

MINUTES OF HARRISVILLE CITY
CITY COUNCIL MEETING
Tuesday, October 27, 2015 – 7:00 p.m.
Council Chambers
363 West Independence Blvd
Harrisville, Utah 84404

Present: Mayor Bruce Richins, Council Member Grover Wilhelmsen, Council Member Michelle Tait, Council Member Jeff Pearce, Council Member Jennifer Jensen, Council Member Michael Murtha.

Staff: Bill Morris, City Administrator, Gene Bingham, Public Works Director, Jennie Knight, City Recorder, Shawn Read, Bailiff.

Visitors: Ruth Pearce, Jill Bingham, Austin Teuscher, Aspen Teuscher, Gary Robinson, Steve Rush.

7:00 P.M. CITY COUNCIL MEETING

1. Call to Order.

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

2. Opening Ceremony.

Council Member Murtha led the pledge of allegiance and conducted the opening ceremony.

3. Consent Items.

- a. Approve the minutes of September 22, 2015 as presented.

MOTION: Council Member Pearce motioned to approve the minutes of September 22, 2015 as presented. Council Member Murtha seconded the motion. All Council Members voted aye. Motion passed.

4. Business Items.

- a. **Discussion/possible action to approve 2015 Municipal polling location and poll workers.**

Jennie Knight explained this is a formality to approve the polling location and the poll workers for the 2015 Municipal Elections. She said the polling location will be the Harrisville City Offices with Marcia Whetton as the poll manager, Shanna Edwards as provisional clerk, and Jennie Knight as receiving clerk.

MOTION: Council Member Tait motioned to approve 2015 Municipal polling location and poll workers. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

b. Discussion/possible action to approve Ordinance 475; an ordinance amending section 11.08.020 relating to repeal other animal raising in the residential zones; severability; and providing an effective date.

Bill Morris explained Planning Commission minutes show the original ordinance was to approve kennels to allow four dogs at a residence. When the ordinance went before the public hearing, residents did not want to allow kennels in residential zones. The term “other animal raising” was not defined in the municipal code. To allow the resident to have a fourth dog, it fell under “other animal raising”; but Planning Commission asked to have that stricken so we do not have this situation in the future.

Council Member Tait said this came up because two residents got married and had four dogs between them. Bill Morris said Planning Commission was faced with the question of whether a resident could have a flock of 50 peacocks or any other unspecified number of animals because the “other animal raising” term was left undefined. Planning Commission chose to remove this rather than be faced with dealing with situations again in the future. Council Member Tait said she was glad the resident needs were met. Council Member Jensen said she felt they were misinterpreting the idea of a kennel license. Bill Morris clarified kennels are still allowed in commercial zones just not in residential zones. He said Harrisville City has a three dog limit. Council Member Murtha said this ordinance eliminates the ambiguity on the issue. He supports Planning Commission’s recommendation.

MOTION: Council Member Wilhelmsen motioned to approve Ordinance 475; an ordinance amending section 11.08.020 relating to repeal other animal raising in the residential zones; severability; and providing an effective date. Council Member Tait seconded the motion. A Roll Call vote was taken.

Council Member Murtha	Yes
Council Member Jensen	Yes
Council Member Pearce	Yes
Council Member Tait	Yes
Council Member Wilhelmsen	Yes

Motion passed 5-0.

c. Discussion/possible action to approve Ordinance 476; an ordinance granting an electric utility franchise for time certain to Rocky Mountain Power; severability; and providing an effective date.

Bill Morris explained he received notice from Rocky Mountain Power our franchise agreement is expiring on January 8, 2016. Previously the city has collected a franchise fee from utilities. The legislature has now changed this to the Municipal Energy Tax. Due to added technology, new growth is so exponential they reduced the time frame of the agreement to expire in 10 years rather than the previous 25 years. Bill Morris informed Council he updated the agreement to include Harrisville City reference in the title and has written a separate ordinance adopting this agreement. Rocky Mountain Power frequently uses city property to install these poles.

Steve Rush from Rocky Mountain Power introduced himself to Council. He explained this agreement gives them the right to be in the city, to relocate any facilities that may be in the city, and conduct tree trimming that may be necessary. Most of the agreement has been extended from previous agreements and includes rules for operation.

Council Member Murtha asked about chemicals that are used under the vegetation management to treat trees or stunt the growth. He asked if these chemicals are safe to humans and animals. Steve Rush said he is not aware of these chemicals being used on the side of roadways or to address tree trimming issues. The chemicals are safe to humans and animals but are only used in the large corridor areas.

Gene Bingham explained this contract includes a clause that either party may renegotiate specifics in the event of future changes to allow the city to receive the full benefit of the contract. This is the main reason the length of the contract was reduced to 10 years. Bill Morris further clarified that by giving 30 day notice to the other party, changes could be made to the contract. Steve Rush also pointed out the city is allowed to use the power poles to aid with future needs. He suggested meeting once a year with planning staff to reduce the amount of cutting into roads during construction and using existing trenches for future projects.

