

**MINUTES OF THE CITY OF HARRISVILLE
CITY COUNCIL MEETING**

Tuesday, March 9, 2010
7:00 p.m.
Council Chambers
363 West Independence Blvd.
Harrisville, Utah 84404

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- COUNCIL:** Mayor Richard Hendrix, Council Member Chad Allen, Council Member Wayne Crowther, Council Member Darla Fowers, Council Member Bruce Richins, Council Member Grover Wilhelmsen.
- STAFF:** Bill Morris, City Administrator; Jennifer Morrell, City Recorder; Gary Weight, Recreation Director
- VISITORS:** Jeff Pearce, Jim Mackley, Tracy Buttars, Keith Wheelwright, Merrill Harris, Bob Howard, Jill Anderson, Shelly Bailey, Amy Christensen, Jeff Hales

Mayor Hendrix called the meeting to order at 7:00 p.m. and welcomed all visitors.

Council Member Chad Allen led the Pledge of Allegiance and offered the opening ceremony.

1. CONSENT AGENDA

Action to approve the minutes of February 23, 2010.

MOTION: Council Member Darla Fowers moved to approve the Consent Agenda as presented. Council Member Grover Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

2. BUSINESS ITEMS

a. Discussion and possible action on conditional and final acceptance for Harrisville Hollow Phase 1, Phase 2, Phase 4, and possibly Phase 3.

City Administrator Bill Morris explained that an ordinance would be needed to adopt the corrected easement. He is recommending final approval be granted subject to the ordinance being passed at the next meeting. There were some questions from the Council as to why it had taken so long for the developers to request final acceptance. Jeff Hales, representing Randy Marriott Construction, stated the slow economy has given them some time to go back and tie up loose ends on some of their developments. He said he has been working for several years to move the easement on the irrigation line. Mr. Hales stated he has talked to the property owners and they are willing to sign the easement change. In addition he has an approval letter from Western Irrigation Co. Mr. Morris pointed out a typographical error in the first line of the description from Reeve & Associates that will need to be corrected.

Motion: Council Member Bruce Richins moved to give final acceptance to Harrisville Hollow Phases 1, 2, and 4 with release of all retainage in escrow. Council Member Chad Allen seconded the motion. All Council Members voted aye. Motion passed.

Motion: Council Member Bruce Richins moved to give final acceptance to Harrisville Hollow Phase 3 contingent upon the memo from Reeve & Associates, Inc for the easement change and the recommendation letter from Jones & Associates dated March 3, 2010 and release of all retainage in escrow. Council Member Grover Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

b. Discussion and possible action on bids for Public Works projects.

Public Works Director Gene Bingham referred to his memo dated March 3, 2010 regarding spring crack seal projects. Mr. Bingham said M&M Asphalt Services has done great work in the past and he likes to solicit business from reputable contractors. Council Member Wayne Crowther asked who was awarded the contract the last two years. Mr. Bingham said it was Morgan Pavement who received it last year as they were the lowest bid.

Mr. Bingham explained that he does bids on a point to point basis based on the amount of road that needs sealed and not on a tonnage basis. Council Member Darla Fowers asked where the work would be focused. Mr. Bingham said it was throughout the city and was based on road inspections performed by his department. Council Member Chad Allen asked how often crack sealing is performed. Mr. Bingham said it is done at least once a year, usually in the spring, but sometimes twice depending on the weather.

Motion: Council Member Wayne Crowther made a motion to approve the contract with M&M Asphalt Services for the 2010 spring crack sealing for the price of \$16,475.00. Council Member Darla Fowers seconded the motion. All Council Members voted aye. Motion passed.

c. Discussion and possible action on Ordinance No. 415, Property Not Needed as Evidence and Unclaimed Property.

Sergeant Keith Wheelwright discussed the current state code requiring the City Council to grant approval each time unclaimed property is disposed of. He said the unclaimed property consists of found items or items held as evidence where they cannot locate the owner, or items that have been seized as evidence but reverted back to the City by the prosecution. Sgt Wheelwright said the purpose of this ordinance is to govern disposal and give the Police Chief and Mayor the authority to make decisions on property disposal without going to the Council each time.

Council Member Allen asked what they have done in the past. Sgt Wheelwright said they have allowed unclaimed cash to accumulate, fire arms are disposed of according to the criminal code, some items are donated to charity, and some items have been reused. He said this ordinance would give the City authority to charge storage fees. The Mayor asked about unclaimed cash. Sgt Wheelwright said cash is viewed as tangible property unless it is money seized as evidence. If that is the case it is usually handled by the narcotics strike force and reverts back to the state.

