

**MINUTES OF HARRISVILLE CITY
CITY COUNCIL MEETING
February 11, 2020 – 7:00 p.m.
363 West Independence Blvd
Harrisville, UT 84404**

Present: Mayor Michelle Tait, Council Member Richard Hendrix, Council Member Grover Wilhelmsen, Council Member Steve Weiss, Council Member Blair Christensen.

Staff: Bill Morris, City Administrator, Jennie Knight, City Recorder, Mark Wilson, Police Chief, Zack Loveland, Public Works Director, Ronda Kippen, Community Planner.

Visitors: Blaine Barrow, Blake Leonelli.

7:00 P.M. CITY COUNCIL MEETING

1. Call to Order.

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

2. Opening Ceremony.

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

3. Convene as Community Reinvestment Agency.

Mayor and Council convened as the Community Reinvestment Agency.

a. Training on Community Reinvestment Agency.

Doug Larsen gave an overview of goals that can be achieved through a community reinvestment agency. State law requires cities who participate, create reinvestment plans in order to collect taxes to supplement private development. This is the requirement for use of public dollars for private development. Doug Larsen explained items “b” and “c” are likely better than reviewing the code with the presentation further explaining the process.

b. Discussion/possible action to adopt Harrisville Resolution 2020-01; a Resolution authorizing the establishment of a survey area.

Doug Larsen explained the first step is to establish a survey area, which requires a boundary, by drawing out a map or project area. These should include a geographic boundary within the city that has opportunity for development or redevelopment. Redevelopment in areas that are blighted such as areas around Wall Ave and south Highway 89 and green land that has not been developed as development area. The law allows collecting taxes to support development in these areas. He specified we are not giving away anything we are currently collecting, but a portion of the future revenue that is created from the development or redevelopment. Once the boundary is outlined, a plan is put in place for the area. We work with all taxing entities that are affected in the area, and give a presentation with incremental revenue that can support the appropriate type of development through the area. This survey area includes two phases. As the Reinvestment agenda, the city is asking all the taxing entities individually for their support. They can allow all or nothing to be used. This is helpful particularly with the school district, as they are the largest taxing entity. This allows the agency to tailor a plan that best meets the needs of the taxing entities.

Once the plan is approved, the city works with developers to make this happen. One survey area is Highway 89 South and the other is Ben Lomond Village. There are three phases in the

South Highway 89 area, with all three phases included in Resolution 2020-02. Each of the phases needs and opportunities are different.

Phase one will likely be commercial, and other areas will likely be more residential. This matters to the school district when asking for support. We must determine the type of development in each phase so we can understand the revenue generated to support the areas. Doug Larsen encouraged Council to think about supporting private development by using tax increments invested back into public infrastructure; roads, water, sewer, gas, power. Using public dollars to develop public assets is the guiding principle. A feasibility study of these areas will determine the net benefit to the public; by using information and knowledge to make a conscious decision. Private development is one supporting option but also supporting city assets.

Bill Morris commented about expanding the boundaries of the study area; having the Deseret Industries and the Cannery, including all of the commercial on the general plan. Doug Larsen explained the boundaries could be adjusted today, or with the study. He anticipates, they will come back with a recommendation with includes adjusting the boundaries. The decision today gives staff authority to put together a feasibility study.

Bill Morris said there will be some money spent to bring money back in. With current budget conditions, this will help spur development and inspire growth. Additionally, allowing for fixing any issues with utilities.

Council Member Hendrix asked if the South Highway 89 survey area goes with resolution 2020-02. Bill Morris confirmed which areas are covered by which resolution. He asked Council for confirmation of the commercial area behind the Deseret Industries to be included. Council agreed.

Council Member Wilhelmsen asked about the overall cost. Doug Larsen responded the projections of the budget. When he responds to an RFP the cost can run from \$9,000–\$16,000. He has reduced his hourly rate, anticipating each of these plans will not exceed \$5,000-\$6,000 each. He can work with staff and the mayor and they can put a cap on each project. He explained that is how we have been doing business with him so far, and this is working well.

Council Member Hendrix asked for clarification in Section 2, “area budget(s)”, **or** each proposed....”, be corrected to read “area budget(s), **for** each proposed”. Council agreed.

Council Member Hendrix asked if staff has time to conduct these projects. Bill Morris explained “staff” means Doug Larsen. After he prepares the feasibility studies for each survey area, we will have public hearings on each. We will need to meet the notice requirements. This is a reinvestment agency, not raising taxes, but collecting future tax, and determining how much to collect.

