

**MINUTES OF HARRISVILLE CITY**  
CITY COUNCIL MEETING  
Tuesday, June 25, 2013 – 7:00 p.m.  
Council Chambers  
363 West Independence Blvd  
Harrisville, Utah 84404

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

Staff: Bill Morris, City Administrator, Gene Bingham, Public Works Director, Bryan Fife, Recreation Director, Jennie Knight, City Recorder.

Visitors: Denae Averett, Ruth Pearce, Jeff Pearce, Margene Walters, Boyd Walters, Gayle Wardle, Joanne Christensen, Curtis Christensen, Jed McCormick, Gordon Casey, Sue Russell.

**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.**

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

**3. Consent Items.**

- a. Approve the minutes of June 11, 2013 as presented.

Council Member Richins pointed out a typo on page 5; paragraph 4, in the last sentence “in” was changed to “is”.

**MOTION: Council Member Richins motioned to approve the minutes of June 11, 2013 with the typo error correction. Council Member Tait seconded the motion. All Council Members voted aye. Motion passed.**

**4. Business Items.**

- a. Discussion/possible action to approve Harrisville City Ordinance #460, an ordinance correcting a lot line error; vacating original plat for Phase 4 and adopting the Wildflower 1<sup>st</sup> Amendment for Phase 4; and providing an effective date.

Bill Morris explained to Council Wildflower Phase 4 plat is being amended to correct a lot line adjustment on the South lots. This adjustment is being made because the fence line has been in place for more than 20 years and has become the property line. The amendment corrects this line. Mayor Hendrix commented that fence lines and creeks become the property lines a lot of times. Council Member Knighton asked for an explanation on the effective date. Bill Morris explained the process of an Ordinance becoming effective by having the City Recorder post the ordinance in three places throughout the city and certifying the effective date of this posting. Council Member Allen asked if the developer’s of Wildflower requested this change be made. Bill Morris responded yes, it was an error by the developer’s engineer that has now been corrected.

**MOTION: Council Member Allen motioned to approve Harrisville City Ordinance #460, an ordinance correcting a lot line error; vacating original plat for Phase 4 and adopting the Wildflower 1<sup>st</sup> Amendment for Phase 4; and providing an effective date. Council Member Wilhelmsen seconded the motion. A Roll Call vote was taken.**

<b>Council Member Allen</b>	<b>Yes</b>
<b>Council Member Richins</b>	<b>Yes</b>
<b>Council Member Knighton</b>	<b>Yes</b>
<b>Council Member Tait</b>	<b>Yes</b>
<b>Council Member Wilhelmsen</b>	<b>Yes</b>

**Motion passed 5-0.**

- b. Discussion/possible action to give preliminary/final approval of re-application of Wildflower Subdivision Phase 5.

Bill Morris explained to Council this subdivision has been previously approved but has expired because the plat did not record within one year. This is reapplication of Phase 5. Council Member Knighton asked if there are any outstanding city engineering issues. Bill Morris responded they are all resolved. This Phase also includes the same lot line adjustment that was amended in Phase 4.

**MOTION: Council Member Allen motioned to grant preliminary/final approval of re-application of Wildflower Subdivision Phase 5. Council Member Richins seconded the motion. All Council Members voted aye. Motion passed.**

- c. Discussion/possible action to approve Harrisville City Ordinance #462 Zoning Map amendment from RE-15 to CP-2 for property located at 504 North Wall Avenue.

Bill Morris explained this ordinance was sent out without Exhibit A which shows a site plan that is required to meet the zoning change requirement. He showed Council this Exhibit A that was given to planning commission. This property sits right North of the State Liquor Store on Wall Avenue. The home on the property is run down and often harbors vandals and transient traffic. The house will be demolished and could then be used for a commercial development under the proposed zoning. This conforms to the zoning on the future land use map. Council Member Knighton asked about the zoning on the lots to the North of this property. Bill Morris explained these lots will still be zoned RE-15. Mayor Hendrix pointed out the C-2P should be corrected to CP-2 in the ordinance. Council Member Richins expressed his concerns about this area in the city. He encouraged Council to consider what can be done to address the condition of these properties. Bill Morris explained the land owner in this case approached the city trying to address the nuisance issue with this property. He further explained if Council wanted to update the area to zone all of this CP-2 they would be creating non-compliance because there are still a few residences within this area. Council Member Richins expressed his desire to do everything possible to reduce this "eye sore". Mayor and Council gave discussion about the existing homes and what options are available to reduce the nuisance of certain properties and bring property owners into compliance.

