

Hyde Park City Council Meeting  
113 East Center Street  
Hyde Park, Utah  
Live & Electronic Meeting

January 10, 2024

**City Council**

The Hyde Park City Council meeting began at 7:00 and was conducted by Mayor Cox

**City Officials Present Live & Electronic:** Mayor; Cox, Council members; Kevin Flint, Stephanie Allred, Gerald Osborne, Tiffany Atkinson and Kirk Brower, City Administrator; Marcus Allton, and City Recorder; Donja Wright.

**Others Present:** Brent Downs, Ben Clegg, Camie Clark, Nancy Buckway, Terry Buckway, Charles Darnell, Bann Matson, Scott Matson, Jared Headley, Kaleb Headley. Corinda Krebs, Cade Denny, Cheryl Dutson, Lyle Shakespear, Camille Shakespear, Brad Benson, Karl White, Brent Kelly, Florence White, Terrell Anderson, Alisa Brodock

**Thought / Prayer:** Council member Allred

**Pledge of Allegiance:** Council member Allred

**Adoption of Agenda:** Council member Allred made a motion to approve the agenda as amended for January 10, 2024. Council member Atkinson seconded the motion. Council members Flint, Allred, Osborne, Atkinson, and Brower voted in favor. The motion carried 5/0.

**Minutes:** Council member Allred made a motion to approve the minutes from December 5, 2023, as amended. Council member Atkinson seconded the motion. Council members Flint, Allred, Osborne, Atkinson, and Brower voted in favor. The motion carried 5/0.

**Oath Of Office for City Council members Stephanie Allred, Tiffany Atkinson, and Kirk Brower.** Donja Wright presented the oath of office for Council members Stephanie Allred, Tiffany Atkinson, and Kirk Brower for a 4-year term.

**Citizen Input:** Ben Clegg approached the council and informed them that when he and all his neighbors moved into their subdivision, they did so because it was an A-1 zone with a rural feel. He and his neighbors are not against development but would like to see it developed in such a way that they maintain larger lots and a rural feel. He is willing to pay for a cost increase to maintain the rural feel.

Jay Nelson approached the Council and informed them that he sees a serious flaw in the Matt Harris rezone request.

Kaleb & Jared Headley approached the Council and informed them that they live at 260 N 100 W. They received 6 parking tickets in 4 days and would like to appeal the tickets. There is no curb/gutter along their road so according to city ordinance, they are required to park 6' off the edge of the road. They have been parking in the same place for over 5 years and have intentionally parked over 6' off the road. They presented the Council with pictures.

The Police Chief informed the Council and Headleys that the NPPD has been tasked with enforcing parking, so the snowplows have room to push the snow. The mayor recommended that the Council waive the 6 parking tickets.

*Council member Allred made a motion to waive 6 parking tickets for Kaleb & Jared Headley. Council member Osborne seconded the motion. Council members Flint, Allred, Atkinson, Osborne, and Brower voted in favor. The motion carried 5/0.*

**Discuss City Council Assignments:** The Mayor informed the Council that as Mayor he has the authority to delegate roles and responsibilities to the city council. The mayor asked Council member Osborne to act as mayor pro tem.

*Council member Atkinson made a motion to approve Council member Osborne as Mayor pro tem. Council member Allred seconded the motion. Council members Flint, Allred, Osborne, Atkinson, and Brower voted in favor. The motion carried 5/0.*

**Responsibilities:**

*Kevin Flint:* Planning Commission Liaison, Police Commission, Fire Department

*Stephanie Allred:* City Celebration, Facilities, Youth Council

*Tiffany Atkinson:* Parks, Trails, Sidewalks

*Gerald Osborne:* Mayor Pro-tem, Roads, Stormwater

*Kirk Brower:* Water, Sewer, Police Commission, ACE

**Consider minor changes to the 700-east road project:** Marcus Allton presented slides outlining citizen concerns about the 700 east road project and explanations to those concerns. The project has been in the master plan for more than 20 years. The city engaged with the Kimballs to obtain ROW for the road. When the Kimballs were willing to dedicate the ROW to the city, the city proceeded to see if the COG would consider the 700 east road project for funding. The project was accepted and at that point the city reached out to the Balls & Butkus's to start negotiating property purchase. The city owned all other property necessary for the project. (Slide show included)

Josh from Sunrise approached the Council. He discussed the original design for the 700-east project. (Included) This is the design that the COG and City Council approved. He presented a design alternative that addressed most of the citizen's

concerns. The crosswalk and sidewalk were changed. Both cross sections are a full 80' ROW With different sidewalks. The 2<sup>nd</sup> option would save landscaping in some of the areas.

