

**MINUTES OF HARRISVILLE CITY
CITY COUNCIL MEETING**

Tuesday, September 27, 2011 – 7:00 p.m.
Council Chambers
363 West Independence Blvd.
Harrisville, Utah 84404

PRESENT: Mayor Richard Hendrix, Council Member Chad Allen, Council Member Wayne Crowther, Council Member Bruce Richins, Council Member Michelle Tait, Council Member Grover Wilhelmsen.

STAFF: Jennifer Morrell, City Recorder; Bill Morris, City Administrator.

VISITORS: Ruth Pearce, Jeff Pearce, Amber Weston, Ernest Rowley, Tyler Barfus, Zach Lore, Adam Lore, Lukas Johnson, Tristan Jones, Justin Tycz, James Beers, Fred Rabe, Lance Nerman.

6:30 P.M. WORK SESSION

Mayor Hendrix asked Council Members for input on Heritage Days and the related activities. He mentioned some of the issues with the pedestrian access on the south side of the park, Franklin Circle, related to ATVs using it as an access. Mayor Hendrix also discussed some ideas for installing a fence that would limit the access to pedestrians and bicyclists.

Council Member Tait said the easiest solution is to not allow ATVs in the park. Council Member Allen agreed and added that if we allow ATVs in the park we would need to pass an ordinance allowing them on the roads. He suggested using a City vehicle to run errands during Heritage Days. Jennifer Morrell, City Recorder, suggested that a parking spot could be reserved close to the bowery for a City vehicle.

Council Member Wilhelmsen was concerned that snowmobiles would still have access to the park from the Independence Blvd. parking lot even if the pedestrian access on the south side was closed off. He felt the access at Independence Blvd. needed to be blocked off as well. Mayor Hendrix asked if everyone was in agreement to install a fence limiting access at Franklin Circle.

Council Member Tait would rather see the City enforce the laws for those who take their ATVs in the park. Council Member Richins added that ATV use at the park happens very little outside of Heritage Days. Ms. Morrell asked if citations could be given to those who bring ATVs into the park. Council Member Allen agreed and said the City should choose the cheapest and easiest way to handle this which is to talk to the offenders and ask them to stop.

Ms. Morrell reviewed a revenue and expense report put together by Pamela Crosbie for Heritage Days events, noting that the report did not include fireworks and that some of the donations were applied as miscellaneous donations because an event was not specified by the donor. Council Member Tait asked what the total budget was for Heritage Days.

Ms. Morrell explained that the budget anticipated \$7,500 coming in as revenue and \$13,000 going out for expenses. She said the totals so far show \$8,549 was received in revenue and \$19,349.90 was expended. Council Members discussed the various expenses and asked if Ms. Crosbie could provide a more detailed report of the expenses in the "other" category.

7:00 P.M. CITY COUNCIL MEETING

1. Mayor Richard Hendrix called the meeting to order and welcomed all visitors.
2. Council Member Wilhelmsen led the Pledge of Allegiance and offered the opening ceremony.

3. CONSENT ITEMS

- a. Approve the minutes of August 23, 2011 as presented.**

Council Member Richins asked that "Heritage Days" be inserted in Mr. Robinson's comments about a lack of activities for people over 50 and Mayor Hendrix pointed out that in reference to the sewer line it "is" 21 inches not "was" 21 inches.

MOTION: Council Member Richins motioned to approve the consent agenda items with incorporation of the comments made. Council Member Tait seconded the motion. All Council Members voted aye. Motion passed.

4. CONVENE AS THE BOARD OF CANVASSERS

- a. Discussion and or possible action to approve Resolution No. 2011-10, Approving the Canvas of the 2011 Municipal Primary Election.**

Mayor Hendrix convened the Board of Canvassers. Jennifer Morrell, City Recorder, explained how the canvass worked and mentioned that the Weber County elections office conducted a count of the provisional and absentee votes on September 20, 2011.

Council Members reviewed the Election Summary Report and Statement of Votes Cast. Council Member Richins asked if we conducted early voting. Ms. Morrell explained that being a fifth class city, Harrisville is not required to conduct early voting. However, absentee voting was available and any voter could come in and fill out an absentee ballot during normal business hours.

MOTION: Council Member Allen motioned to approve Resolution No. 2011-10, Approving the Canvas of the 2011 Municipal Primary Election. Council Member Richins seconded the motion.

A roll call vote was taken.

Council Member Allen	Yes
Council Member Crowther	Yes
Council Member Richins	Yes
Council Member Tait	Yes
Council Member Wilhelmsen	Yes

The motion passed 5-0.

Mayor Hendrix adjourned the Board of Canvassers.

