

**MINUTES OF HARRISVILLE CITY  
CITY COUNCIL MEETING**

Tuesday, January 10, 2017 – 7:00 p.m.  
Council Chambers  
363 West Independence Blvd  
Harrisville, Utah

---

**Present:** Mayor Bruce Richins, Council Member Jeff Pearce, Council Member Gary Robinson, Council Member Jennifer Jensen, Council Member Ruth Pearce, Council Member Austin Tracy.

**Staff:** Bill Morris, City Administrator, Jennie Knight, City Recorder, Pam Crosbie, Finance Clerk.

**Visitors:** Jeff Ambrose, Blaine Barrow, Brad Willden, Nathan Averill.

**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 Jeff Pearce led the pledge of allegiance and conducted the opening ceremony.

**3. Consent Items.**

**a. Approve the minutes of December 13, 2016 as presented.**

**b. Check Register**

Council Member Robinson asked if the description can be listed instead of the account number. Council Member Pearce suggested getting a list of accounts for Council to review on their own. Pam Crosbie said she is not aware of the Caselle program allowing for the accounts to be listed under the description. Mayor Richins suggested she contact Caselle to see if this is possible. Council Member J. Pearce asked why there are so many phone providers. Jennie Knight explained we have three different providers for four different accounts. Mayor and Council gave a short discussion on the phone providers and services.

**MOTION: Council Member J. Pearce motioned to approve the consent items for January 10, 2017 as presented. Council Member Jensen seconded the motion. All Council Members voted aye. Motion passed.**

**4. Convene as the Community Reinvestment Agency**

**a. Discussion/possible action to approve CDA on Washington Blvd.**

Bill Morris asked if Council reviewed the Project Management minutes regarding this item. He introduced Aaron Thornock who has a development proposal on Washington Blvd. The proposal includes a mixed use zoning with patio homes and commercial fronting Washington Blvd. Phase one will include residential housing with the money

collected rolling into the commercial phase. Bill Morris said this will require a section of the land use ordinance to be rewritten to allow for mixed use zoning. Mr. Thornock has proposed a road connecting into Larsen Lane because of fire access requirements. This would be offset with the Thoroughbred Crossing access unless a home is removed. The city engineer would like to align the roads. Mr. Thornock explained the tenant of the home is in a rent to own situation which is making the offer to buy complicated. The property owner would like to sell.

Council Member R. Pearce asked what options they have for road designs. She expressed concern if a barrier would be installed. Bill Morris said the city engineer is the one recommending the lining up of the intersection. Council Member R. Pearce expressed her concern now that a continuous right turn is allowed off of Washington Blvd for westbound traffic on Larsen Lane. She suggested closing off access on 375 West once the Thoroughbred Crossing access is installed.

Bill Morris explained step one of the CDA project is to see if this is something the Council is interested in. We currently do not have zoning that supports mixed use. Normally a 15-20 page plan is presented outlining the taxing entities involved and the project details. Mr. Thornock said he will be continuing conversation with Doug Larsen who is contacting the taxing entities including the school district. Council Member Jensen asked why the school district is involved. Bill Morris said they are one of the taxing entities and all entities must agree to this proposal.

Council Member R. Pearce asked how much property of phase one has been acquired. Mr. Thornock outlined the area he has already acquired and the outstanding property where the rental house is located. He said there are a couple of land owners he is unable to contact but some he already has a verbal agreement with. He actually wanted to get feedback from Council before he moves forward on acquiring the rest of the land. Council Member R. Pearce said nothing is setup in the city regulations that allows for this. Bill Morris agreed saying an ordinance will be drafted while the developer is working with the county on providing the city with the plan outline.

Council Member R. Pearce said most of phase 1 is currently zoned RE-15 and the proposed lots for this area are more consistent with R-1-10. She said she does not understand this to be a mixed use project. Bill Morris explained this is a horizontal mixed use plan consistent with what Matt Godfrey proposed the city considered with his consulting report. When Council receives the full plan the commercial will be outlined in addition to the residential. Council Member Jensen pointed out this is just a preliminary draft. She asked if phase two will include commercial. Council Member R. Pearce again expressed her concern this is not truly mixed use. Bill Morris again explained this is the type of proposal Matt Godfrey recommended in his consulting report. He said the type of mixed use down by the Junction in Ogden is vertical mixed use. Council Member R. Pearce said this type of development has been proposed before. Bill Morris said this type of proposal is more family type atmosphere instead of higher density.