**MOTION: Council Member Richins motioned to approve Harrisville City Ordinance #462 Zoning Map Amendment from RE-15 to CP-2 for property located at 504 North Wall Avenue. Council Member Allen seconded the motion. A Roll Call vote was taken.**

<b>Council Member Allen</b>	<b>Yes</b>
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<b>Council Member Richins</b>	<b>Yes</b>
<b>Council Member Tait</b>	<b>Yes</b>
<b>Council Member Knighton</b>	<b>Yes</b>
<b>Council Member Wilhelmsen</b>	<b>Yes</b>

**Motion passed 5-0.**

- d. Discussion/possible action to give preliminary approval of Plushnest Subdivision Development, 25.47 acres located east of Summer Farms Subdivision.

Bill Morris introduced Council to the proposed subdivision. He pointed out most of the residents that are present are here on this issue. The city engineer issued a memo of the items that need to be addressed. After a brief description on the size of the subdivision, Bill Morris addressed each item in the engineer's memo.

Item #1 on the engineer's memo states the lot addresses must be included on the final plat. Item #2, requires a note explaining the "R" restriction label on the Plat, which is required because of the high ground water level. Item #3, a note is needed about the slab on grade restriction, slab on grade is not allowed. A crawl space is required unless a geo technical study is conducted on the lot. Item #4 a note is needed stating the property corners are to be set; rebar and surveyor's cap to be installed at the back of the property and copper rivet to be set at the curb. Item #5 states before final approval is given, Bona Vista and Pine View service letters are needed. Item #6 states prior to final approval, the County Recorder's office will conduct a preliminary review of plat. A paper copy must be submitted to county surveyor's office leaving sufficient time to receive comments and make recommended changes. Item #7 requires ownership of parcel listed as "Parcel A" needs to be indicated on the plat. Ownership may be retained by the developer and then changed with a separate transaction at a later date; this also needs to be verified with the County. Item #8 the parcel listed as "Parcel B" needs to be dedicated to the city as access for Dixon Creek Detention Basin. Owner's dedication needs to be indicated on the plat. Item #9 an additional street needs to be stubbed to the Blodgett property, bringing water, sewer, and storm drain utility to the property. This need for access is required by city ordinance to allow for future transportation and access to Washington Blvd. The city ordinance requires blocks to be set to a smaller length which requires an intersecting street on Lot 28, removing that lot. The Blodgetts would have to allow access in the future, but right now it would be stubbed.

There are several drainage and utility items. An overall grading is required. The typography shows several low areas that need to be eliminated. Also, an additional protection berm might be required for homes along Dixon Creek. Bill Morris indicated Public Works Director, Gene Bingham, is here to answer any questions. There are a couple of irrigation ditches that enter the subdivision. These need to be routed so irrigation tail water doesn't enter property. Adjacent property owners must be involved in addressing this issue. Fire hydrants need to be placed. The sewer stubbed at 125 E. must be connected to the new sewer main at the intersection of 150 East and Pennsylvania. A Geo technical report will be required for the subdivision. A storm water pollution prevention plan must be submitted, these will be reviewed prior to final approval. Agricultural fencing requirement must be met. This must be indicated on improvement plans and tied into the remaining fences. Trees are bordering this property and might need to be removed to allow for the fencing requirement. Gene Bingham uses an arborist recommendation regarding tree removal. For every tree removed, three trees must be planted in place. Spacing between man holes limited to maximum of 400'. The Parcel "B", basin access road, needs to be paved and fenced, with an access gate at the east end. Prior to final approval, the developer must decide if and how the subdivision will be phased, including any temporary turn around that will be required. Separate plats will be required for each phase.