5. BUSINESS ITEMS

- e. Discussion and/or possible action on Resolution No. 2011-09, Interlocal Agreement for Survey and Mapping Services.**

Bill Morris, City Administrator, said the purpose of this resolution is to streamline the development process. He explained that problems are discovered at the time documents are recorded with the Weber County Recorder's office. This resolution will bring the involvement of the County Surveyor up front.

Ernest Rowley, Weber County Surveyor, said he was here to answer any questions and let the Council Members know he takes a vested interest in the functions in his office. He reviews every subdivision that comes through his office and noted that most of the requests they make pertain to functions done by private surveyors. He said the other part has to do with the recording process and pointed out that there are documents and details dealing with the title of the development that are not taken care of.

When the documents come to his office the developer already has their financing and bonds in place and are ready to move on the development. If the County Recorder says the papers are not in order it can create financial difficulties and stress which they want to alleviate and avoid.

Council Member Richins asked how this process took place before; without this agreement. Mr. Morris said this has been a weak link in our process and talked about some of the issues the City has experienced where surveyors or others have made mistakes and we have to guess on the best way to fix the problem. He said this will ensure we do it right the first time and make the process smoother.

Council Member Crowther asked what this will cost the City. Mr. Morris explained that the developer will pay the cost in their filing fee, which cost is set by the County Commission. Council Member Crowther asked Mr. Rowley if he knew what the cost would be. Mr. Rowley said the costs were outlined in the standard rate fees set by ordinance but explained the monument escrow has a different requirement. He said most of that fee is refunded minus a checking fee. Council Member Crowther asked if the County would be stamping the monument. Mr. Rowley said it is the responsibility of the developer to install it and have it ready and then his office would come and check the placement.

Council Member Allen disclosed that he works for Weber County but said he will not abstain from voting because this has no impact on the Weber County Sheriff's office.

MOTION: Council Member Tait motioned to approve Resolution 2011-09, Interlocal Agreement for Survey and Mapping Services. Council Member Wilhelmsen seconded the motion.

A roll call vote was taken.

Council Member Allen	Yes
Council Member Crowther	Yes
Council Member Richins	Yes
Council Member Tait	Yes
Council Member Wilhelmsen	Yes

The motion passed 5-0.

b. Discussion and/or possible action or Ordinance No. 440, Adopting the Sensitive Lands Overlay and Business District Overlay.

Mr. Morris explained this was a goal set by Council Member Crowther and the reason we are adopting these overlays. He said the sensitive lands overlay addresses all the sensitive issues in Harrisville such as geological hazards, high ground water, liquefaction, unstable soil, wetlands, wildlife habitats, save areas, low impact road areas, natural drainage areas, water well sources and other environmental quality issues. He asked Council Members if they had any substantive issues.

Council Member Richins asked what geological hazards are in Harrisville. Mr. Morris said we have clay soils which are not conducive to development or the development has to be handled specifically for clay soil. He gave the example of a house that is built slab on grade where the slab sinks. He said a geological survey would need to be done and the engineers determine if wider footings should be poured or a crawl space built.

Mr. Morris pointed out that page 4 mentions how the Project Management Committee reviews applications. Council Member Crowther asked that 2a be changed to "qualified geologist or engineer" and that page 6, item 7a(i) say "no buildings" instead of "structure and facilities".

Council Members Richins and Tait asked about "save islands". Mr. Morris said those are trees. Council Member Crowther asked that it be changed to "tree save islands".

Mr. Morris explained why revegetation was included and said it applies to the need for vegetation to be put in place to prevent hillside erosion. He does not feel this is something the City will encounter much.

Council Member Crowther asked if there was any information about private wells in the city. Mr. Morris said this time there is not but as they are identified they will be put on the map. He said they need to be identified to keep them free from contamination.

Mr. Morris explained page 8 is the business district model and puts commercial areas on a separate map. Council Members reviewed the Business District map and discussed some of the commercial businesses in place as well as future commercial zoning. Mr. Morris pointed out that nothing on the west side of Hwy 89 is zoned for commercial property.

Council Members reviewed the Sensitive Lands map. Mr. Morris explained the drinking water protection zone and well designation on the legend. He said the ordinance is written so that even things that are not known will not be overlooked. Council Member Crowther asked that Rice Creek and Mud Creek be labeled on the map.

MOTION: Council Member Crowther motioned to approve Ordinance No. 440, Adopting the Sensitive Lands Overlay and Business District Overlay with the corrections that were made. Council Member Wilhelmsen seconded the motion.

A roll call vote was taken.