Council Member Jensen expressed her desire to see more commercial development coming through and would favor a plan that includes commercial. She does not want to see anything sit vacant. Mayor Richins said Council could approve the phases together. Mr. Thornock asked if that means to acquire all of the land. Council Member R. Pearce said she would prefer the commercial to go in first. Council Member Jensen said this is standard development to phase things, using the money collected from one phase to

install the next phase. Bill Morris said there is some risk associated with the project, which is standard in development. There are several examples of where development takes time. Likely this project would take some time as well.

Mayor Richins asked where the proposal will intersect with Washington Blvd and whether there is existing commercial already in this area. Council Member J. Pearce described the current area and relatively close proximity to existing commercial. Council Member Robinson asked for visual examples of the homes and expressed his concern of the interest in the size of homes proposed. Mr. Thornock explained this has a modern community feel with 7-8 ft. in between houses. There are some that like the close proximity because they do not have to care for large yards. He also pointed out the patio homes are for elderly people who also don't want big yards. Council Member Robinson expressed his concern with narrow roads in these types of developments. Mayor Richins and Mr. Thornock pointed out the roads will meet current city standards. Council Member Jensen clarified this is a rough draft of the proposed project. Council Member J. Pearce said the goal and vision that will be implemented as the project still need to be drafted. The entire development will follow city guidelines. Council Member R. Pearce asked what will be required. Bill Morris explained the mixed zoning will be address through an amendment to the land use ordinance and Doug Larsen from Weber County will draft the plan for the CDA project. Bill Morris explained the site plan will go through Planning Commission once the project is approved by the Community Reinvestment Agency.

Council Members R. Pearce and Jensen agreed the road must line up for safety reasons. Bill Morris explained that eminent domain may become an issue for obtaining the access required to line up the intersection. Brad Willden explained the current owner, David Brown, is in agreement with selling the home, but the tenant on the property feel they have invested too much money for the fair market value price that is being offered. This is a major issue with the possibility to move forward with this development and they are seeking some support from the City Council to secure this property. The largest part of the development is the commercial pads but to make this possible they must acquire the access to Larsen Lane.

Council Member J. Pearce asked if there are issues with elevation. Brad Willden said preliminary review has not created a concern with elevation but they are still looking for support before they continue with the project. Council Member R. Pearce said she is in favor of the project as long as the roads line up and commercial development is a priority. Brad Willden said most of the property owners on Washington Blvd are interested in trading for patio homes. He said that is another reason they are starting with residential development first. The commercial area will have 4 retail pads and a big box pad. There are some vacant homes they have had difficulty contacting but the Brown property is the major hurdle and they are seeking support on this issue. Mayor and Council gave a short discussion on the surrounding homes in the area and whether or not they are occupied.

Council Member Robinson said he is not in favor of using eminent domain except for water issues. Mayor Richins asked even if this supports a public safety issue. The developers said they need to know if the city isn't willing to use eminent domain. Council Members R. Pearce, Jensen, and Tracy all agreed they are not comfortable using eminent domain. Mr. Thornock said they are offering to trade homes or buy the tenant a

different home but eminent domain is a decision the city needs to make. Council Member Jensen said their project depends on them securing the Brown property. She encouraged the developers to use a different approach to again contact the tenant of the home. Mr. Thornock explained if the tenant won't sell for a reasonable price, they will have to consider the offset intersection. Council Member R. Pearce said she will not consider an offset intersection. Bill Morris reminded Council if the presented plan meets city requirements they cannot deny the development. The developers agreed to contact the tenant themselves with the owner of the property to see if they can negotiate.

## **5. Business Items.**

### **a. Presentation of the FY2015-16 audit report.**

Jeff Ambrose presented the FY2015-16 audit report. He acknowledged the excellent help from staff. The city received a clean opinion, meaning the financial statement of the city is the highest possible. Council Member Robinson asked why the capital assets went down and current assets increased. Jeff Ambrose responded the city didn't add a lot of tangible assets but the cash assets increased.

The Statement of Net Position was reviewed including assets that are owned and liabilities that are owed. The difference between is called net position. This is nearly the same amount as the assets listed because the city has no debt. The main liability listed is the GASB report that was mandated last year. The city is in an overall nice position. Statement of Activities was reviewed beginning with the expenses of the city; broken down by each governmental function, including the net cost for providing services. This also shows the general revenues. Total liabilities did not increase much. The unassigned fund balance is near the upper level; this provides reserves as we move forward from year to year.

The Statement of Revenue was reviewed showing there was an increase in taxes due to increased sales tax and business licensing and building permits also increased. Overall the total revenues increased.