Bill Morris explained a similar project where entities gave up 65% of the future property tax. Originally \$1,500 was collected per year on agricultural land. Now the area consists of an \$8 million dollar with \$10 million dollars in assets. With the development of the land, the property tax went up to approximately \$200,000. The agency keeps 65% of that offset. With new development taxing, the city can do things to improve infrastructure and assets. He explained with the loss of the golf course, which is 110 acres, the city ought to be able to replace that. With another 1000 residents, we are already suffering and running out of space. This would provide a mechanism to build facilities without using the general fund. Doug Larsen will meet with all involved entities to determine if they will participate.

Doug Larsen added the timing for Harrisville is really good because we are in a healthy economy. Good things are happening right now and this is good timing to go out and review these projects. We are still working on analyzing the Weber Industrial Park. For a small community, amazing things are happening.

Council Member Hendrix asked if an adjustment to include two lots on the north east side of Ben Lomond Village should be added as well to extend the map to 2150 north, including anything in the future commercial area, only vacant land. Council agreed.

MOTION: Council Member Wilhelmsen motioned to adopt Harrisville Resolution 2020-01; a Resolution authorizing the establishment of a survey area. Council Member Weiss seconded the motion. A Roll Call vote was taken.

Council Member Christensen	Yes
Council Member Weiss	Yes
Council Member Wilhelmsen	Yes
Council Member Hendrix	Yes

Motion passed 4-0.

c. Discussion/possible action to adopt Harrisville Resolution 2020-02; a Resolution authorizing the establishment of a survey area.

Doug Larsen explained this survey area includes three phases being called the Highway 89 South survey area.

MOTION: Council Member Weiss motioned to adopt Harrisville Resolution 2020-02; a Resolution authorizing the establishment of a survey area. Council Member Christensen seconded the motion. A Roll Call vote was taken.

Council Member Christensen	Yes
Council Member Weiss	Yes
Council Member Wilhelmsen	Yes
Council Member Hendrix	Yes

Motion passed 4-0.

4. Consent Items.

a. Approve the minutes of January 14, 2020 as presented.

MOTION: Council Member Hendrix motioned to approve the minutes of January 14, 2020 as presented. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

5. Business Items.

a. Waste Management Presentation on clean recyclables.

Blake Leonelli gave a presentation on the importance of clean recyclables and why contaminated recyclables must be sent to the land fill. He reviewed the city's recycling statistics, any changes that need to be made and suggested Council maintain an open dialog with residents about the importance of recycling. He admitted commodities are down, but there are great things coming in the future with recycling trends. There is still a sustainable market for recycling goods. His best advice to residents is to get back to the basics of recycling; clean cardboard, paper, plastics, and metals. The most common issue they see are contaminants including single use plastic bags, which gum up the system.

They are investing in a state-of-the-art facility in Salt Lake and he encouraged Council to attend a tour. He hopes this will help eliminate myths and the bad press recycling has recently faced. They will increase the flow of recyclables from 60 to 600 items per minute. He also expressed a desire to push the right information to the residents by getting involved in future community events. Council should be receiving monthly reports.

Council Member Hendrix asked where current recyclables are going. Blake Leonelli responded to a current facility in Ogden. Council Member Hendrix asked if some residents use their recycling bin as a second trash, if this contaminates the entire load. Blake Leonelli explained they have very good systems in place, but if a strong contaminate is put in with a load, this can ruin the entire opportunity for recyclables. Council Member Hendrix asked if drivers can tell which resident has contaminated the load. Blake Leonelli responded they have very aware drivers. There are some exciting things happening with “Smart Trucks” which have gone live in some areas in beta form. If a container gets dumped with contaminates, a notice will be sent to the resident. He again invited Council and anyone in the public to attend a tour. Mayor Tait thanked Blake Leonelli for his presentation.

b. PUBLIC HEARING: Request to vacate a 10-foot public utility easement of Lot 49-R and Lot 50-R in the Brook Meadow Subdivision.

MOTION: Council Member Weiss motioned to open the public hearing to request to vacate a 10-foot and 33-foot public utility easement of Lot 49-R and Lot 50-R in the Brook Meadow Subdivision. Council Member Hendrix seconded the motion. All Council Members voted aye. Motion passed.

Ronda Kippen gave an overview of the vacation of a 10 foot and 33-foot easement. The history of this project includes Dave Green’s application to continue with his previously approved site plan, where underlining easements needed to be vacated. State statute now allows for these to be vacated by recording a plat, not the previously required ordinance, which makes things much cleaner. By approving the final subdivision plat, the easements will be vacated. These easements date back to the early 1900’s. They were previously missed and now houses have been built over the easements. Dave Green runs his business from this area. There is a 33 foot easement being used as a drainage and private easement on the new plat. The private easement allows for access and drainage. This was fairly difficult to sort out and that is why this resulted in a 3-lot subdivision being created rather than a lot line adjustment, that was originally planned.

