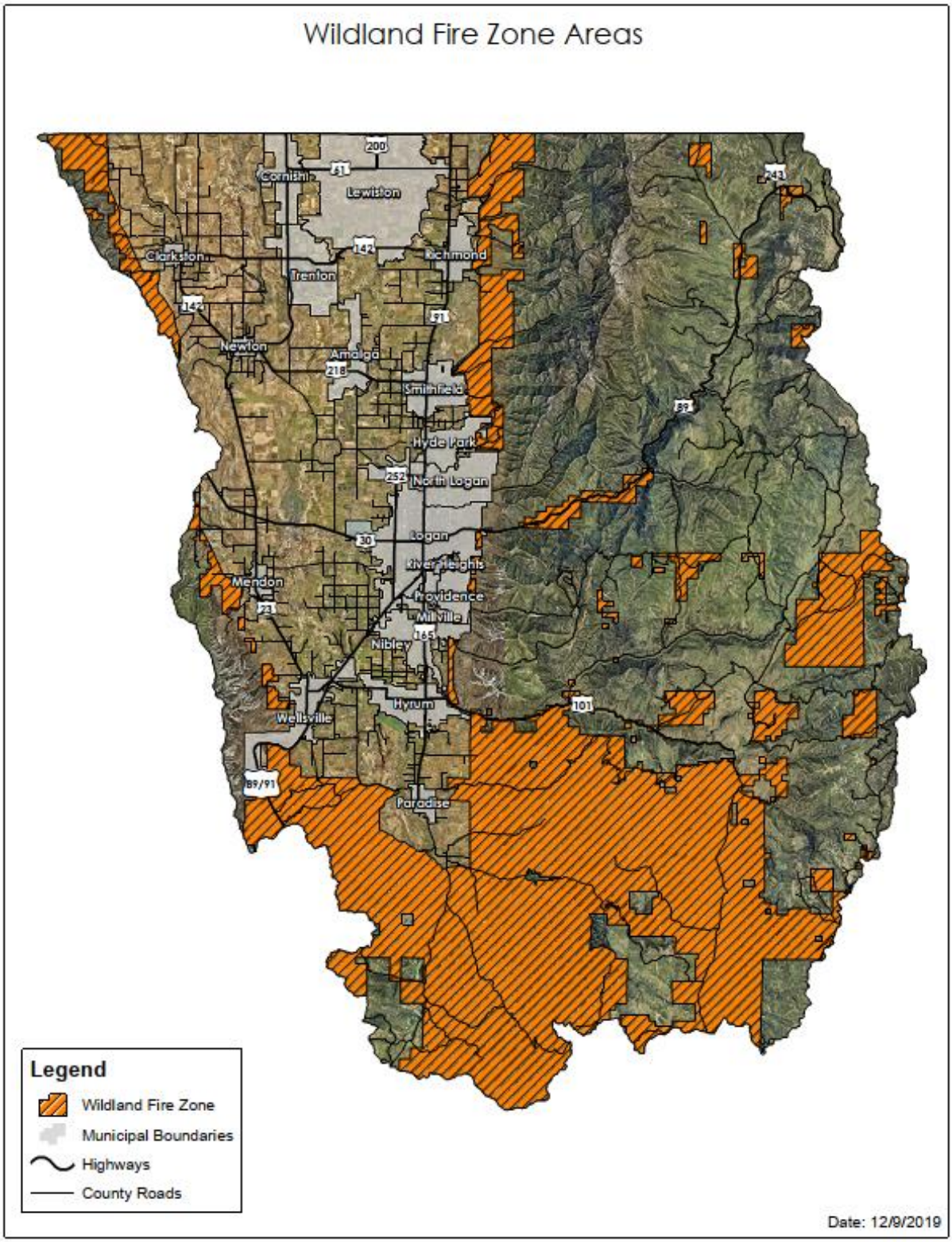
15. To the fullest extent permitted by law, CITY shall hold harmless, defend at its own expense, and indemnify COUNTY, its officers, employees, agents, and volunteers, against any and all liability, claims, losses, damages, or expenses, including reasonable attorney's fees, arising from all acts or omissions to act of CITY or its officers, agents, or employees in rendering services under this contract; excluding, however, such liability, claims, losses, damages, or expenses arising from COUNTY's sole negligence or willful acts.

_____	_____
David Zook, Executive Date Cache County Fire Board Chairman	Stephanie Miller, Mayor Date Hyrum

Attachment A – Cache County Fire Zones



Attachment B – Wildland Fire Zones



PROCLAMATION 23-01

PROCLAIMING THE WEEK OF SEPTEMBER 18 THROUGH SEPTEMBER 24, 2023 AS NATIONAL DIAPER AWARENESS WEEK.