Council Member Allen asked how they dispose of firearms. Sgt Wheelwright said if it was used in a crime it is confiscated by the City and disposed of as the Chief of Police sees fit. In most cases they are traded for ammunition or other firearms that can be used as duty weapons. In some cases the weapon is put into service. If the firearm is non-usable it is destroyed. Firearms are returned if the owner can be identified. Council Member Richins asked about the property in the conference room. Sgt Wheelwright said it is property recovered from residential burglaries that now belongs to the insurance companies who have paid out on the claim. He also added that bicycles have been donated to the Swanson Foundation.

Council Member Fowers had a question about section 05.14.060 paragraph 3 – Finality. She wondered if there was a state law citation that should be inserted there. Mr. Morris said there was not. She also had some typographical errors that will need to be corrected. Council Member Crowther asked about retention of disposal records and how long evidence is kept. Mr. Morris and Sgt Wheelwright discussed the police record retention schedule. Everything is kept on the police report for seven years and the evidence is kept for 180 days unless it is required for a case.

Motion: Council Member Darla Fowers moved to adopt Harrisville City Ordinance No. 415, property not needed as evidence and unclaimed property, as presented with correction of typographical errors. Council Member Grover Wilhelmsen seconded the motion. Roll call vote. Council Members Allen, Richins, Wilhelmsen, Fowers, and Crowther voted yes. Motion passed.

d. Staff reports on various projects.

Mr. Morris said the radar trailer has been put together. He thanked Gene Bingham and his crew for assembling it saying it was sent without keys for the lock and only one sign for 30mph. Mr. Bingham said

the keys have been mailed and they have ordered more signs. Discussion about how things were going with the reimbursement from the grant.

Mr. Morris told the Council the RAMP Grant has been approved. He said the City was awarded \$100,000. This was less than what was requested and will require a cut back of \$50,000 on the splash pad and \$50,000 on park improvements.

Mr. Morris explained that in light of the RAMP grant and the work that needs to begin in the park, Gary Weight, Parks and Recreation Director, is here to talk about how to work around the baseball and softball season. Mr. Morris said the City will hold off on reconstruction until after the baseball/softball season and indicated Mr. Weight has put together a field availability schedule. Mayor Hendrix stated there were no plans to cancel baseball.

Mr. Weight said there are some concerns as to when construction will take place and what will be done first. He said he has contacted the various Jr. Highs to see if they can help us out if we need to use their fields. He referred to the field availability schedule showing the City had 20 baseball teams and 8 softball teams last year. He discussed how the fields are numbered and said there is a growing level of interest for the sport. Mr. Weight explained that last year the lower fields were under water for three of the six weeks they played and he had to take the games to neighboring cities. He also said the City does not have a field big enough for 8th and 9th grade boys so all the games are played away. He explained that every grade has a different distance and pitching mound. Mr. Weight said the parents he has talked to are concerned with where the program is headed. He said they want to play home games at home and feel like they are getting their moneys worth. His question for the Council is whether the City is going to have facilities to take care of 28 teams this year.

Some general discussion took place on future field locations and this year's field reconstruction. Mayor Hendrix acknowledged that it is still in the planning stages. Mr. Weight said the biggest problem is they spend hours getting a field prepared and looking good only to have it be flooded. He said their first game takes place on May 17th but they need to start practicing two weeks before.

Council Member Richins said he heard neighboring cities would not be able or willing to facilitate our teams if the fields were flooded again this year. Mr. Weight confirmed that was true saying they could probably count on neighboring cities for a couple of games but not the twenty seven games that were flooded out last year.

Mr. Weight asked about the possibility of getting more dirt for field 5 and mentioned the people in attendance were here to show support for the baseball/softball program and want to see if the City is going to have 8th/9th grade teams. He said all of these games have been played away in the past because the City doesn't have the fields to accommodate them. Some discussion on how one of the fields could be modified to suit the 8th/9th grade teams. Mr. Weight asked if anyone knew if Coca Cola or Pepsi still donate money for score boards.