Bill Morris informed Council several residents have worried about overflow from the detention basin. The city engineer indicated they are working with the developer's engineer to make sure the detention basin is designed properly. The storm drain design is sufficient for preliminary approval at this time.

Boyd Walters has been contacted by the developer to discuss drainage along the north side of the proposed development. In the spirit of cooperation an agreement was reached to construct a ditch to convey drainage.

The preliminary Plat was distributed on this subdivision for Council's review. Bill Morris recommended preliminary approval subject to the City Engineers memo addressing all of the previously discussed issues.

Mayor Hendrix asked about the ditch construction, asking if the fence is running on the North side of the development. Gene Bingham explained the irrigation water on Mr. Boyd's property is dispersed to the west and drains into mud creek which eventually drains into the canal downstream.

Council Member Knighton asked how often Council gives preliminary approval with this many issues needing to be addressed. Gene Bingham responded the city's engineer indicated he had enough adequate information to recommend preliminary approval. He reminded Council that final approval must be given with no conditions. All of the above items must be resolved prior to final approval including any additional items that may come up through this process.

The city was aware of the stub road issue. A lot of times these things are addressed through the approval process. Council Member Knighton said technical issues are usually included in the approval process but not the agreement between neighbors. Gene Bingham said Council has discretion with this. In his opinion, he is comfortable with giving preliminary approval with the outline of items that must be addressed. Mayor Hendrix reminded Council of Gene Bingham's attention to detail and attested he makes sure these issues are addressed before they are put back on the agenda for final approval. Gene Bingham said this is what how the subdivision ordinance reads. He explained the city engineer, Jed McCormick and Gordon Casey have been onsite to review the site. They have already made several notes that have been conveyed and addressed through the engineer's memo. There is a paper trail of all of the issues. He said he is comfortable with preliminary approval, but not final until the issues are resolved.

Staff and Council gave discussion on extending the berm until it connects to the north. Sewer videos have been reviewed to adequately service this development. Council Member Allen asked if the whole area has a storm water issue. Gene Bingham explained this is why the "R" restriction is put on the lots, and there may be potential for flooding on the back lots because of the creek. He explained to Council there is a network of drainage that runs through the property that will be addressed during the development. He gave a brief description of how the drainage is being addressed particularly the ditch that runs on the North side and how this will help with these issues. He indicated the development of Wildflower Subdivision was similar in nature.

Mayor Hendrix suggested making sure the current detention basin is capable of holding all of the potential run off. He asked Jed McCormick how many other land owners use these ditches to irrigate. Jed McCormick said he is the end of the line on this irrigation system.

Council Member Richins asked about the grading plan to address the storm water issue, specifically the existing homes on 100 East. Bill Morris responded the berming is also required on those properties to protect those homes. He said the existing detention basin will need to be sufficient to accommodate the additional homes. Council Member Richins asked Gene Bingham if the Dixon Creek detention basin has ever over flowed. Gene Bingham gave a brief history of how these issues have been addressed in the past. He explained Weber County Storm Water director was present onsite to help with the basin design because Ogden city was not involved. The detention basin was enlarged to fix and address the potential development of this land. Weber County went in with 25% of the cost to build the basin. This basin was built as

large as possible. The city engineer took in this proposed development into account when this basin was engineered. The city engineer is currently having everything recalculated to make sure there will not be a problem. Council Member Tait inquired as to the city's part with giving preliminary. Bill Morris reassured Council giving preliminary approval requires that these conditions be met before final approval. Council Member Allen asked if the public comments could be moved to address this item since most residents are present for this issue. Mayor Hendrix opened the floor for public comments.

