

Hyde Park City
Council Meeting
May 13, 2020



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

May 13, 2020

**City Council
Electronic Meeting**

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

City Officials Present (Electronically): Mayor; Sharidean Flint, Council members; Stephanie Allred, Charles Wheeler, Karl White, Gerald Osborne, and Brandon Buck, City Recorder; Donja Wright, Police Chief; Ulysses Black, City Attorney; Rob Patterson, and Public Works Director; Brett Knight

Others Present (Electronically): Mark Lynne, Reed Elder, Joy Sadler, Travis Hoopes, Teri-Chase Dunn, Paula Purser, Ryan Jacobsen, Roger Mann, Matt Nelson, Katherine Barnes, Jamie Lewis, Dan Ditto,

Thought / Prayer: Council member Buck

Adoption of Agenda: Council member Osborne made a motion to approve the agenda for May 13, 2020. Council member White seconded the motion. Council members Wheeler, White, Osborne and Buck voted in favor. The motion carried 4/0.

Minutes: Council member White made a motion to approve the minutes from April 22, 2020 as amended. Council member Osborne seconded the motion. Council members Wheeler, White, Osborne and Buck voted in favor. The motion carried 4/0.

Council member Allred joined the meeting

Consider the 2021 North Park Police Budget: Chief Black informed the Council that the North Park Police budget was passed by the Police Commission. The new budget shows an increase of \$33,628.00 for Hyde Park City. They did an overall reduction of \$18,299.00 from the budget by eliminating pay raises. Raises will hopefully be the first thing back in the budgets if the economy begins to improve.

Council member Wheeler made a motion to approve the North Park Police Budget as presented. Council member White seconded the motion. Council members Allred, Wheeler, White, Osborne and Buck voted in favor. The motion carried 5/0.

Consider the 2021 Tentative Hyde Park City Budget (Public Hearing will be held on May 27th)

Council member Wheeler made a motion to approve the 2021 Tentative Hyde Park City budget. Council member Allred seconded the motion. Council members Allred, Wheeler, White, Osborne and Buck voted in favor. The motion carried 5/0.

Consider Sunrise Engineering for updated Impact fee studies: City Engineer, Scott Archibald informed the Council that the last time a complete impact fee study was done was in 2011. The sewer line along the railroad tracks in Smithfield City will reach capacity in the next 5-10 years. He recommended that the Council consider a Capital facilities plan for the wastewater system. Sunrise Engineering is about ½ done with the storm water plan and recently completed a master water plan. He recommended that transportation, trails and roads be looked at after the utilities. The capital project plan would include the CMPO road etc.

The cost of the study for the facility plan would be \$59,500 and the impact fee study cost would be \$17,000. There is a grant available through the Community Impact Board (CIB) that would cover 50% of the cost. The Mayor asked about budgeting and if the prices would be relevant in a few months. Scott said they would most likely be honored for up to a year. Council member Buck informed the Council that he is in favor of keeping on top of Capital Projects and Impact Fees. The Council discussed the importance of proceeding with the study as quickly as possible.

Council member White made a motion to move ahead with the facility planning and impact fee study. Council member Allred seconded the motion. Council members Allred, Wheeler, White, Osborne and Buck voted in favor. The motion carried 5/0.

Consider Pine Meadows Retirement Community Preliminary Plat, 496 North 100 East. Parcel 04-004-0060 (A Public Hearing was held - passed by P&Z)

The Mayor informed those in attendance that the public hearing was held in the Planning & Zoning meeting and public will not be invited to speak at this meeting. She informed the citizens that she will address the list of concerns from the Citizens and their attorney. She clarified that according to State Law, if a proposed development meets City Ordinance, it has to be approved. If it does not meet City Ordinance it can't be approved. The senior PUD is a separate and distinct Ordinance and can be placed anywhere in the City within the residential zone (within the specified distance requirements). The Attorney clarified that a senior PUD is not a zone; it is a conditional use. The City Council did not want to have a mass of higher density housing in one area so they created an Ordinance to allow PUDs and accessory apartments throughout the City.

Mark Lynne sent the Mayor some statistics from the 2010 census showing that in Hyde Park, there are 436 residents over 60 years old. There were 701 residents between the ages of 50-70

so they would currently be between 60-80 years old. The City has five senior PUDs throughout the City with an average of 22 houses per PUD, 2 people per household, for a total of 220 seniors, this is less than half of the seniors currently living in Hyde Park and many of the residents of PUDs move from outside of the City.

The Mayor informed the Council & Citizens that the City is required by the state of Utah to have a moderate housing plan. The way the City meets the requirements of the plan, is by having PUDs and allowing accessory apartments. The Mayor informed the Citizens that PUDs are allowed in all residential zones and the only way to control the use of the property is to own the property. Bonus Density is not part of a PUD development and therefore; not an issue.

Council member Osborne asked about the revised plat and 2 separate entrances. The Mayor informed the Council that the preliminary plat was changed in an effort to eliminate the through road. The Mayor recommended that DRC & P&Z review the changes next Wed and return it to City Council next meeting. Reed Elder informed the Council that there is some ambiguity in the language of the senior PUD Ordinance outlining roads. The Planning & Zoning Commission said that the intent of the Ordinance was to allow the road within the PUD to be 50'. The attorney informed the Council that the code allows the Council to approve with conditions. Council member White informed the Council and citizens that the only question is does the PUD meet the Ordinance and it does.