Gene Bingham stated the first and foremost function of the fields being discussed is as a detention basin. There were some questions and discussion about how the basin drain is functioning. Mr. Bingham said the ball field is the lowest spot in the whole basin and can take three to four days to dry out after it has drained. He said it serves its main purpose as a detention basin; unfortunately it is not conducive to playing ball. Council Member Richins asked Mr. Bingham where all the water comes from. Mr. Bingham said it comes from the regional basin and from Four Mile Creek. He said it is also an overflow from Western Canal; however, most of it comes from Four Mile Creek. He said it is a regional basin and most of the water coming in is not Harrisville generated water. Council Member Allen had a question about the boards and if they could be removed. Mr. Bingham said they could not.

Mr. Morris told the Council that the City lost the sewer line lawsuit. He said the City will not have to pay the other party's attorney fees but the City will not be reimbursed for our costs. Mayor Hendrix said it is over with; we will move on and learn from the experience.

3. PUBLIC COMMENTS

Jill Anderson, 619 West Harrisville Road. Mrs. Anderson said she has been unable to attend the park meetings but would like to express her concerns about the proposed splash pad and potential cost of ongoing maintenance and liability insurance. She also stated a concern that one time money has been looked at for an ongoing project. She would prefer to see the money go toward ball field repairs. She stated her appreciation for Harrisville City recreation and cited health/obesity concerns for children and said the City recreation program is the only recreation many children get. She said the cost and time required for competitive teams is steep and the City recreation program has given her children a way to

participate in sports they wouldn't otherwise have been involved in. She asked that money is not taken away from adequate facilities and would like to see RAMP money used for development of softball fields.

Merrill Harris, works with Gary Weight, teacher/coach at Orion Jr. High. Mr. Harris stated he was approached by Mr. Weight to use the softball field at Orion Jr. High. He said voles are rampant and have destroyed their fields. He is concerned about having extra teams on the fields and would like to know what the plans are for providing fields for Harrisville's baseball/softball teams so they can adequately schedule their own games. Mayor Hendrix reiterated there would be no construction on the softball field until the season has ended. He was unsure if the same would be true for the three smaller practice fields.

Tracy Buttars, Hunting Creek, past coach for City recreation softball. He said of the ten games they played last year they were only able to play seven of those games and only two in Harrisville. He is also a competitive softball coach. He said his experience is that people become tired of playing recreation ball due to a lack of quality facilities and how the recreation programs are run and they look to competitive teams. Mr. Buttars stated competitive teams are being run out of cities that are more proactive in youth activities such as Brigham City, Clinton, and Kaysville. He discussed his ideas for reconstructing the fields or constructing new fields, such as a quad type field (4-plex), that could be used March through October to generate cash flow for the City. He said these types of ball complexes can be used for City recreation programs but also rented out to competitive teams for weekend tournaments. He stated he would be interested in participating in the planning and reconstruction efforts. He would also like to see the concentration be on a youth complex vs. an adult complex as there is nothing like that in this area.

Jeff Richardson, 750 West on the north end of Harrisville, City recreation coach and competitive baseball team coach. Mr. Richardson concurred with Mr. Buttars saying the competitive leagues are always looking for fields to play on. His concern is that they are playing less games each year and last year they were not able to play any of their games in the City, all had to be played away because of inadequate fields. He would like to see the City look at expanding the recreation league and start playing with Ogden City recreation as some surrounding cities have done. Mr. Richardson made a recommendation to improve the ball fields and invest more in youth recreation programs. He also supports the idea of replacing the lights and renting the fields out to competitive leagues. He feels doing that and running the concession stand would pay for the improvements.

Shelly Bailey, 110 E 1175 N. Mrs. Bailey stated she has paid to rent the bowery for her preschool graduation the past three years. In the past she has spent a great deal of time and effort cleaning up the bowery herself to have it ready. She is here to address several issues. First, she would like to request permission to use the City sound system and microphone. Mrs. Bailey said she is willing to put down a bigger deposit to cover damages. Second, she would like to know if there is some type of guarantee from the City on the conditions the bowery will be in when you pay to rent it. If not, she would like to know what her \$50 is paying for. She also asked if they could use the bleachers that are used for Little Miss Harrisville. Mayor Hendrix explained there is a City ordinance that prevents them from letting her use that equipment. He said the Council could consider making changes to it. Mayor Hendrix also said there was no way to guarantee the bowery will be clean. Mrs. Bailey said if she has to come and clean herself it would be nice to have a hose available or some brooms. Council Member Bruce Richins asked what date the graduation would be. Mrs. Bailey said she has reserved the bowery for May 24th. Mayor Hendrix said they would take all of her requests into consideration.

