

MINUTES OF HARRISVILLE CITY
CITY COUNCIL MEETING
Tuesday, October 9, 2012 – 7:00 p.m.
Council Chambers
363 West Independence Blvd
Harrisville, Utah 84404

Present: Mayor Richard Hendrix, Council Member Chad Allen, Council Member Bruce Richins, Council Member Paula Knighton, Council Member Michelle Tait, Council Member Grover Wilhlemssen.

Staff: Bill Morris, City Administrator, Jennie Knight, City Recorder.

Visitors: Ruth Pearce, Jeff Pearce, Dave Eckersley (Planning Commission), Paul Strebel.

7:00 P.M. CITY COUNCIL MEETING

1. Call to Order.

Mayor Hendrix called the meeting to order and welcomed all visitors.

2. Opening Ceremony.

Mayor Hendrix led the Pledge of Allegiance and opening ceremony.

3. Consent Items.

- a. Approve the minutes of August 28, 2012 and September 25, 2012 as presented.

MOTION: Council Member Richins motioned to approve the minutes of August 28, 2012 and September 25, 2012 as presented. Council Member Knighton seconded the motion. All Council Members voted aye. Motion passed.

- b. Review the August 2012 Check Register

No comments were offered.

4. Business Items.

- a. Training on Employee Appeal Policy

Bill Morris gave an introduction of the employee appeal policy. He indicated most council members were involved in the creation of the new employee policy manual with exception to Council Member Knighton. He said page 58 of the policy manual includes the appellate process from the beginning through filing in District Court. He explained that as government employees, there is a property right associated with their employment; therefore, they have a protected interest with regard to their employment. The first step in the appeal process is to hold a predetermination hearing (Loudermill) where evidence is presented having to do with an employee issue or concern. If termination of an employee is the result of this hearing, an appeal must be submitted in writing within 10 business days of the Loudermill hearing. Council Member Knighton inquired as to who is involved in the Loudermill hearing. Bill Morris responded usually the department heads, the Mayor, himself (City Administrator), and Pam Crosbie (Human Resources) are included in this predetermination hearing. Two or more presenters must be present. An attorney representing the employee may be present as well to advise their client. Either the department head or the Mayor can render a decision from the evidence presented at this hearing.

All employees, with exception of Department Heads, City Administrator, and contracted employees, are considered classified employees. All classified employees are subject to the terms of a Loudermill hearing. A written appeal must be received by the City Recorder within a 10 day time period. If an appeal is received, the appeal board is notified.

The appeal board consists of three employees and two city council members. The three employees selected by employee secret ballot vote are Jennie Knight, Chris Rowley, and Jake Meibos. Three alternates are Keith Wheelwright, Dan Funk, and Jackie VanMeeteren. The two council members will be decided if an appeal is received by the City Recorder. An attorney representing the employee may give notice within 24 hours of the hearing date and time.

The appeal board examines all evidence at an appeal hearing. Harrisville City Attorney, Mike Junk, would be able to advise the appeal board. According to the policy manual, employees are not allowed to circumvent their department head and go directly to Bill Morris or Mayor Hendrix. If there are sanctions imposed, they are fairly applied. Votes cast by the appeal board will be by secret ballot. Council Member Knighton asked if there are minutes or records kept on file. Bill Morris said there could be reference to other cases if necessary, including personnel files and the institutional memory of current employees. The appeal board decision is by secret ballot and must be recorded within 15 days, but the decision can be extended up to 60 days.

If the appeal board upholds the decision rendered in the Loudermill hearing, the City Council may be used as the next step in the appeal process. Bill Morris made sure council members are aware of this to avoid any conflict of interest with regard to information received prior to the appeal process being in place. If the decision of the appeal board is to be further appealed to the city council, the employee must give written notice within 10 days of the decision rendered by the appeal board. If the decision is upheld by the city council and further appeal is needed, the case will be filed with District Court.

b. Heritage Days Expenses

Council was provided with a spreadsheet showing all Heritage Days revenues and expenditures. Mayor Hendrix informed council the fireworks will only be increased by \$200.00 next year for the same show. Council Member Allen explained the "other" category includes a lot of miscellaneous items, including the cake and ice cream, staff shirts, etc. Council Member Wilhelmsen inquired what the projected amount will be for next year's Heritage Days celebration. Council Member Allen said a \$10,000 budget is in place for next year. Council Member Wilhelmsen asked if council wanted to reinstate some of the missing activities from previous years. Mayor and Council decided it would take some creative planning if they include other activities. They discussed how the entertainment activities may change from year to year. Council Member Richins suggested having future discussion to determine various ways to include more activities. Council Member Tait pointed out it takes a vast amount of volunteers to run the activities. She said there were about 100 volunteers this year. That will need to expand if they include more activities. Council Member Knighton suggested investing in a first aid kit to have available for next year's celebration. Council Member Tait suggested continuing this same program next year.

5. Public Comments.

Dave Eckersley, 2477 N. Colonial Drive, inquired about the possibility of repaving 2550 North. He said he understood ownership of this road belongs to Pleasant View. Although the responsibility does belong to Pleasant View, Mayor Hendrix reported that he recently received notice that the road is scheduled to be repaved this fall.

6. Mayor/Council Follow-Up.

Council Member Wilhelmsen received a letter from the Department of Transportation regarding the excess funds reallocated to the general fund after completion of the Safe Routes to School Program. He

reported that the excess was not enough to cover projects, and was therefore returned to the general fund.

Council Member Wilhelmsen said he heard Pleasant View City approved a multi-family residential zone change on Highway 89 where the drive in movie theater was previously located. He stated that a development of this type on that property would definitely have an effect on Harrisville.

Council Member Allen asked if council has had any more thought about creating a Harrisville City Facebook page. Mayor and Council discussed the possibility of working on a city Facebook page and agreed to future discussion about this matter.

Council Member Tait commented about marquee colors. She suggested using the contrasting colors that may be easier to read.

Mayor Hendrix informed Council of the success of the Weber County Mosquito Abatement Program. He said Weber County has not had any reported cases of West Nile Virus. The state of Texas has been hit hard with this virus and even Box Elder County has one reported case of a fatality due to West Nile Virus. He reported that the abatement committee has discussed the value using airplanes to spray daily, but the effectiveness of the program is evident.

Mayor and Council discussed the cancellation of the regularly scheduled council meeting for October 23rd, due to a conflict with scheduling. The next regularly scheduled council meeting will be held November 13, 2012 at 7:00 p.m.

7. Adjourn.

Mayor Hendrix moved to adjourn at 7:37 p.m.

RICHARD HENDRIX
Mayor

ATTEST:

JENNIE KNIGHT
City Recorder
Approved this 13th day of November, 2012