Utility funds were reviewed briefly. These funds operate like a business and are very capital attentive. These are all healthy with nice reserves to pay for any increases there. Typically cities have debt in this area but Harrisville City operates these utility funds without debt.

Operating Statement was reviewed including cash flows from operations showing the cash coming in and out through day to day operations. The notes of the financial statements are listed. Capital assets activity was reviewed; equipment was outlined with the deletion of old vehicles. The city participation in the retirement plan was reviewed. This is an extensive requirement because of supplemental information. This is where the results are compared for the general fund. Total revenues came in more than what was projected. Budgetary activities were monitored well and no fund balance was used. Letter to the state auditors to meet requirements are included in the report as well. There are no weaknesses or noncompliance issues. No findings or deviations from the state code. There are four suggestions listed to help with internal control. Mayor Richins asked about the fourth recommendation. Jeff Ambrose explained the state auditor has a formula indicating a minimum insurance requirement for the treasurer. He is recommending this is increased slightly to be within the recommended limits. This is there for the city's protection and is very inexpensive.

Council Member Robinson asked about the outstanding engineering pass through balance. Jeff Ambrose said there is sometimes money left over after development and they may not be able to determine where this is owed. Council Member Robinson suggested this be sent to the state.

Council Member Robinsons asked how often cash receipting takes place. Jeff Ambrose said he recommends three times a week. Council Member Robinson asked if there is a two person requirement. Jeff Ambrose responded the city has the appropriate checks and balances in place based on the size of the city. Mainly court fines and forfeitures are separated. Ideally the person receipting the cash is not also the individual closing the case. If the receipting can be done on the city side, that is the recommendation on this item.

Council Member Robinson asked about the list of contributory systems. Jeff Ambrose said this note is based on the two tier retirement system. These are not listed by names but by hire date.

**MOTION: Council Member R. Pearce motioned to accept the FY 2015-16 audit report. Council Member Jensen seconded the motion. All Council Members voted aye. Motion passed.**

Council Member Jensen and J. Pearce thanked staff for their efforts.

**b. Discussion/possible action to grant 1<sup>st</sup> Partial Final Acceptance for Wildflower Subdivision Phase 6.**

Bill Morris said we have to give final acceptance within a reasonable time frame from receiving a letter of request. The city engineer is recommending acceptance of everything with exception to the five items listed on the memo dated December 21, 2016. This will release the remaining escrow with exception to the 10% of the contingency for these outstanding items.

Council Member Jensen expressed her concern with sidewalk that is crumbling in some of the Wildflower phases. She asked if the developer has any responsibility on the replacement of this sidewalk. Bill Morris said he will have Sean Lambert conduct an inspection before any money is released but this memo is prepared after the city engineer has conducted an inspection.

Council Member Robinson asked about the total of the money being released. Bill Morris outlined in the engineers memo where the money is being tallied from.

**MOTION: Council Member R. Pearce motioned to grant 1<sup>st</sup> Partial Final Acceptance for Wildflower Subdivision Phase 6. Council Member Tracy seconded the motion. Council Members J. Pearce, Robinson, R. Pearce, and Tracy voted aye. Council Member Jensen voted nay. Motion passed 4-1.**

**c. Discussion/possible action on advice and consent to Mayor's Appointment for:**

**(i) Mayor Pro Tem**

Mayor Richins appointed Gary Robinson as Mayor Pro Tem.

**(ii) Planning Commission**

Mayor Richins reappointed Brenda Nelson and appointed Nathan Averill as Planning Commissioners.

Nathan Averill (1292 Georgia Ave) introduced himself to Council. He said he is a chemist, has a young family, and plans to stay awhile. He wants to make sure Harrisville stays a good place to live.

**(iii) Mosquito Abatement Board**

Mayor Richins appointed Jeff Pearce to the mosquito abatement board.

**MOTION: Council Member Jensen motioned to ratify the Mayor's Appointments. Council Member R. Pearce seconded the motion. All Council Members voted aye. Motion passed.**

**d. Annual Training – Open and Public Meeting Act.**

Bill Morris reviewed the annual training with the rules for open and public meetings.

**e. Annual Training – Non-discrimination and Sexual Harassment Training.**

Bill Morris provided training through a presentation for non-discrimination and sexual harassment.

**6. Public Comments - (3 minute maximum)**

Greg Montgomery, 231 Larsen Lane, commented on the community development area discussed earlier in the meeting. In his opinion, they may need to revise the plan. Typically the city council prepares the plan explaining to the tax entities why they going to take the tax and defining the goals for the community. You develop the study map and outline the plan, carry out the public hearings and make sure this is consistent with the general plan. What is the public benefit to take the taxing benefit away and why the city going to do to step in. There may be some gaps in the plan to create that project area.