This subdivision meets the general plan, current zoning, and the R-1-10 requirements for the residential lots. The lot line adjustment is between the commercial parcel and bringing the lot line up to the residential property, which is also owned by Dave Green. The previous easement ran right through his property where his house is now built, and clipped the corner of the other house. A petition to vacate allows Council to approve by ordinance or recording a plat. The law states Council shall hold a public hearing to determine whether the following exists; good cause exists for the vacation, neither the public interest nor any person will be materially injured by the vacation, and with the recommended conditions, the proposed subdivision complies with all previous approvals and applicable zoning ordinances. The plat clearly shows the picture to determine where the home and out building lie on the property.

A note was added on the plat, this is vacating the existing easement and reference by the entry number, making this very clear what easements are being vacated. She contacted Rocky Mountain, Century Link, water companies, making sure there are no utilities in the preexisting Public Utility Easements. They have flipped the 10-foot easement onto the commercial property. The note specifies this is not a public utility easement, because of the distance from the city road and the public works department did not have ownership of the maintenance. The 10-foot private drainage easement shall be shared equally by lot 1 and 2 in the Dave Green Subdivision along with parcels 11-358-0003 and 11-017-0002, and have access through the existing gates. After this was discussed at Planning Commission, it was discovered lot 2 drains to the wetlands, and lot 3 drains into the public infrastructure, and Dave Green’s property drains into the

wetlands. He has since been added to the maintenance agreement. This is an additional recommendation along with the Planning Commission's recommendation.

She informed Council of a discussion she had with Council Member Wilhelmsen on whether a 10-foot easement is wide enough for several areas to drain to the same place. She said Council can increase this to 15 feet, if they feel that is necessary to meet equipment needs. Council Member Hendrix pointed out a mini excavator would fit in the 10-foot easement.

Council Member Wilhelmsen asked if any drainage goes out to the east to the public easement. Ronda Kippen explained this is a dirt access, the ditch starts farther west. Council gave discussion about surrounding property owners.

Ronda Kippen specified the increase to the commercial lot which now includes an additional 20 feet of property adjacent to the Lutheran church property. Lots 2 and 3 were previously Lots 49-R and 50-R of the Brook Meadow Phase 2 Subdivision, and are slightly smaller, due to the loss of the ditch.

Planning Commission and Staff give positive recommendation for approval of the subdivision and vacating the 10-foot and 33-foot easements. Bill Morris recommended two other conditions; that the applicant adheres to all other staff recommendation by the engineer, and also the note reflect the state statute 10-9a-208 on the plat prior to recording. He commented this was a mess and with Ronda's experience she has unraveled this to make sense of things.

No public comments were offered.

MOTION: Council Member Weiss motioned to close the public hearing to request to vacate a 10-foot and 33-foot public utility easement of Lot 49-R and Lot 50-R in the Brook Meadow Subdivision. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

c. Discussion/possible action to approve final approval for Dave Green Subdivision Amendment.

No further discussion was given.

MOTION: Council Member Hendrix motioned to grant final approval for 10-foot and 33-foot vacation of the Public Utility easements and Dave Green Subdivision Amendment based upon February 11, 2020 staff memo with all recommendations and additional staff changes and the state statute be added to the note. Council Member Weiss seconded the motion. All Council Members voted aye. Motion passed.

d. Discussion/possible action to adopt Harrisville Ordinance 506; an Ordinance adopting Storm Water Regulations.

Bill Morris reviewed ordinance 506; storm water regulations and updated the Council on the status of storm water issues in the city. To be in compliance, this needs to be adopted by March 1, 2020. The EPA administers the federal clean water act and either implement it themselves or authorize the state department of environmental quality to regulate things. He reviewed findings of why this is required and the system we have now. Definitions were outlined, some of which were not used in the code, were removed. Best management practices were reviewed along with authority to enter and inspect, where private basins are being maintained. We have had issue in the past where we were unable to enter private basins which caused problems with compliance. Fines are exorbitant when not in compliance and need to be avoided at all costs. The storm water utility fee is increasing from \$3.00 to \$4.24 per month to help implement this new program. These mandates are unfunded and the city will have to provide a funding

mechanism, right now this is not paying for itself. Bona Vista collects \$.50 to cover their costs of collecting our utility payments.

