

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

October 23, 2019

City Council

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

City Officials Present: Mayor Flint, Council members; Brad Robinson, Charles Wheeler, Bret Randall, and Mark Hurd. Interim Police Chief; Ulysses Black, City Recorder; Donja Wright. Council member Osborne attended electronically.

Others Present: Mark Lynne, Shannon Rhodes, Karl White, Kirk Brower, Brandon Buck, Tiffany Atkinson, Frank Ashcroft, Joy Brisighella, Darrin Hancey, Stacy Hancey, Stephanie Allred, Talia Poulsen, Lisa Goede, Ron Goede

Prayer or Thought: Council member Randall

Pledge of Allegiance: Council Member Hurd

Adoption of Agenda: Council member Wheeler made a motion to approve the agenda for October 23, 2019 as presented. Council member Randall seconded the motion. Council members Robinson, Wheeler, Randall, Osborne and Hurd voted in favor. The motion carried 5/0.

Citizen Input: Stephanie Allred announced the Haunted Hallow Spook Alley and encouraged everyone to attend.

Resolution 2019 - 13 - A Resolution showing support for the Drought Resiliency Grant - The Mayor explained that the project is involving the water tank in the Canyon on the property the City just purchased. The 2nd week in January the project will be presented to the Utah Board. Council member Randall made a motion to approve Resolution 2019-13 - A Resolution showing support for the Drought Resiliency Grant. Council member Robinson seconded the motion. Council members Robinson, Wheeler, Randall, Osborne and Hurd voted in favor. The motion carried 5/0.

Consider Ordinance 2019-12 An Ordinance amending Ordinance 11.30.050 Adoption of the uniform traffic code to update Hyde Park City code to reflect a current edition of the traffic code Council member Robinson made a motion to approve Ordinance 2019 - 12 An Ordinance updating 11.30.050 adoption of uniform traffic code. Council member Wheeler seconded the motion. Council

member Robinson, Wheeler, Randall, Osborne and wheeler voted in favor. The motion carried 5/0.

Presentation of the Bear River Heritage Area. (Presentation) Lisa Duskin – Goede coordinator of the Bear River Heritage area, approached the Council and informed them that they are located at the BRAG office. One of the main things the Bear River Heritage Area does is share the local stories nationwide. They work with the national parks. They are looking for support but there is no obligatory financial commitment. They get a Federal match through federal funding. Ms. Goede requested a letter or resolution of support from the City Council. She informed the Council that if the City has a project that they would like to pursue, they can apply for a grant and receive help from the Bear River Heritage Area.

Public Hearing to discuss Ordinance 2019-16 – An Ordinance creating the office of City Administrator in the City of Hyde Park and defining his/her powers and duties.

The Mayor opened the Public Hearing

Frank Ashcroft approached the Council and indicated that he had turned in some changes to the structure of the Ordinance. He briefly went through the corrections and the Council was in favor of his corrections. He asked the Council what advise and consent means? The Council and Mayor informed him that it was with a majority vote. He informed the Council that he is in favor of a City Administrator and he feels this document will protect the City from getting someone like they hired several years ago.

Shannon Rhodes approached the Council and expressed concern that the Ordinance sounds a lot like a City Manager because it is giving this person all the power. For example, in section “A” it reads “plan and direct *all* administrative activities”. Ms. Rhodes thought the Ordinance should be more specific and not use the word “all”. The Citizens would like the power to remain with the Council who they voted for.

Florence White approached the Council to ask a few questions about who was involved in writing the Ordinance. The Mayor informed Ms. White that she found the Ordinance online and submitted it to the Council to review. Ms. White questioned who currently has the authority to do all of the things in the Ordinance? The Council informed her that it was the Mayor. The Mayor informed MS. White that the new Council would like some say in how this position is defined so the document would be reviewed again in January with the new Council. Ms. White informed the Council that she thinks the decision to consider the Ordinance should be made by the new Council. Council member Robinson informed her that the elected Officials are those that are currently in office. There was a discussion about the temperament of the Council over the past 9+ months.

Karl White approached the Council with a list of questions / suggestions

- 1) Mr. White informed the Council that in Cache Valley there are 7 municipalities that have City Managers. He questioned if they all have Ordinances and if so did the City Council review all of their Ordinances. The Mayor and Council informed Mr. White that they have talked to several Mayors and Council members from all over the valley and all of them are happy with their decision to have a city Manager / Administrator. The Mayor informed Mr. White that she did review several Ordinances prior to choosing this one.
- 2) Mr. White asked what this Ordinance fixes that wasn't there before with the previous City Manager. The Council discussed the need for more requirements to be considered for the job. Council member Randall said that the requirements would be listed in the job description that will be written and considered later.
- 3) Mr. White questioned Section D, labor relations and intergovernmental relations; do those areas need more oversight? Council member Randall mentioned that all of the general powers and duties are currently under the direction of the Mayor and it would be beneficial to have more oversight.
- 4) Mr. White asked who has been doing the evaluations. The Council informed him that it has been the Mayor
- 5) Mr. White asked for clarification about the City Administrator terminating someone. The Council informed him that he/she could not fire someone without discussing it with the Mayor first.
- 6) Mr. White recommended defining Super Majority.