MOTION: Council Member Murtha motioned to approve Ordinance 476; an ordinance granting an electric utility franchise for time certain to Rocky Mountain Power; severability; and providing an effective date. Council Member Pearce seconded the motion. A Roll Call vote was taken.

Council Member Wilhelmsen	Yes
Council Member Tait	Yes
Council Member Pearce	Yes
Council Member Jensen	Yes
Council Member Murtha	Yes

Motion passed 5-0.

d. Discussion/possible action to approve Resolution 2015-14; a resolution adopting the local transportation funding agreement for funding the Larsen Lane project; and providing an effective date.

Bill Morris explained Weber County sent over a proposal for local transportation funding to include changes on the Larsen Lane project. He subsequently prepared a resolution to adopt the agreement. Gene Bingham explained this has been in the works for several years. He has been working directly with Doug Larsen from Weber County on this project. Additionally there is a failure in the canal that runs underneath the Common Cents property. If Council adopts this agreement the County Commissioners will still have to approve this project. Some of the work on this project needs to be completed outside of the irrigation season when the canal has minimal water. Addressing the concerns with the canal is the first phase. The other work will likely happen the first part of April when weather improves. Council Member Tait asked for more details on the project. Gene Bingham explained the corrugated pipe will be fixed while the water is out of the canal and the other improvements to widen Larsen Lane will happen the first part

of April. He estimated the project will take a total of three months to complete. Council Member Murtha asked if these improvements are included in this year's budget. Gene Bingham clarified this project will be funded by the Weber County grant. He explained the county disperses this funding according to application and available funds. The city was previously approved for state monies but an environmental study is required to use state funds. Staff had tentatively decided to hold off on the project unless other funding became available. Council Member Pearce asked what the start date of the project will be. Gene Bingham said the canal issue will be addressed during the winter with the other improvement in the spring.

Mayor Richins explained the transportation subcommittee, in which he sits, goes through the prospective projects and all vote on what they consider a priority project. The County recognized this project would not only benefit Harrisville City but surrounding areas and therefore should not necessarily come from Harrisville City funding. Gene Bingham said the canal company will be doing the repairs to save time. The city engineer is drafting up the cost of the project and the details to make sure everything is within reason. He is trying now to coordinate a meeting to discuss the details of the project.

MOTION: Council Member Wilhelmsen motioned to approve Resolution 2015-14; a resolution adopting the local transportation funding agreement for funding the Larsen Lane project; and providing an effective date. Council Member Tait seconded the motion. A Roll Call vote was taken.

Council Member Wilhelmsen	Yes
Council Member Tait	Yes
Council Member Pearce	Yes
Council Member Jensen	Yes
Council Member Murtha	Yes

Motion passed 5-0.

5. Public Comments - (3 minute maximum)

Ruth Pearce, 295 E. 1150 N., said with the Larsen Lane project she would recommend UDOT reconfigure the light at Wall Avenue so Larsen Lane has a dedicated light for traffic to go south and the traffic coming from Wall Ave would be a separate rotation.

6. Mayor/Council Follow-Up:

Mayor Richins asked Jennie Knight for an update on the election and vote by mail process. She explained the number of votes received has already exceeded numbers from the last Municipal Election. She said she attended training at Weber County Elections office and witnessed the secure process that is met when counting ballots.

Mayor Richins said the 2550 North project up by Majestic Elementary was also approved by WACOG for sidewalk installation. This is to improve safety in this area. Council Member Jensen said she is pleased to hear this is happening. Council Member Pearce said they also approved a project for a second fire station.

Council Member Tait said she saw a complaint regarding 700 North that the signs are not readable. Gene Bingham said he will look into this and install new signs if necessary.

Council Member Wilhelmsen said he spoke with Steve Weiss who suggested some proactive lighting in neighborhoods to potentially reduce crime. He suggested residents turn on their porch lights for a certain amount of time each night in hopes of deterring criminal activity. By installing LED bulbs the cost of illuminating porches can be reduced. He would like to work with Chief Jackson and maybe receive a discount on bulbs from a local retailer. Council Member Murtha said his backyard is well lit for this reason. He said once individuals are behind a fence or hedge they are going unseen in areas.

7. **Closed Executive Session-** Utah State Code §52-4-204 & §52-4-205: The Council may consider a motion to enter into Closed Executive Session for the purpose of discussion of character, professional competence, or physical or mental health of individual(s).

MOTION: Council Member Pearce motioned to adjourn the regular meeting and move into a Closed Executive Session. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

Mayor and Council convened into a closed executive session.

MOTION: Council Member Tait motioned to adjourn the Closed Executive Session and open the public meeting. Council Member Jensen seconded the motion. All Council Members voted aye. Motion passed.

8. Adjourn

Mayor Richins adjourned at 7:58 p.m.

ATTEST:

BRUCE RICHINS
Mayor

JENNIE KNIGHT

City Recorder

Approved this 10th day of November, 2015