Council Member Wilhelmsen asked if this will be enough. Bill Morris explained the study came back with a \$10 per month fee suggestion, this program has been under funded since the beginning. Businesses can receive a 50% reduction for being in compliance and maintaining their own private basin. The issuance of the building permit, will also review the storm water construction activity permit and will now be collected as part of the building permit fee schedule. Best management practices were reviewed including a new requirement regarding 100-year storms. Requirements with using only reinforced concrete pipe and avoiding the mixing of storm water and irrigation water as much as possible to separate the pollution for the irrigating of crops. Basin designs are outlined specifying underground storage and injection wells are prohibited. Basins and standing water should not interfere with ground water. Geo technical studies will tell us where to allow these. Basins must drain within 48 hours so problems with mosquito control do not develop. Council Member Hendrix asked if this will apply to existing basins. Bill Morris clarified this will apply to anything new.

Low impact development standards were reviewed with eleven recommendations. We selected five but actually have nine included in this standard. Permits and practices are included with implementation of oil separators, etc.

Zack Loveland explained low impact development will cost the city more for maintenance, due to having to hold the water within the city limits. The EPA regulations require us to keep it in the city, but more money will be required, which is the reason behind the increase. Bill Morris suggested a study could help justify this increase, as well as decide if we need to increase the fee. He explained how unfunded mandates are difficult to address with this being one of the largest to impact local government. He did point out these requirements do make better developments. He also explained how storm water impact fees must be used to address growth, not maintenance, and cannot be used to run the program.

MOTION: Council Member Hendrix motioned to adopt Harrisville Ordinance 506; an Ordinance adopting Storm Water Regulations with corrections and additions. Council Member Wilhelmsen seconded the motion. A Roll Call Vote was taken.

Council Member Christensen	Yes
Council Member Weiss	Yes
Council Member Wilhelmsen	Yes
Council Member Hendrix	Yes

Motion passed 4-0.

e. Discussion/possible action to adopt Harrisville Resolution 2020-03; Probationary Period Amendments.

Chief Wilson explained the need to extend the probationary period for Public Safety officers to one year rather than the six months currently. The old policy said it can be extended in certain circumstances, however that leads to issues with one officer and not another. Field Training is held the first three months which shortens the probation time to about three months out of the six. They may not be able to address bad habits during the current probation time. If they see fit, they may lengthen this beyond the one year, although the one year is a fair standard.

MOTION: Council Member Christensen motioned to adopt Harrisville Resolution 2020-03; Probationary Period Amendment of six to twelve. Council Member Weiss seconded the motion. A Roll Call Vote was taken.

Council Member Christensen Yes
Council Member Weiss Yes
Council Member Wilhelmsen Yes
Council Member Hendrix Yes

Motion passed 4-0.

f. Discussion/possible action to approve Harrisville Resolution 2020-04; a Resolution authorizing the appointment of a Temporary Justice Court Judge.

Bill Morris explained Judge Nelson suggested the city adopt a resolution approving a temporary judge who can take the bench in an event of his absence.

MOTION: Council Member Weiss motioned to adopt Harrisville Resolution 2020-04; a Resolution authorizing the appointment of a Temporary Justice Court Judge. Council Member Hendrix seconded the motion. A Roll Call Vote was taken.

Council Member Christensen Yes
Council Member Weiss Yes
Council Member Wilhelmsen Yes
Council Member Hendrix Yes

Motion passed 4-0.

g. Discussion/possible action to approve purchase of sound system.

Jennie Knight reviewed the bids received for purchase of a new sound system for the Council Room.

MOTION: Council Member Hendrix motioned to approve purchase of new sound system and award the bid to Music Village in the amount of \$11,624.00 for a complete system with staff allowed to adjust the balance due to bid only being guaranteed for 30 days. Council Member Wilhelmsen seconded the motion. A Roll Call Vote was taken.

Council Member Christensen Yes
Council Member Weiss Yes
Council Member Wilhelmsen Yes
Council Member Hendrix Yes

Motion passed 4-0.

6. Public Comments - (3 minute maximum)

No public comments were offered.

7. Mayor/Council Follow-Up.

a. League Training in St. George

Mayor Tait encouraged Council to let Jennie Knight know if they will be attending the League Training so appropriate accommodation can be made.

Bill Morris said advertisement for the mid-term vacancy will be posted next week.

Council Member Weiss asked if Waste Management information is advertised on the website and in the newsletter. Jennie Knight responded the recycle calendar is on the front page of the website and staff can include more waste management information in the newsletter. Council Member Hendrix asked when the next waste management audit will be conducted. Bill Morris informed Council the last audit was conducted five years ago. This will likely not happen again until after July 1, 2020.

8. Adjourn.

Mayor Tait declared the meeting adjourned at 9:11pm.

ATTEST:

MICHELLE TAIT
Mayor

JENNIE KNIGHT

City Recorder

Approved this 10th day of March, 2020