Darrin Hancey approached the Council. He expressed his concern with what has been written in the Ordinance. This Ordinance creates a different direction, a direction of creating a City Manager. This Ordinance is giving too much power to one person. He suggested that the Council works with the new Council prior to being approved so the Ordinance does not have to be revisited.

Council member Robinson informed the Citizens that the current Council was elected by the Citizens. The Ordinance was put in place with some expertise and knowledge. This position does a great job for moving forward. Council member Robinson informed the Citizens that as the City approaches 5,000 people, the regulations change.

Joy Brisighella approached the Council and informed them that she is in favor of the City Administrator. She recommended that the new Council members are only a few months out so rather than push this through, let the new Council be involved in the process and do it right the first time. She informed the Council that this is a great first draft and the new Council can build upon the great work that has been done so far.

The Mayor closed the public hearing.

Consider Ordinance 2019-16 – An Ordinance creating the office of City Administrator in the City of Hyde Park and defining his/her powers and duties.

Council member Wheeler recommended eliminating the word “All” in General Powers and Duties section A. The Mayor recommended replacing the word “Shall” with “May” in the first line of General Powers and Duties. Council member Hurd’s concern with the City Administrator is giving them too much power. The Ordinance needs to define who is carrying out what tasks. The Council and Mayor are concerned that all the power is consolidated with one person. Council member Robinson informed the Council that the consolidation of power currently belongs to Mayor. Council member Randall said that in his conversations with other Cities, they had similar concerns and they have not come to pass.

Under the Section Removal of the City Administrator, the Council recommended replacing ‘super Majority’ with ‘a vote of 4 from the council, (Council defined as to include the Mayor)’.

The Council discussed section D – “Act as the City’s representative in such areas of labor relations, intergovernmental relations, conferences, conventions, and seminars related to public management”. They questioned if the City Administrator would be really be responsible for all that is listed. Council member Randall discussed the waste water committee that he sits on. It would take someone at least a year to come up to speed. The Parks department requires a lot of knowledge and negotiations. Council member Hurd recommended that when the City Administrative is attending the meetings on behalf of the City, we need to make sure that the will of the Council is met. The Council recommended adding “The Cities Representative shall not obligate the City without prior specific authorization” to the end of Section “D”.

The Council discussed Qualifications. Council member Robinson recommended adding 60 days from their stating date. The Council would like the required qualifications defined in the hiring policy or the personnel policy.

The Council discussed the meaning of Advise and Consent, it means the Council has voted on it. The Council recommended Capitalizing Advise and Consent. .

Council member Randall made a motion to approve Ordinance 2019-16 – An Ordinance creating the office of City Administrator in the City of Hyde Park and defining his/her powers and duties with the above mentioned changes. Council member Robinson seconded the motion. Council members Robinson, Wheeler, Randall, Osborne, Hurd and Mayor Flint voted in favor. The motion carried 6/0

Departments:

Parks: Council member Wheeler informed the Council that the 600 south park is moving along but not fast enough. They will hold off on pouring the concrete pads this late in the year and will wait until next spring. The contractors said they would hold the price.

Council member Wheeler, Mike and Gerald met with the Rupp family and came to an agreement on how to proceed with the trail through their property.

Administrative: The Mayor informed the Council that the staff will be reading 'Outword Mindset', and 'Leadership and Self Deception'.

Jack Nixon and Roger Tew had to install a fence in the canyon to house cattle. They put in gates across the public property that can be opened and shut. The City has purchased some signs that will go on the gates. They are required to house the cattle for 6 weeks and then they will be removing the cattle and either removing the gates or propping them open.

The Mayor gave an update on Freckle Farms. She has turned it over to Jonathan Jenkins, the prosecuting attorney to contact Seth Bowen and get things moving. Council member Randall recommended that if he is not willing to sign the agreement and proceed with the project, the City should have a court injunction issued to stop his business.

Roads: Council member Osborne informed the Council that he & Mike will be putting in cross walk signs on 200 west and 100 south. They looked at the lines on 200 west and determined the road was wide enough. They are looking at putting a 4-way stop at 200 south and 200 west.

P&Z: Brandon Buck approached the Council and informed them that the Planning & Zoning Commission continued their discussion on Secondary Water, they are considering inviting the chair of the Cache County Water District to come to their next meeting and update them. They will also discuss culinary water. If a subdivision goes in east of the upper canal, both secondary and culinary would need to be considered. The Commission is also working on adding flow charts to the subdivision Ordinance.

Water: Council member Randall informed the Council that he met with Scott Archibald, City Engineer, and they turned in the application to the state that projects initial cost for the water project. They are hoping that the City will be granted a low interest rate. The loan will be a 20 year bond with a yearly payment of around \$300,000 per year. He will be meeting with rate committee this week.

Adjourn: 9:21

Donja Wright – City Recorder

Council member Robinson made a motion to approve the minutes from October 23, 2019 as amended. Council member Wheeler seconded the motion. Council members Robinson, Wheeler, Randall, and Hurd voted in favor. The motion carried 4/0.