Sue Russell, 117 W. Pennsylvania, said she has known for years this development was coming in. Her issue is with the probability of an increasing traffic issue. She asked how long before another access is given to this area. She said with this new development there will only be two accesses, one on 125 W. and the other being Pennsylvania. She said there are only 2 stop signs in place currently and suggested making this a 4-way stop. She has lived in the city since 1993. She asked when 1100 North will be connected through to Washington Blvd. She gave explanation as to how a new access will relieve this area of the heavy traffic flow. She admitted several residents on 1100 North may not want this thoroughfare connected but it is part of the master plan. In her opinion, the city should get involved in this process. She said this new development is likely going to affect the traffic with the school district being on the west side. She indicated she has not seen water in the detention basin next to her house, which to her indicates the drainage is working properly. She expressed her excitement to see this development is for single family homes and the fact that basements are not allowed will bring lots of variety of home owners into the area. Mayor Hendrix clarified a crawl space is required under the homes, by ordinance.

Boyd Walter's, owns the property to the North. He confirmed the agreement with Jed McCormick regarding the irrigation ditch on the south side of his property. He said his property drains down to a catch basin into summer farms. He asked if there is a large enough pipe to address the water flow. In his recollection, he remembered the houses in summer farms had a lake behind them with flash flooding. He said his hope is the pipe that is installed will be large enough to handle the amount of water. He confirmed his agreement on a 6 ft fence to run along his agriculture property. He said he has made arrangements with Jed McCormick to remove the two large trees and cut the ditch for him. He has no problem with the area being developed as long as he is kept in the loop. He was informed of the road that will be stubbed towards the Blodgetts property.

Curtis Christensen, 163 W. Pennsylvania, said he appreciated being given opportunity to give comments regarding this development. He acknowledged as a community they recognized this area would be developed. He feels Jed McCormick will do a good job on the development. He expressed his satisfaction the engineer will follow the city's ordinance in adding the stubbed road. He stated that preliminary approval gives them permission to move forward. Hopefully all of the issues will be caught and addressed to satisfy the engineer's memo and planning commissioner's recommendation.

Gordon Casey, engineer on the project, stated the majority of these items to be addressed are necessary for the final plat. He said they have addressed the water issues to eliminate the storm run off, requiring the roof and hard surface drainage being directed to the streets to reduce the water runoff toward the storm drain and to the retention basin. The pond has not ever come close to being full even during the largest storms. He indicated on the east side where the creek is will be built up with a berm. This is even beyond where the original pond is located. He confirmed the only active irrigation is on the Walter's property. The existing ditch will be defined to address the irrigation water. They will be stubbing a storm drain pipe so there will be utilities in place for future development. They anticipate the flooding conditions will be better off than even now.

Council Member Allen asked about the two access roads; one from 125 W. and the other from Pennsylvania. Mayor and Council gave discussion regarding the existing access roads and

potential access roads in the future. Council Member Richins asked about the ditch running along the North side of the property, asking for clarification on the direction of water flow. Gene Bingham and Gordon Casey both confirmed this ditch runs east-west and ends quite a distance from the border to summer farms subdivision. Boyd Walters commented there is a catch basin at the west of the property with a pipe running to the North. Gene Bingham said he will check into this, his recollection is this water dissipates over Mr. Walters land, runs into the wetlands, and down into Mud Creek. Gordon Casey commented no storm water will be added into this system, this will just be the water Mr. Walters uses to irrigate his own property. Council Member Allen asked if this discussion needs to be tabled until the drainage pipe is addressed. Gene Bingham stated his inclination is this water meanders through the wetlands and into Mud Creek but he will check into this. [Note: Gene Bingham returned later in the meeting during the Heritage Days discussion to confirm this drainage dissipates over the land towards the wetlands and eventually into Mud Creek.]

**MOTION: Council Member Tait motioned to grant preliminary approval for 53 lots for the Plush Nest Subdivision subject to the memo from Jones and Associates dated June 20, 2013 being completed in its entirety and the storm water irrigation issue on the North-West portion of the subdivision being resolved. Council Member Allen seconded the motion. All Council Members voted aye. Motion passed.**

- e. Discussion/possible action to approve Harrisville City Ordinance #461, an ordinance repealing and re-enacting Chapter 11.01 of the Land Use Ordinance regarding general provisions, adding and amending definitions, making technical changes.