The Council discussed the safety of sidewalks right on the curb of the road. Council member Flint informed the Council that the residents he talked to were concerned about painting and the maintenance of paint on the roadway. Marcus explained one option is to paint the entire length of the road. The citizens shared their concern about long-term maintenance. The citizens and council discussed the speed limit along this road, and all were in support of it being a 25-mph speed limit. Chief Goodrich explained that people are driving 10 mph over the speed limit. His opinion is to keep the paint on the roads and maintain the bike lanes.

Charles Darnell informed the Council that he is satisfied that the city reached out. He thinks there's an opportunity to make changes to the road and most of the concerns have been addressed in the engineer's 2<sup>nd</sup> cross section. He would recommend the cross section without the park strip. He recommended getting rid of the median, striping the length of the road to keep cars in their lanes, and leaving a larger side on the edge of the road.

Council member Osborne informed the Council that he is in support of the park strip and wide road.

Karl White approached the Council and informed them that one of the problems is the snow from the plow does not get pushed onto the sidewalk. The question is what the city does outside of the 49' asphalt. He recommended eliminating the turning lanes and park-strips. The park strips tend to become an issue, they use extra water and are typically not maintained, creating another responsibility for the residents. He likes option 2 or something like it. By moving the sidewalk, it saves a lot of the existing landscape.

The mayor expressed his concern about the maintenance of the retaining wall and handrail. He feels like the sidewalk to the curb is a better idea for maintenance and reserving landscaping.

Josh recommended going out to bid as soon as possible to get the best price. The bid can specify line items such as preserving landscaping etc. and line items can be removed later. The Council was in support of this going out to bid for the full original project and adjustments made to the line items after final approval.

*Council member Flint made a motion to continue this to the next Council meeting. Council member Brower seconded the motion. Council members Flint, Allred, Atkinson, Osborne, and Brower voted in favor. The motion carried 5/0*

**Approve CVTD Representative:** The mayor informed the council that the CVTD changed its structure and now runs with a 5-member board. The representative for North Logan and Hyde Park is Ron Bushman.

*Council member Brower made a motion to approve Ron Bushman as a representative on the CVTD. Council member Osborne seconded the motion. Council members Flint, Allred, Atkinson, Osborne, and Brower voted in favor. The motion carried 5/0*

**Consider a rezone application submitted by Hyde Park Gateway to change the zoning from commercial to mixed use.**

**Address: 3800 North hwy. 91**

**Parcel: 04-031-0002**

Marcus informed the Council that the city previously signed a development agreement with Skylar Jenks.

Corinda Krebs informed the Council that she is concerned about the hometown feel that everyone loves and having rental properties in the city. She suggested that this may not be in the best interest of the city moving forward. She encouraged the Council to think about the long-term impact. She asked the Council how they feel this development meets the general plan. She informed the Council that changing the ratio of renters to owners will change the future of Hyde Park.

The Council discussed moderate income housing. The mixed-use zone is one of the zones that helps with the moderate-income housing requirements of the state. Stephanie discussed the desire of the landlord to do rentals so he can keep up the maintenance of the rentals.

*Council member Atkinson made a motion to accept the rezone for Hyde Park Gateway from commercial to mixed use. Council member Allred seconded the motion. Council members Flint, Allred, Atkinson, Osborne, and Brower voted in favor. The motion carried 5/0.*

**Consider a rezone application submitted by Matthew Harris**

**Address: 600 south**

**Parcels: 04-038-0038, 04-038-0033, 04-038-0034**

Marcus informed the council that a public hearing was held at the Planning commission. They had a long discussion and voted 3/2 to send 2 of the lots onto Council for consideration.

Council member Osborne informed the Council that the transitional zone was for a specific area near wolfpack way, not for transitioning residential to residential.

