

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

August 28, 2024

**City Council**

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

**City Officials Present Live & Electronic:** Mayor; Bryan Cox, Council members; Kevin Flint, Stephanie Allred, Tiffany Atkinson, Gerald Osborne (via Zoom for the first 40 minutes, then in-person), and Kirk Brower, City Administrator; Marcus Allton, and City Assistant; Melinda Lee (arrived at 8:30 p.m.)

**Others Present:** Sherri Nate, Dustin Nate, Dave VanNatter, Wayne Anderson, Jennifer Anderson, Thayne Braegger, Laurence Ward, Reed Elder, Wendy Zane, Cory Goettsche, Jerry Wursten, Ed Fisher, John Thompson, Rod Thompson, R. James Balls, Robert Balls, Regan Zane

**Thought / Prayer:** Council member Brower

**Pledge of Allegiance:** Council member Brower

**Adoption of Agenda:** *Council member Atkinson made a motion to approve the agenda as presented for August 28, 2024. Council member Allred seconded the motion. Council members Flint, Allred, Atkinson, Osborne, and Brower voted in favor. The motion carried 5/0.*

**Minutes:** *Council member Atkinson made a motion to approve the minutes from August 14, 2024, as amended. Council member Allred seconded the motion. Council members Flint, Allred, Osborne, Brower, and Atkinson voted in favor. The motion carried 5/0.*

**Citizen Input:**

**Cory Goettsche:** Discussed the costly nature of building an 1800-square foot home. He presented a detail of the City's costs associated with building a home in Hyde Park and questioned if the city's view of affordability was in line with their fees.

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Mayor Cox responded, indicating that many of the fees were statutory or legislated, explaining that roads, stormwater, and impact fees are often mandated requirements.

**Public Hearing to take public comment on Ordinance 2024-19 - An Ordinance establishing administrative proceedings regarding violations of civil municipal ordinances (code enforcement).**

A Public Hearing took place regarding Ordinance 2024-19. Mayor Cox emphasized the future considerations of code violations process, explaining collaboration with North Logan on code enforcement. Marcus explained the ordinance establishes penalties for infractions without invoking criminal action, to which administrative fines could be applied.

The council addressed the need for strong but fair enforcement and allowed for a public appeal process. A few modifications were suggested including adding that elected officials could not serve as enforcement authorities.

Comments were solicited from the public,

**Dustin Nate:** Questioned if City staff can write citations.

**Sherri Nate:** Questioned the scope of the ordinance.

Clarifications were offered by Marcus about inspection authority and the ordinance's inclusive nature of addressing all city code.

The Mayor closed the public hearing.

**Consider Ordinance 2024-19 – An Ordinance establishing administrative proceedings regarding violations of civil municipal ordinances (code enforcement).**

Discussion ensued among the council about the enforcement of city code via the newly proposed ordinance. Several council members viewed the necessity of establishing statutory power to uphold city principles, yet acknowledged possible operational shortcomings that might appear upon its initial implementation. They emphasized a guarantee of fairness in enforcement actions and processes for citizen appeals.

*Council member Allred made a motion to approve Ordinance 2024-19 – An Ordinance establishing administrative proceedings regarding violations of civil municipal ordinances (code enforcement). Council member Brower seconded the motion. Council members Flint, Allred, Atkinson, Osborne, and Brower voted in favor. The motion carried 5/0.*

**Consider a request from Cache County School District and DWA to get approval for a variance from the noise ordinance to do a continuous pour.**

Representatives from the school district and DWA requested a variance from city noise ordinances to support early concrete pours for school construction. They emphasized the pours' critical impact on structural integrity, necessitating earlier start times during colder months expected until May.

Council members recognized neighborhood impacts yet agreed it was essential for project quality. An arrangement was suggested to ensure the city receives 48-hour notices before concrete activations to schedule alerts to the public.