City Attorney, Rob Patterson, informed the Council that the confusion came from Ordinance 12.250.060 section F Access "It is the intent of the City, where possible, that all City streets are built to City Construction Specifications. Public streets within a PUD can be developed to a 50' ROW as long as the street only serves the PUD residents and not tie into an existing street". In P&Z the Citizens argued that the road as drawn in the preliminary plat, did not comply with the way the code is written. Reed Elder changed the plat to include 2 cul-de-sacs so it complies with the Ordinance. The Council discussed that Reed had made changes to comply with the Citizen requests as well as comply with City Ordinance.

Council member White made a motion to approve the Pine Meadows Retirement Community Development Preliminary Plat. Council member Buck seconded the motion. Council members White, Wheeler and Buck voted in favor. Council members Osborne and Allred voted in opposition. The vote carried 3/2.

Consider Mountain Gate Subdivision Phase 5 Preliminary Plat, 900 East 450 North, Parcel 04-005-0002 (A Public Hearing was held - passed by P&Z) Matt Nelson from Sierra Homes addressed the Council and informed them that the plat as presented shows 59 lots. According to code, he is allowed 58.76 lots in the subdivision and is required to give the city 3.52 lots for bonus density. Matt Nelson asked the Council if they were willing to round up the number of lots allowed to 59. The Bonus density lots are required to be bumped up but City Ordinance does not specify if the allowed lots should be rounded down or up. Council member Wheeler is in favor of the additional home on the lot as it adds more property tax long term without

additional infrastructure. Reed Elder informed the Council that in the past, the DRC has allowed them to round up. The City Attorney informed the Council that upon reviewing the Ordinance, he does not see anything that does not allow them to round up. The Council recommended revisiting the Ordinance to specify that the number of allowed lots can be rounded up.

Council member Wheeler made a motion to approve the Mountain Gate Subdivision Phase 5 preliminary plat with 59 lots. Council member Allred seconded the motion. Council members Allred, Wheeler, White, Osborne and Buck voted in favor. The motion carried 5/0.

Consider Nixon Property rezone request, 200 North 900 East, Parcel 04-005-0007 (A Public Hearing was held - passed by P&Z): The Council discussed the different zones around the parcel.

Council member Wheeler made a motion to accept the Nixon property rezone request. Council member White seconded the motion. Council members Allred, Wheeler, White, Osborne and Buck voted in favor. The motion carried 5/0.

Departments:

Streets: Council member Osborne informed the Council that he signed an approval for payment on the 3100 North Project. He received some calls about speeding on 1000 east. He recommended putting in speed limit signs from both directions and informed the Council that the Police Department will be doing a traffic study on the road.

Parks: Council member Wheeler informed the Council that work on the Pickleball Courts began today. Request for bids for the new restrooms went out in the paper this week. The City will facilitate a design bid; setting some parameters and pictures and allowing the contractors to develop the plan of the building along with the cost. Most of the concrete trail and topsoil is in, rototilling will take place soon. Council member Wheeler has been working with playground companies. On the northeast corner of the property by the park, the existing soils will be used for a BMX track.

The Council discussed options for the BLM land such as a gun range and Council member Wheeler informed the Council that the 200 North trail is being held up by the engineer for the Canal Company.

City Celebration: Council member Allred proposed the name "The Velvet Highway Parade" for the Hyde Park City parade. The Council was supportive of the name. The Council will get their favorite names of the City Celebration to Council member Allred tomorrow morning.

Police Commission: Council member White informed the Council that the Commission discussed the budget.

Council member White asked the Mayor about her email regarding COVID 19 and moving forward from orange to yellow. He said the trend in Utah is up. The Mayor informed the Council that she and a few other Mayors talked to Lloyd Berensen from the Health Department about moving to yellow. The County Council sent a letter to the Governor and got permission to move to yellow but there was a spike of cases in Cache County and the County Council decided not to change. The Mayor informed the Council that Cache County has had no deaths from the virus but they do have 2 suicide deaths related to the virus. She informed the Council that domestic violence and alcohol sales have spiked.

Administrative: Asked the Council what they thought about meeting in person next Council meeting. The Council requested one more zoom meeting

BLM Property: Council member Buck said that Mark Hurd is still jumping through hoops to get the name changed to the City's name.

Water: Council member Buck asked for feedback on holding off on the loan for the water tank. The lines could still be installed with funds from the water department. The Council requested that they have time to think about it and discuss it again next meeting.

Sewer: Council member Buck informed the Council that the waste water line that goes west of town eventually connects with Smithfield's line and goes out to the west. The line is in bad condition and needs to be replaced. He is in favor of getting the impact fee study moving forward to help with the sewer lines.

Council member Buck has 2 residents approach him about accessory apartments above their detached garage. He questioned what the Council thought about that as an option. They requested time to think about it.

Chief Black informed the Council that Nolan Harper was promoted to a sergeant rank. The 3 new officers are moving up and doing well.

Adjourn: 9:46

*This meeting will be held as an electronic meeting without allowing the public to come to City offices, pursuant to Governor Herbert's Executive Order 2020-5 You may participate by joining through **zoom.us meeting # 413 560 120**. The instructions are also available on the Hyde Park City Website. <http://hydepark.utahlinks.org/>*

Donja Wright – City Recorder

Council member Wheeler made a motion to approve the minutes from May 13, 2020 as amended. Council member White seconded the motion. Council members Wheeler, Allred, White, and Osborne voted in favor. The motion carried 4/0.