The other item he would like to comment on Larsen Lane. Are they continuing forward with the old plan? He said the last concept that was presented is a flawed concept. That road needs to be taken into consideration. When there is a standard to move ahead. In his opinion they are looking forward with regard to the speed not safety. With the proposed road, there will be a long taper and development for the land to the south. There must be a flat landing area to the south to make it a safe intersection. Whether there is a 4-way stop there in the plan. He feels community development should be planned through the city council.

Bill Morris said the proposed project is a CDA not an RDA that Greg Montgomery might be familiar with. A blight study is not requirement for this proposal. The city does have the findings and the plan will be developed by Doug Larsen, Weber County Economic Services. Harrisville City is a small city and does not have a economic development department like larger cities so we use the county resources, which is Doug Larsen. Bill explained the proposed development is being worked through the county with the developer.

As far as the widening of Larsen Lane, the city adopted the LTAP standards of development for roads. The proposal for the wider road was prepared several years ago as the transportation element of this plan. The public hearings were held at that time.

The development of this road will be through Public Works Director Sean Lambert who will be following the transportation element of the general plan.

Council Member Jensen said she agrees with not widening streets to keep the speed limit the same. She feels widening roads increase speeds.

Council Member J. Pearce said the proposed speed is 35 mph even after widening.

Greg Montgomery said snow gives you an indication of where people travel in the roadway.

Blaine Barrow, 1785 N 750 W, wanted to comment and show appreciation for what the Council does for their time and energy serving the residents. His comments are not related to anything on the agenda. His concern is with the animal shelter that is proposed on 750 W. He hopes the planning commission and whoever is involved has done their homework so the city isn't left with a white elephant the city can't control. He has been to the Weber County Animal Shelter and feels it is a first class operation. From a distance, he hasn't seen a plan to show why we would need a private entity serving as an animal shelter when we have available a high class operation. Will they compensate the townships for a comparable shelter? All indications from his research show we can't stop them from having a low quality service. He doesn't feel this is going to be a high quality shelter; whether these buildings can be adequately constructed into buildings to meet the requirements that won't conflict with the spread of disease. They talk about putting exercise areas in the surrounding greenhouses. They should show a plan where this is air conditioned, because of health concerns. Temperatures are a concern. If they are opened up, there is a noise concern. He feels some residents are not informed about what is going on. He hopes the city looks into this with the requirements and who will control what is going on. Where will complaints be heard? He agreed the property needs to be used, sold into something. Residential is not conducive for this area. Light Manufacturing or something that will work with the residents or use the ground for agricultural uses.

#### **7. Mayor/Council Follow-Up:**

Mayor Richins informed Council of the Local Legislatures Day on January 25<sup>th</sup>. Council Member Tracy said she has 3 confirmed youth city council who will be attending. Mayor and Council gave discussion on this great opportunity for the youth city council. Mayor Richins pointed out if appointments are made in advance, the youth city council can meet with their local legislator while they are there.

Council Member Pearce reported on North View Fire Department. He said they are coming along on the new building quickly.

Mayor and Council gave a short discussion on snow removal and a few areas around the city where standing water is an issue. Council Member Jensen requested public works make another run behind Majestic Elementary to clear the snow banks. The kids like to play on these causing a safety concern.

Bill Morris informed Council of the retirement open house for Shanna Edwards to be held on January 30, 2017 from 2-4pm.

- 8. CLOSED EXECUTIVE SESSION:** Utah State Code §52-4-204 & §52-4-205(1)(a): 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) and §52-4-205(1)(c) strategy regarding pending or reasonably imminent litigation.

**MOTION: Council Member J. Pearce motioned to close the public meeting and enter a closed executive session. Council Member R. Pearce seconded the motion. A Roll Call vote was taken. All Council Members voted aye. Motion passed.**

Mayor and Council convened into a Closed Executive Session.

**MOTION: Council Member J. Pearce motioned to close the closed executive session and reopen the public meeting. Council Member R. Pearce seconded the motion. All Council Members voted aye. Motion passed.**

**9. Adjourn.**

Mayor Richins declared the meeting adjourned at 9:50p.m.

**ATTEST:**

---

**BRUCE RICHINS**  
Mayor

---

**JENNIE KNIGHT**

City Recorder

Approved this 14<sup>th</sup> day of February, 2017