Mayor Hendrix suggested Council table this item until they have sufficient time to review this ordinance for changes and set a dead line for Council to submit any changes by the next meeting. The changes will be submitted in two weeks and implemented and given an additional two weeks for final approval until the July 23, 2013 meeting. Council Member Knighton commented there were a few extra uses included that better define the definitions than was previously included. Bill Morris explained the underlined portions are what are changing but will remain included to show changes.

**MOTION: Council Member Allen motioned to table Harrisville City Ordinance #461, and ordinance repealing and re-enacting Chapter 11.01 of the Land Use Ordinance regarding general provisions, adding and amending definitions, making technical changes, specifying all changes must be submitted in two weeks for final discussion at the July 23, 2013 meeting. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.**

Mayor Hendrix asked Council if there are any attendance issues with the July 23, 2013 meeting due to the 24<sup>th</sup> of July holiday. No Council Members indicated they would be out of town for the July 23, 2013 meeting.

- f. Discussion/possible action to approve 2013 Municipal polling location and poll workers.

Jennie Knight explained this is a formality to approve the location of the Municipal elections and the poll workers who will be working. She said all of the election poll workers have experience working the polls in past elections. They will receive training through Weber County and both the primary and general elections will be held at City Hall, 363 W. Independence Blvd.

**MOTION: Council Member Allen motioned to approve the 2013 Municipal polling location and poll workers. Council Member Richins seconded the motion. All Council Members voted aye. Motion passed.**

g. Discussion/possible action to set Public Hearing date for Truth in Taxation. Mayor Hendrix explained information was received from Weber County asking to set a public hearing in line with the truth in taxation process to meet the appropriate requirements. He suggested a proposed date of August 6, 2013 at 7:00 p.m. to hold the public hearing.

**MOTION: Council Member Richins motioned to set a Public Hearing in line with the Truth in Taxation requirement for August 6, 2013 at 7:00 p.m. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.**

#### **5. Public Comments.**

No comments were offered.

#### **6. Mayor/Council Follow-Up.**

Mayor Hendrix said the equipment and repair item in the Public Safety line item that was discussed the last budget discussion resulted from this item being cut from \$30,015 in previous years. There was an accident where one of the Public Safety trucks was t-boned at an intersection and the money was spent out of this budget line item to fix the truck. Mayor Hendrix confirmed money is collected through the city insurance, Utah Local Government Trust, but the reimbursement is put into the general fund. The money to fix the truck has to come out of this budget item. That is what created the discrepancy. Council Member Allen asked if this has happened in the past. Council Member Knighton asked if the difference in funds was created from this incident. Bill Morris clarified in the past the vehicles have been totaled, considered a total loss, not repaired using this fund.

The benefits item in the administration area was caused by the benefits being switched over from a previous employee to a new employee, some is caused by overtime. FICA is required to be paid on the overtime and can sometimes create this discrepancy. Mayor Hendrix complimented Lynn Fortie with his ability to forecast ahead with the budget. He said this is a tough process to project out for an entire year and have exact numbers by the end.

Council Member Allen said he has been going through the Heritage Days surplus. He indicated several chairs were donated to CERT. The desks were given back to one of the schools. All of the items that needed to be returned have been returned to their rightful owner. The remaining items will be auctioned off on KSL.

Council Member Richins asked for Youth City Council to be recognized on the July 9<sup>th</sup>, 2013 meeting. Council Member Allen suggested reassigning this since both council members are running for Mayor. Mayor Hendrix will take this under advisement. The Youth City Council conducted a dyer's woad service project throughout the city for Gene Bingham. Council Member Knighton suggested this being a city wide service project next time.

#### **7. Adjourn.**

Mayor Hendrix motioned to adjourn at 8:25 p.m.

#### **8. Heritage Days Work Session.**

Mayor Hendrix called the work session to order and turned the time over to Council Member Knighton for discussion. Council Member Knighton introduced Council to Barbara Barnes who has volunteered to help with Heritage Days. She said she has been putting together a committee to help address the Heritage Days celebration in the future. She suggested more civic involvement since this event belongs to the resident's, give this back to the resident's. She

suggested future discussion about this at the follow-up Heritage Days meeting. Mayor Hendrix offered to volunteer to help with future celebrations.

