

**MINUTES OF THE CITY OF HARRISVILLE  
CITY COUNCIL MEETING**

Tuesday, April 13, 2010  
7:00 p.m.  
Council Chambers  
363 West Independence Blvd.  
Harrisville, Utah 84404

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**COUNCIL:** Mayor Richard Hendrix, Council Member Chad Allen, Council Member Wayne Crowther, Council Member Bruce Richins, Council Member Grover Wilhelmsen.

**STAFF:** Bill Morris, City Administrator; Shanna Edwards, Planning Commission Secretary.

**VISITORS:** Jeff Pearce, Ruth Pearce, Dennis Skillings, Susie Skillings, Tamra Royer, Paula Knighton, Don Knighton, Isaac Bell, William Ross, Brandyn Call, Nathan Wadman, Bryson Moore, Nicholas Williams, Tyler Johnson, Logan Johnson, Bob Howard, Eric Hildebrandt, Vaughan Schow, Karch Denney, Chris Hancock, Matthew Walton, Chantel Johnson, Jim Mackley.

Mayor Richard Hendrix called the meeting to order at 7:00 p.m. and welcomed all visitors. He excused Council Member Darla Fowers.

Mayor Hendrix led the Pledge of Allegiance and offered the opening ceremony.

**1. CONSENT AGENDA**

Action to approve the minutes of March 9, 2010 and March 12, 2010 as presented.

**MOTION: Council Member Allen moved to approve the Consent Agenda as presented. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.**

**2. BUSINESS ITEMS**

**a. PUBLIC HEARING: Discussion and possible action on Ordinance 416, Harrisville Hollow Subdivision lot 11-R easement relocation.**

Bill Morris explained that when the subdivision was created, the easement was in the wrong location and went across lot 11-R. The engineer has drafted a new legal description that moves the easement over to where it should have been and corrects the error. This ordinance vacates the old easement and relocates it as specified on Exhibit A. The ordinance will be recorded with the subdivision.

**MOTION: Council Member Crowther moved to open the public hearing for discussion on Ordinance 416, Harrisville Hollow Subdivision Lot 11-R easement relocation. The motion was seconded by Council Member Wilhelmsen. All Council Members present voted aye. Motion passed.**

*No public comments.*

**MOTION: Council Member Allen moved to close the public hearing. The motion was seconded by Council Member Wilhelmsen. All Council Members present voted aye. Motion passed.**

Council Member Crowther asked if the property owners had been contacted. Bill Morris read the note from City Recorder Jennifer Morrell which stated "that a letter was sent to Mr. and Mrs. Catanzaro on March 29, 2010, giving them notice of the proposed easement change and information on the public

hearing. Gene Bingham was asked to contact Jeff Hales so that he could arrange for the Cantazaro's to come in and sign the ordinance."

**MOTION: Council Member Crowther motioned to approve Ordinance 416 vacating an easement placed in the wrong location on Lot 11-R, and dedicating the easement in the correct location on Lot 11-R, adopting the corrected easement legal description, and providing an effective date. The motion was seconded by Council Member Wilhelmsen. A roll call vote was taken. Council Members Allen, Richins, Wilhelmsen, and Crowther voted yes. Motion passed.**

**b. PUBLIC HEARING: Discussion and possible action on Ordinance No. 417, right-of-way vacation for portions of 700 North Street.**

Bill Morris reported the Hildebrandt's have been maintaining a portion of the right-of-way for some time and they requested it be vacated to them. The City is reserving a public utility easement over the entire area vacated in the ordinance for future utilities access. The legal description amends Hildebrandt's entire property description to include the property being vacated.

**MOTION: Council Member Richins moved to open the public hearing for discussion on Ordinance 417, right-of-way vacation for portions of 700 North Street. The motion was seconded by Council Member. All Council Members present voted aye. Motion passed.**

*No public comments.*

**MOTION: Council Member Allen moved to close the public hearing. The motion was seconded by Council Member Wilhelmsen. All council members present voted aye. Motion passed.**

Council Member Wilhelmsen asked if the City is paying the engineering costs. Bill Morris said the City will pay the expenses incurred, because when Hildebrandt's came in with their request, the city did not have a fee schedule in place to charge them. He stated the Hildebrandt's have done a good service to the City of maintaining the property all these years.

