

**Hyde Park City Council Meeting  
113 East Center Street  
Hyde Park, Utah**

**February 25, 2015**

The Hyde Park City Council meeting of February 25, 2015 began at 7:00 p.m. and was conducted by Council member Randall.

**City Officials Present**

Council members: Brent Kelly, Robert Christensen, Bret Randall, Sharidean Flint, and Charles Wheeler, Police Chief: Kim Hawkes, Planning and Zoning member: Mark Lynne, and City Recorder: Donja Wright. Mayor Bryan Cox was excused.

**Prayer or Thought:** Council member Kelly

**Pledge of Allegiance:** Council member Christensen

**Adoption of Agenda:** Council member Christensen moved that the Hyde Park City Council approve the agenda for the February 25, 2015 Hyde Park City Council meeting as presented. Council member Kelly seconded the motion. Council members Kelly, Christensen, Randall, Flint and Wheeler voted in favor. The motion carried 5-0.

**Financial Statement:** The City Council confirmed their review of the January 2015 Financial Statement.

**Citizen Input:** No Citizen Input

**North Park Police Department Year-end Report:** North Park Police Chief Hawkes approached the Council and presented a slide show outlining the year 2014. Chief Hawkes began the slide show with a biography of each of the police officers, the dispatcher and reserves. He presented charts showing the organization of the department, how the budget was spent along with a two year budget comparison. He showed the Council a chart outlining the increase in calls for service over the years. The department received 6,388 calls for service in 2014, the top calls were; traffic crashes - 398, Citizen Assists - 344, Fingerprints - 320, School Assists - 273, and Medical – 259. The Department received assists from surrounding entities; Cache County Sheriff's office assisted 1066 times, Logan City Police Department assisted 702 times and Smithfield City Police Department assisted 186 times. Chief Hawkes showed the Council a map of the City divided into geographical locations and showed how many incidents were responded to in each area. The Council thanked the Chief and informed him of their gratitude for taking care of the citizens of Hyde Park and North Logan.

**Discuss and possibly approve the Franchise Agreement between Hyde Park City, Utah and Comcast of Utah II Inc.** – Council member Randall explained that he, the Mayor and Donja met with Kirk Nord from Comcast to discuss the Franchise Agreement. The 5% Franchise Fee that the City receives is dictated by law, not Comcast. Some of the agreement is dictated by the State

but Comcast can work to change some things like the amount of time the agreement is in place. The Council had a discussion about the agreement, specifically, if personal property is altered in any way, will Comcast be responsible to make the property whole? Council member Kelly said that the agreement protects public property but does not adequately protect private property. He informed the Council that a City in Colorado passed a similar ordinance for their City that included a clause wherein the franchise has to put aside money in case property is not put whole, similar to a letter of credit. Council member Kelly felt that the insurance requirement is too low and the City should have the option to have someone to go in and do an audit. The Council felt that the agreement could be strengthened and recommended that Donja forward Council member Kelly's suggestions to the Comcast representative and have him meet with Council member Kelly or come to City Council to discuss this further.

**Review 3-14. Telecommunications Facilities Ordinance** – Council member Flint gave the Council a summary of the Planning & Zoning commission's discussion on the telecommunications Facilities Ordinance. The Commission determined that it would be very difficult to put the cell tower in Founder's Park as there is currently no access and it would be difficult to get the property owners to grant this access. The Commission discussed stealth design technology and determined that their recommendation would be to place the cell tower at Lee Park and design it as a large flag pole. The Council recommended that T-Mobile come in with a design that will work at Lee Park. The Council recommended that in the telecommunications ordinance section 3-14-3e "Planning Department" be changed to "Planning commission". The Council had a discussion about who should be the final approval and determined that the Ordinance should include "Final approval and contracting shall be handled by the Hyde Park City Council" The Land Use Authority and Planning Commission will review for conditions, design and initial approval (as outlined in 3-14-3e) then the Council will have final approval. In section 13-14-3b2 – the Ordinance should clarify that it is the City who determines if the stealth design "readily conceals", not the vendor. Council member Kelly commented that in section 13-14-5 – Non- Maintained or Abandoned Facilities, the City may need additional security to enforce this, such as a Letter of Credit. Mark Lynne informed the Council that he researched two new T-Mobile towers that were installed in North Logan and Smithfield. Both towers are located on property line. He proposed that the Council consider allowing a cell tower to be installed on property line as long as it is in the commercial, planned professional or industrial zones. The Council agreed that the set-backs should be reduced to the required 20' in all non-residential zones. The Council recommended that the Ordinance be sent back to P&Z to make the recommended changes and continue with the Public Hearing scheduled for March 11, 2015.