Council Member Allen	Yes
Council Member Crowther	Yes
Council Member Richins	Yes
Council Member Tait	Yes
Council Member Wilhelmsen	Yes

The motion passed 5-0.

c. Discussion and/or possible action on Ordinance No. 441, Land Use Ordinance Amendments.

Mr. Morris said this addresses some of the issues in the land use ordinance. The first one was requested by Ken Martin, Building Official, who wanted changes made to accessory building standards. He said there are presently two sizes for accessory buildings and they want one size to follow.

The next issue involves parking lots. Mr. Morris said we will allow parking lots to go within five feet of the road making it less restrictive. He added that landscaping will still be required.

Mr. Morris pointed out that this ordinance includes a requirement that the person applying for a conditional use permit can be denied if they have ongoing code enforcement problems.

Another item in the ordinance involves noticing. The City is switching from noticing through the post office to posting a sign on the property involved. Council Member Crowther asked if the City is still required to publish the notice. Mr. Morris said the agenda will be published per state requirements which will serve as the notice.

Mr. Morris also noted changes to the application process. He said because we are in an electronic world our requirements need to change from a paper format to an electronic format with the option of specifying how many plans we need based on the project.

MOTION: Council Member Allen motioned to approve Ordinance No. 441, Land Use Ordinance Amendments. Council Member Tait seconded the motion.

A roll call vote was taken.

Council Member Allen	Yes
Council Member Crowther	Yes

Council Member Richins Yes
Council Member Tait Yes
Council Member Wilhelmsen Yes

The motion passed 5-0.

d. Discussion and/or possible action on Resolution No. 2011-08, Recertification of the Harrisville Justice Court.

Mr. Morris explained that this needs to be passed if the Council wants the Justice Court to remain. He referred to the letter from Mike Junk, City Attorney, which lists the statutory and regulatory requirements and his recommendation that the City continue to maintain and operate the Harrisville Justice Court.

MOTION: Council Member Wilhelmsen motioned to approve Resolution 2011-08, Recertification of the Harrisville Justice Court. Council Member Richins seconded the motion.

A roll call vote was taken.

Council Member Allen Yes
Council Member Crowther Yes
Council Member Richins Yes
Council Member Tait Yes
Council Member Wilhelmsen Yes

The motion passed 5-0.

6. PUBLIC COMMENTS

Jeff Pearce, 295 E. 1150 N., said he talked with the minister of the Lutheran Church who would like to set up a community garden in the waste land behind their building. The Lutheran Church minister thought this would help control the weed problem.

Tristan Jones, lives on Adams Street, asked why the ground is so soft that the houses are sinking. Mr. Morris explained that the soils are made up of different things and talked about how clay compacts and how the weight of the house can compress the soil which causes the house to crack as it settles.

f. Closed executive session to discuss the character, professional competence, or physical or mental health of an individual and to discuss strategy regarding pending or reasonably imminent litigation.

MOTION: Council Member Allen motioned to close the public meeting and move into an executive session. Council Member Wilhelmsen seconded the motion.

A roll call vote was taken.

Council Member Allen Yes
Council Member Crowther Yes
Council Member Richins Yes
Council Member Tait Yes
Council Member Wilhelmsen Yes

The motion passed 5-0.

Council Members convened into the executive session.

MOTION: Council Member Richins motioned to close the executive session and move into the public meeting. Council Member Wilhelmsen seconded the motion.

A roll call vote was taken.

Council Member Allen	Yes
Council Member Crowther	Yes
Council Member Richins	Yes
Council Member Tait	Yes
Council Member Wilhelmsen	Yes

The motion passed 5-0.

7. MAYOR/COUNCIL FOLLOW UP

Mayor Hendrix discussed the fires in the park restrooms at the end of Independence Blvd. He said there was also a small fire started in the restrooms at Millennium Park as well as a fire lit in the water tank for the splash pad. Mr. Morris reported that the person has been caught in the case of the Independence Blvd. fire.

Mayor Hendrix also asked the Council Members to take note of the new LED light in the parking lot. Council Member Tait asked how to track the savings in electric costs. Mayor Hendrix said the vendor guarantees at 50% savings. He explained that money was set aside in this year's budget for a small area to be refitted with the new lights such as the cabin parking lot or the parking lot at the city offices.

Council Member Richins asked if the new sign ordinance allows graphics like those displayed on the new City sign. Mr. Morris said animation is not allowed but the graphics are allowed.

Council Member Allen asked if a weekly briefing could be given to Council Members. Council Members felt that the weekly staff meeting minutes would be sufficient.

8. ADJOURN

Mayor Hendrix moved to adjourn at 9:25 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 11th day of October, 2011