**MOTION: Council Member Wilhelmsen moved to approve Ordinance 417 vacating a portion of 700 North Street and quit claiming the property vacated, reserving a public utility easement. Council Member Allen seconded the motion. A roll call vote was taken. Council Members Allen, Richins, Wilhelmsen, and Crowther voted yes. Motion passed.**

### **3. PUBLIC COMMENTS**

Tamra Royer (1220 North Virginia Avenue) and Dennis and Susie Skillings (1203 North Virginia Avenue): Tamra Royer stated that a year ago, Public Works Director Gene Bingham had the road in front of their home crack sealed. Since that was completed, the surface is loose and is coming up. She brought in a large bowl with a sample of what is coming up off from the road. Mr. and Mrs. Skillings are having the same problem. Tamra Royer said that Gene Bingham had it swept, which improved it for a short time, but it is bad again. Mr. and Mrs. Skillings said that all the rocks coming off from the road are going down into the storm drain and they fear that will cause it to plug up. Mayor Hendrix agreed to check into it.

### **4. MAYOR/COUNCIL FOLLOW-UP**

**a. \$5,000 surplus from Brook Meadow II Subdivision.**

Council members referred to the letter from City Attorney Mike Junk giving his legal opinion relative to the \$5,000 surplus from Brook Meadows II. His recommendation is that it be transferred into the general fund. Mayor Hendrix explained this will require opening the budget which has to be done prior to next years budget acceptance and this amendment can be included at that time.

**b. Spring clean up April 26 - May 3, 2010.**

As a reminder, Mayor Hendrix mentioned the two roll off dumpsters that will be at the main park for the spring clean up. One will be for green waste and one for various other garbage items. He pointed out

that the ending date differs from what was stated in the newsletter. The City is providing a couple more days to complete clean up over the weekend. Bill Morris mentioned that they may try to provide this twice a year but at only one location. The dumpsters were switched out four or five times at the fall clean up last year.

**c. Other.**

Mayor Hendrix reported he met with Lynn Fortie concerning the FY 2010-11 budget. The Mayor will meet with department heads and then hold a budget work session with the Council. The preliminary budget needs to be passed by May 11. Council members agreed to hold a budget work session April 27, 2010 after the regular meeting agenda items have been completed.

Mayor Hendrix stated the next Council meeting will include a follow-up on the recent convention attended by some of the Council Members.

For the safety and well being of neighborhoods, Council Member Wayne Crowther said he would like to see the City consider an ordinance prohibiting ATVs in residential zones, except the agricultural zone.

Mayor Hendrix mentioned that he has received compliments from mothers and children on the addition to the play ground and park benches.

Mayor Hendrix asked Council Member Wilhelmsen for Heritage Days update. He said they still need volunteers for the parade. Council Member Crowther suggested that Heritage Days include something on Harrisville history. Shanna Edwards reported that the History Committee is gathering biographies for a booklet to be available for 2012, when the city will celebrate 50 years since incorporation. Paula Knighton suggested a booth at Heritage Days to collect oral histories of persons more than 80 years of age.

Shanna Edwards updated progress on the Terikee monument.

**Other Public Comments:**

Matthew Walton (2013 N. 600 W.): He mentioned the neighbor across the street beats his dogs. He said that in the past they have called the police and animal control who responded and said the dogs looked fine, but it is a concern to him because he knows it is continuing. Council Members suggested he may contact the Humane Society, but it would be good if he could catch the act with pictures or on video camera. Council Member Chad Allen said if the complainant is willing to sign a complaint and go to court to testify if necessary, they can actually sign a citation. He would have to decide if he wants to be identified as a complainant.

Council member Wilhelmsen mentioned that people are soliciting in his neighborhood. Bill Morris explained that there is an ordinance in Title 3 of the Municipal Code requiring solicitors get a license to do business in Harrisville, and he explained the process for obtaining a license. Nicholas Williams (2218 N. 600 W.) asked if that applied to those selling cleaners and he was told it did.

William Ross (2286 N. 600 W.): He reported that he has overheard young people at Orion Junior High School doing drugs on the school grounds. This is a concern to him and he asked what he might do. Mayor Hendrix told him the school resource officer is Harrisville Officer Mark Wilson, and any student should feel comfortable approaching Officer Wilson.

**5. ADJOURN**

**Being no further business, Mayor Hendrix moved to adjourn the City Council meeting at 7:50 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.*

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**RICHARD HENDRIX**  
Mayor

**ATTEST:**

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**JENNIFER MORRELL**  
City Recorder

Approved this 27<sup>th</sup> day of March 2010