## **Departments**

**Water-** Council member Randall informed the Council that the spring is still low and water use is down. Mike Grunig has received a bid to construct the water line on the west side of the highway. When the Larsen/Miller development agreement is signed, the work will begin. Council member Randall informed the Council that he met with engineers from the County concerning the possibility of forming a water district. 20 years ago the state designated water for

use in Cache County. Over time other counties have filed for use of this water. Now the County wants to preserve the water for Cache County use. The only way to secure that water is to form a water district. Council member Randall informed the Council that someone will be attending a future City Council meeting to discuss the need for a water district. Council member Kelly said there are other options without forming a district such as an interlocal agreement. Council member Randall gave an update on the winter rights pursuit and the Council requested that Scott Archibald from sunrise engineering attend a future Council meeting to explain the history and the process of this water right.

**Admin:** Council member Randall informed the Council that the City had 12 beautiful ladies compete in the Princess Pageant. They all did a wonderful job and would represent the City well.

**Parks:** Council member Wheeler informed the Council that he is working on the grant application for the RAPZ tax. The majority of money will be for new fall zones if that is considered an acceptable use, if not; he will apply for funds to resurface the tennis courts. He will also apply for funding to get new picnic tables under the new pavilion.

**Emergency Preparedness:** Council member Flint informed the Council that an Emergency Communication drill will take place on Sat March 7, 2015 at 9:00am. The Communications Core Council is recommending that the City Council come to the City building so they can discuss how they would respond if this were an actual emergency.

**Roads:** Council member Christensen informed the Council that the roads that are being considered for repairs this year are 300 north from 100 east - 400 east, and Center street from the highway to the City sheds. Council member Wheeler said that he felt that 450 North from the Sky View Subdivision to 100 East should be a top priority. Bob Fotheringham donated property to the City in hopes that the City would pave that road; instead the road is currently creating a lot of dust for them to deal with. Council member Wheeler informed the Council that he is currently in negotiations with the Roger Baker family to see if the City can purchase some of his property so the road can be widened. The Council discussed the fire Chief's concern that a trailer on Roger Baker's property does not have proper access in case of a fire. Council member Wheeler informed the Council that through the negotiations, hopefully the trailer can be brought into compliance.

Chief Hawkes informed that Council that there is some concern over allowing parking on 400 East. In order to pass a parked car, one lane of traffic has to stop. He will do some additional investigation and determine if the road is too narrow to allow parking. He will present his findings at a future Council.

Council member Christensen made a motion to move to an executive session to approve the minutes from 2/11/15. Council member Wheeler seconded the motion. Council members Kelly, Christensen, Randall, Flint and Wheeler voted in favor. The motion carried 5-0.

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Council member Christensen made a motion to move out of the executive session. Council member Flint seconded the motion. Council members Kelly, Christensen, Randall, Flint and Wheeler voted in favor. The motion carried 5-0.

Adjourn: 9:05pm

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Donja Wright – City Recorder

Council member Kelly made a motion to approve the minutes from the February 25, 2015 Council meeting as amended. Council member Christensen seconded the motion. Council members Kelly, Christensen, Randall, Flint and Wheeler voted in favor. The motion carried 5-0.