*Council member Osborne made a motion to approve a request from Cache County School District and DWA to get approval for a variance from the noise ordinance to do a continuous pour. Council member Allred seconded the motion. Council members Flint, Allred, Atkinson, Osborne, and Brower voted in favor. The motion carried 5/0.*

**Consider a policy defining City Council Meeting Rules and procedures.**

Review of a policy document detailing city council meeting rules and conduct occurred. Marcus underscored the importance of having structured guidelines for digital meetings and for conduct on proceedings. The policy is lengthy, and the council suggested postponing this item to allow a comprehensive review.

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

**Consider the updated Zoning Map.**

Marcus introduced the topic of the updated zoning map which primarily represented verbiage updates post new general plan adoption. Changes included redefined zoning on school district property, and reclassification decisions over future residential areas deemed planned professional.

Council members conveyed concerns on perceived downzoning impacts and suggested seeking clarity from directly affected property owners, for additional input on desired zoning.

*Council member Allred made a motion to continue consideration of the updated zoning map until further review and outreach to relevant property owners. Council member Atkinson seconded the motion. Council members Flint, Allred, Atkinson, Osborne, and Brower voted in favor. The motion carried 5/0.*

**Consider a rezone request for Sue Balls to rezone approximately 10 acres of property owned by the Robert and Sue Balls Trust at about 600 E 150 N. Parcel IDs: 04-040-0019, 04-040-0045 and 04-040-0029, from A1 to R4.**

### **Public comment**

**Laurence Ward:** Shared concerns about smaller lots next to larger lots looking out of place and not harmonious with the existing lots.

**Wendy Zane:** Feels that this is too dense for the area and a different zone may work better.

**Corey Goettsche:** Feels that no matter the lot size, it will not be affordable.

**Bob Balls:** Currently doesn't have any plans to develop the property but wants to prepare for the future.

Allton showed his own neighborhood made up of ¼ acre lots.

Council member Atkinson concurred. She loves the variety in her own neighborhood and emphasized the need for different demographics. She feels it is a great, healthy community.

**David VanNatter** (89 E 100 S) – In the last meeting there was a lot of talk of meeting the city's financial obligations. He noted the 100 or so homes that have come into Hyde Park recently in various neighborhoods. Hyde Park has increased the number of homes a lot in the last five years. If we still need more revenue, will this project even work? He finds all of this very intriguing.

Mayor Cox explained the city is making a strong effort to attract businesses. Businesses need more rooftops to be interested. The city only gets 11% of property taxes paid. Sustainability begins at ¼ acre lots. That only covers infrastructure costs. That does not include other costs the city incurs. Townhomes in at least some areas will help. The city is trying to attain some kind of equilibrium. Cox also spoke about impact fees.

**Reed Elder** noted much of our growth is our own children.

The mayor confirmed Reed's comment. He related the Cache County study done a couple years ago that found 84-86% of our growth is from our own children and grandchildren. Many of us contribute to the 'problem' of growth. Our families are good. Quality of life means something different to everybody. How do we plan for it, have that vision?

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Allton showed the study that determines our impact fees. It includes a dozen or so big projects. Impact fees will go down over time as we grow. That is the way the system is designed.

**Cory Goettsche** asked if those projects are city funded or developer funded.

Allton: These are city projects.

Council member Osborne spoke about property rights. Sometimes what one person does affects others. He voted against the rezone to smaller lots on 50 East (Champlin project). Personally, he feels the Balls should be able to rezone the land from one acre. The R4 zone feels too small to him. Perhaps some of it could be rezoned to R4 but maybe not all.

Council member Brower is in favor of a change, but not ¼ acre lots.

Council member Atkinson noted the many times people complain that all the density is in one place in the city. They ask the city to spread it out. We have heard from our citizens, and this is an opportunity to do just that. We need this kind of development in our community.

Council member Allred tries to think of our city as a whole, not vote for just one section.