Council Member Knighton said for this year's celebration the two items that have already been confirmed are the sound system, he is on contract at \$1500, and Saddlestrings entertainment is in place. Council Member Richins said they want to be the main event and he has a confirmed \$900 commitment for them to entertain until the dance begins.

The event will begin with a 5:00 p.m. parade, children's bike parade is assumed.

Council Member Knighton asked about the veteran's float and if arrangements have been made for them to ride on a float, rather than walking the parade route. Mayor and Council gave discussion on the parade and time line of events. They gave discussion on whom to invite as Grand Marshalls for the parade. Council Member Knighton suggested Harrisville resident June Brown as a candidate for Grand Marshall. Mayor and Council discussed the plaques that have been given in the past.

Mayor Hendrix confirmed he will contact Larry H. Miller to borrow cars for himself and Council. Mayor and Council agreed one individual will be purchasing all items for the Heritage Days celebration.

Council Member Allen said Sierra Rider will be singing the national anthem, and he will contact Cliff Porter to handle the flag ceremony. He will also contact the individual who handles the cannon.

Council Member Tait suggested they check on the amount of paper supplies in storage. These items will be needed for the serving of cake and ice cream. Estimated total cost for this is \$600.

Council Member Allen said there are not many paper supplies in storage. He reminded Council a portable wash station, a 5 gallon drainage bucket with hand soap and paper towels is mandatory. He also reminded Council the mass gathering permit must be applied for in advance as well as a temporary food service permit. Mayor and Council agreed the Youth City Council will help serve cake and ice cream. Council Member Knighton informed Council Farr's Ice Cream will give a 2-day rental for \$15 on a freezer with a \$100 purchase of ice cream. Council Member Allen said he intends to buy a freezer and first aid kit with any money raised from the auction on the surplus items.

Mayor and Council gave discussion on the logistics of the sound systems and Bingo Tent.

Council Member Richins informed Council Saddlestrings prefers their own sound system.

Mayor and Council agreed they will perform on the main stage at the bowery. The dance will be held in the usual grassy spot on the East side.

Council Member Knighton suggested giving away glow in the dark sticks again this year in conjunction with the theme "Our Colorful Community". Mayor and Council agreed they will distribute these items to the public themselves.

Mayor and Council gave discussion on the sound system. They agreed music will run through the fireworks. Mayor Hendrix reminded Council the fireworks are already in place and North View Fire is aware of the date.

Mayor and Council gave discussion on the first aid requirements. Jennie Knight will contact Ogden Clinic to confirm they will be in attendance. If they are not available, she will contact North View Fire and check their availability.

Mayor and Council gave discussion on the 5K Run. They discussed what kind of running event to host. Council Member Allen will be the committee chair for this run and suggested having a midnight run. He said the Youth City Council expressed interest in the midnight 5K. Jennie Knight will update the 5K flyer with the new appropriate information.

Mayor and Council gave discussion on Bingo and where to locate this event. Mayor Hendrix suggested setting up the big tent where the car show usually is. This area is usually quite shady and comfortable. Mayor and Council gave discussion on the vendor booth tents and clarified the coordinator needs to number the vendor booths this year.

Council Member Allen asked about the light towers and the shades for the West side of the bowery. Gene Bingham said he has reserved the light towers, shades for the West side, Plinko game, and the game board. Council Member Richins suggested using some additional lighting on the stage.

Mayor and Council gave discussion on event sponsors and which sponsors will be assigned to each event. Gage Froerer, Mountain West Credit Union, and America First Credit Union have all sponsored events in the past.

Council Member Knighton suggested communicating through email with Heritage Days information to continue the efforts of preparation.

Mayor Hendrix motioned to adjourn at 9:20 p.m.

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**RICHARD HENDRIX**  
**Mayor**

**ATTEST:**

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**JENNIE KNIGHT**

City Recorder

Approved this 9<sup>th</sup> day of July, 2013