The Honorable Mayor Stephanie Miller: an Official Statement:

Whereas, diaper need, the condition of not being able to afford a sufficient supply of clean diapers to keep babies and toddlers clean, dry, and healthy, can adversely affect the health and well-being of children and their families; and

Whereas, national surveys and research studies report that nearly one in two families struggles with diaper need, and 48 percent of families delay changing a diaper to extend the available supply; and

Whereas, a daily or weekly supply of diapers is generally an eligibility requirement for babies and toddlers to participate in child care programs and quality early-education programs that enable children to thrive and parents to work; and

Whereas, many parents struggling with diaper need report missing an average of five days of work each month due to an insufficient supply of diapers; and

Whereas, without enough diapers, babies and toddlers risk infections and health problems that may require medical attention resulting in medical costs, and parents may be prevented from accessing child care needed to go to work or school, thereby destabilizing the family's economic prospects and well-being; and

Whereas, the people of Hyrum recognize that diaper need is a public health issue, and addressing diaper need can lead to economic opportunity for the state's families and communities and improved health for children, thus ensuring all children and families have access to the basic necessities required to thrive and reach their full potential; and

Whereas, Hyrum is proud to be home to trusted community-based organizations including Little Lambs Foundation for Kids, that recognize the importance of diapers in ensuring health and providing economic stability for families and thus distribute diapers to families through various channels; and

Whereas, through their important work of addressing diaper need, diaper banks play a critical role in supporting

families, improving infant health and wellbeing, and advancing our local and state economic growth; now

Therefore, I, Mayor Stephanie Miller, do hereby proclaim the week of September 18th through September 24th, 2023 as National Diaper Awareness Week in the City of Hyrum, thank the aforementioned diaper banks, their staff, volunteers and donors, for their courageous service during the crisis, and encourage the citizens of Hyrum to donate generously to diaper banks, diaper drives, and support those organizations that collect and distribute diapers to families struggling with diaper need, so that all of Hyrum children and families can thrive and reach their full potential.

This resolution shall be effective upon adoption.

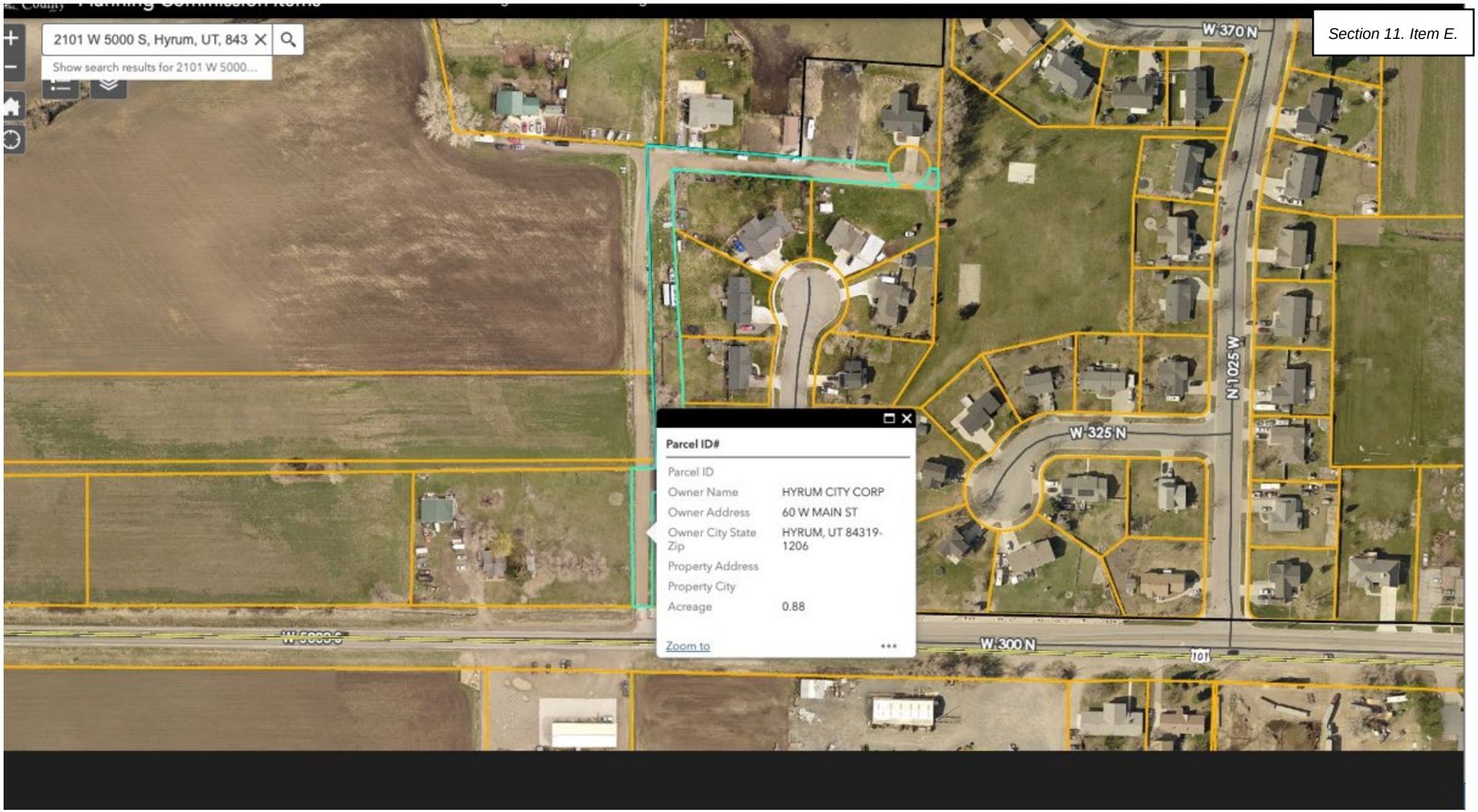
ADOPTED AND PASSED this 3RD day of August, 2023.

HYRUM CITY

BY:_____
Stephanie Miller
Mayor

ATTEST:

_____
Stephanie Fricke
City Recorder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W 325 N
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Parcel ID#
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Owner Address 60 W MAIN ST
Owner City State Zip HYRUM, UT 84319-1206
Property Address
Property City
Acreage 0.88
Zoom to