*Council member Atkinson made a motion to approve the Sue Balls rezone from A1 to R4. Council member Allred seconded the motion. Council members Flint, Allred, and Atkinson voted in favor. Council members Osborne and Brower voted against. The motion carried 3/2.*

**Consider a rezone request for Jake Thompson to rezone approximately 14 acres of property owned by Hyde Park Land Development at about 500 W 150 S. Parcel ID: 04-031-0011 from Commercial to MXD.**

**Jake Thompson** – There are 14 acres total, the front along highway 91 (approximately 5 acres) will be commercial, the rest residential.

*Council member Osborne made a motion to approve the Jake Thompson rezone from Commercial to Mixed-Use (MXD). Council member Atkinson seconded the motion. Council members Flint, Allred, Osborne, Brower, and Atkinson voted in favor. The motion carried 5/0.*

### **Departments:**

**Roads** – (Mayor) The 700 East Road should be paved in mid-October. They may do some work at the canal. Beyond the canal will probably happen in the spring.

**Youth Council** – Council member Allred reported on the water slide held Saturday, August 24 and she was grateful the weather cooperated. She asked if next year the city can mow the area where the slide will go. [Liability issues.] She had so much help - cleaned up in 40 minutes, instead of 4 hours!

Plans for the Halloween Spook Alley are beginning.

**Parks and Trails** – Council member Atkinson said we are replacing the pickleball courts at the city building. There are new donated trees planted at the parks. They fixed the rock wall where the Legacy Park sign is. The city will clean up alongside the tennis court here (where the well was dug). She asked if anyone is going to the League of Cities and Towns.

Cox noted the city now owns the little parcel of property to connect the city park (behind the Post Office) to the rest of the trail.

**Planning Commission:** Council member Flint said the Planning Commission still has a lot on their plate.

The mayor noted the Busenbark Final Plat was approved, the Oz Development was approved, the Two Brothers development was continued and the Future Zoning Map was continued. They also continued the parking space ordinance and general requirements about businesses facing highway 91.

**NPPD:** Council member Flint reported the Police Department is doing well - as well as they have in a long, long time.

Chief Goodrich wanted to draw attention to the upcoming event in North Logan. Remember how you felt on September 12, 2001? Planners are creating a 'walking museum' with 4x8 boards/posters with audio and video. Police and fire fighters will talk about their experience. School buses will arrive every 15 minutes. Open to the public all day. Involves all emergency responders. They are looking for volunteers to put the wood frames together – people with drills. Allton will advertise the event and the call for help on our website. Great opportunity for the community.

He informed the Council that the department is fully staffed with 14 officers plus one in the academy for a combined 153 years of experience. He has been very deliberate in recruiting officers with experience. Right now, 7 of 15 have more than 13 years of experience. Historically, 80-90% of the officers had 1-3 years of experience. They are seeing good conclusions on the cases, stops, and DUI investigations.

Responding to Council member Allred, the DUIs have always been there; we are now able to address it. More DUIs involve alcohol, about 30-40% is probably drugs - often prescription.

**Administrative:**

The mayor said they are in discussions on the inland port. He and Allton are working to make the best use of that land. They are asking more pointed and hard questions. The inland port authority is not our only option. What type of businesses want to come to Hyde Park? We are still in the 'dating phase'. We may or may not pursue this option.

Public Open Houses scheduled for September 30 and October 1. We are not going into this blind. We are trying to determine what is in our best interest, and to generate funds for the city.

Council member Osborne has spoken to county commissioners across the state of Utah about inland ports. Others negotiated a 50/50 (instead of 75/25).

The mayor does not want them to be 'one and done' and then be off.

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

Responding to Audre Wursten and the 575 East Road, Council member Osborne has not yet gone to see it. He got called into work. He and Allton will go this week.

Meeting adjourned at 9:21

**Minutes:** *Council member Allred made a motion to approve the minutes from August 28, 2024, as amended. Council member Osborne seconded the motion. Council members Flint, Allred, Osborne, Brower, and Atkinson voted in favor. The motion carried 5/0.*

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Donja Wright – City Recorder