Jim Mackley, Sentinel News and Freedom Coalition. Mr. Mackley stated that while working on municipal issues last year he learned there are two or three functions of city government: police power, working with utilities, and leaders/coordinators of community things. He asked the Council if that was correct. Council Member Richins said the City provides services. Mr. Mackley also offered to advertise unclaimed property in the Sentinel News.

4. MAYOR/COUNCIL FOLLOW-UP

Mayor Hendrix reminded everyone that the Utah League of Cities & Towns registration for the mid-year conference needed to be turned in. Council Member Crowther talked about the disappointing turn out for the Park Committee open house. Jill Anderson and Tracy Buttars said they would be willing to serve on the Park Committee.

Council Member Wilhelmsen said the Heritage Days Committee would be meeting tomorrow night at Sue Russell's house. They are looking for volunteers for Heritage Days. Mayor Hendrix asked that something be put in the newsletter and on the website asking for volunteers.

5. ADJOURN

Being no further business, Mayor Hendrix moved to adjourn the City Council meeting at 8:20 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

RICHARD HENDRIX
Mayor

ATTEST:

JENNIFER MORRELL
City Recorder

Approved this 13th day of March 2010

DRAFT

**HARRISVILLE CITY COUNCIL
WORK SESSION**

March 9, 2010 – 6:30 p.m.

Lance Wood, Central Weber Sewer Improvement District (CWSID), to address questions on proposed sewer rate increase.

Mayor Hendrix introduced Lance Wood from CWSID. Mr. Wood gave an update on their project saying it was on schedule and on budget. They have another eighteen months to go before completion but equipment is being installed and they have poured 50,000 yards of concrete in the past year. Mr. Wood said they have been receiving phone calls from Harrisville City residents regarding the rate increase. He said CWSID is unable to tell people how much their bill will go up as they are a wholesale provider of sewer to the city and it is up to each city to determine how much they will or won't raise the rate.

City Administrator Bill Morris asked if they anticipate a rate decrease if the economy turns around. Mr. Wood stated that the increase was projected for three years. They still have unfinished work that has not been bid out and it is hard to project how much it is going to cost. After the project is completed there could be a downward adjustment. Mr. Morris asked about the decrease in impact fees due to the slow economy. Mr. Wood discussed their financial model saying they used a worst case scenario plugging in higher costs and little to no impact fees. He said things are tracking in the positive for them.

Mr. Wood invited the Council to come for a visit and take a tour of the facility. He recommended they wait until after May when the ground is dryer. This is not something open to the public right now but they are happy to accommodate city officials and their guests. The public will be welcome to visit once the project is completed.

Council Member Richins asked if the 20-25% increase in their rates came about from costs above what was projected. Mr. Wood said this increase has been planned from day one. He discussed the financial model they chose saying their board chose to spread the cost over several years. Council Member Richins asked where the increase fits in with the total cost. Mr. Wood explained that the total cost is \$140 million and the increase does fit in with the total cost. Mr. Wood went on to say that they have tried to make managing the increase easier by putting it in line with the cities fiscal year vs. a calendar year. They will keep the current rate the same until the start of the fiscal year on July 1, 2010.

Council Member Richins questioned the need for landscaping. Mr. Wood said two of the trickle filters were demolished for this project. They took the river rock from those and are using it to landscape the back part of their facility. They will add a few trees and shrubs but it will be something that is low cost and low maintenance. They are trying to maintain their lawn area along the front for public view. They are trying to make it attractive but not expensive. Council Member Richins asked about the location of their composting facility. Mr. Wood said it is on the east side of the plant and will remain on the east side.

Council Member Wilhelmsen asked if this was a state of the art treatment plant. Mr. Wood said there are plants that treat to a higher level but are double the cost. This plant is projected to meet all of the requirements for the next thirty to forty years. Council Member Wilhelmsen asked what their projections were for the future. Mr. Wood said there are two more expansions planned. However, it will be fifteen to twenty years before that takes place. Mayor Hendrix thanked Mr. Wood for coming and said the Council will take him up on the offer of a tour.

Discussion and possible action on City Council retreat and annual training.

Bill Morris read over the proposed agenda and who would be attending. Council Member Crowther asked about the possibility of a summer picnic with all the City staff so the Council could meet everyone. Mr. Morris said it was something to consider and suggested an ice cream social as an alternative. Council Member Fowers asked to have the community gardens added to the retreat agenda. Mr. Morris said we would discuss parks and recreation under the general plan.