All Council members were opposed to the rezone. They determined it to be inconsistent with the intent of the zone as it was not transitioning to any non-residential zones.

*Council member Osborne made a motion to deny the rezone application for the Harris property. Council member Atkinson seconded the motion. Council members Flint, Allred, Atkinson, Osborne, and Brower voted in favor. The motion carried 5/0.*

**Consider Ordinance 2024-01 – An Ordinance amending section 13 Subdivision Ordinance.** Marcus informed the council that amendments to section 13 were proposed by Rural Community Consultants and reviewed in detail by the Planning Commission and City Attorney. Most of the changes were required by the state code. This ordinance changes some of the standards and the application and review process for a subdivision. Council member Brower made a motion to approve Ordinance 2024-01 – An ordinance amending section 13 subdivision ordinance with planning commission changes. Council member Flint seconded the motion. Council members Flint, Allred, Atkinson, Osborne, and Brower voted in favor. The motion carried 5/0

**Consider Ordinance 2024-02 – An Ordinance amending section 12.40.010 Development Review Committee membership.** Marcus informed the council that this Ordinance runs in conjunction with the subdivision ordinance. This removes the mayor and city council as sitting members of the DRC. Council member Flint made a motion to approve Ordinance 2024-02 – An ordinance amending section 12.40.010 Development Review Committee membership per State direction. Council member Atkinson seconded the motion. Council members Flint, Allred, Atkinson, Osborne, and Brower voted in favor. The motion carried 5/0

**Review Moderate Income Housing Biannual report:** Marcus informed the Council that he is required to submit a report biannually to the Council. The city chose 3 strategies for moderate income housing. The report details the rezone process (report included).

**Discuss eliminating the Hyde Park City Justice Court:** Marcus informed the Council that he spoke with the city manager from North Logan, and they concluded that North Logan and Hyde Park are losing a lot of money by operating a court. Marcus spoke with Jim Peters and got the process for moving the court. The process would take over a year and require approval from the legislature. The city would need to pay out the remainder of Judge Lorz term. Marcus spoke with the city manager from Smithfield who went through this process a few years ago. During their research, they found that most of the citations are from people traveling through the city, not residents. They have had almost no backlash from moving the court. The Council would need to hold a few public hearings to see what the residents think. The Council was in support of continuing the research.

**Consider Resolution 2024-01 – A resolution requesting the recertification of the Hyde Park City Justice Court.** Marcus explained that although the Council may be considering eliminating the justice court, it needs to continue operation in the meantime and part of that is the recertification of the court. Council member Allred made a motion to approve resolution 2024-01- A resolution requesting the recertification of the Hyde Park City Justice Court. Council member Atkinson seconded the motion. Council members Flint, Allred, Atkinson, Osborne, and Brower voted in favor. The motion carried 5/0

### **Departments**

**NPPD:** Police Chief Goodrich informed the Council that the NPPD responded to a fatal crash on the highway. The North Park Police were able to process the accident from start to finish.

**Admin:** Marcus informed the Council that Alex Bernsen requested time with the council to review the updated Rendezvous plans. Mr. Bernsen recommended January 23<sup>rd</sup>. The Utah Inland Port authority is coming on January 31<sup>st</sup>. The Council would like Alex to present on the same night with a 6:00pm start time.

Council member Atkinson made a motion to move to an executive session to discuss personnel issues, property acquisition and potential pending litigation. Council member Allred seconded the motion. Council members Flint, Allred, Osborne, Atkinson, and Brower voted in favor. The motion carried 5/0.

Council member Allred made a motion to move out of executive session. Council member Atkinson seconded the motion. Council members Flint, Allred, Osborne, Atkinson, and Brower voted in favor. The motion carried 5/0.

**Meeting Adjourn:** Council Allred member made a motion to adjourn. Council member Flint seconded the motion. Council members Flint, Allred, Osborne, Atkinson, and Brower voted in favor. The motion carried 5/0.

### **Meeting adjourned at 11:10pm**

**Minutes:** Council member Atkinson made a motion to approve the minutes from January 10, 2024, as amended. Council member Allred seconded the motion. Council members Flint, Allred, Osborne, Atkinson, and Brower voted in favor. The motion carried 5/0.

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Donja Wright – City Recorder