

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

Tuesday, June 14, 2011
7:00 p.m.
Council Chambers
363 West Independence Blvd.
Harrisville, Utah 84404

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

STAFF: Jennifer Morrell, City Recorder; Lt. Keith Wheelwright.

VISITORS: Jeff Pearce, Ruth Pearce, Codi Smith, Sean Smith, Grant Holbrook, Chandler Holbrook.

7:00 P.M. CITY COUNCIL MEETING

1. Mayor Richard Hendrix called the meeting to order and welcomed all visitors.
2. Council Member Allen led the Pledge of Allegiance and offered the opening ceremony.
3. **CONSENT ITEMS**
 - a. **Approve the minutes of May 24, 2011 as presented.**

MOTION: Council Member Richins motioned to approve the minutes of May 24, 2011 as presented. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

Mayor Hendrix excused Council Member Michelle Tait and City Administrator Bill Morris.

4. PUBLIC COMMENTS

None.

5. BUSINESS ITEMS

- a. **PUBLIC HEARING: Discussion and/or possible action on Resolution 2011-03, a resolution adopting the FY 2010-11 amended budget for the fiscal year ending June 30, 2011.**

Council Member Richins moved to open the public hearing for Resolution 2011-03. Council Member Allen seconded the motion. All Council Members voted aye. Motion passed.

No public comments

Council Member Allen moved to close the public hearing. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

Treasurer, Lynn Fortie, said Parks and Recreation exceeded their budget by \$11,000 for wages and benefits, which is the reason for the amendment. He has increased the revenue by the same amount in order to balance the budget. He chose property taxes to put the budget in line with the certified tax rate and franchise tax because the projected amount looks to exceed the budgeted amount.

Council Member Allen asked why Parks and Recreation had a salary increase. Mayor Hendrix explained that Merrill Harris was brought on as an Assistant Recreation Director and this was to cover his wages.

MOTION: Council Member Wilhelmsen motioned to approve Resolution 2011-03, a resolution adopting the FY 2010-11 amended budget for the fiscal year ending June 30, 2011. Council Member Allen seconded the motion. Roll call vote was taken. All Council Members voted yes with Council Member Tait excused. Motion passed.

b. PUBLIC HEARING: Discussion and/or possible action on Resolution 2011-04, a resolution adopting the FY2011-12 final budget for the fiscal year ending June 30, 2012.

Council Member Crowther moved to open the public hearing for Resolution 2011-04. Council Member Allen seconded the motion. All Council Members voted aye. Motion passed.

No public comments

Council Member Allen moved to close the public hearing for Resolution 2011-04. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

Mr. Fortie said there are no changes to the general fund budget from what was given in the tentative budget. He did increase the capital projects fund by \$20,000 for signs in the park. The tentative budget was \$20,000 and has been increased to \$40,000. This also required an increase on the revenue side, appropriation of capital funds, so the budget would balance. Mr. Fortie said this was the only change to the tentative budget.

MOTION: Council Member Allen motioned to approve Resolution 2011-04, a resolution adopting the FY 2011-12 final budget for the fiscal year ending June 30, 2012. Council Member Wilhelmsen seconded the motion. Roll call vote was taken. All Council Members voted yes with Council Member Tait excused. Motion passed.

c. Discussion and/or possible action to approve Resolution 2011-05, Interlocal Agreement with Weber County Clerk's Office, Election's Division.

Jennifer Morrell, City Recorder, explained that Weber County is proposing to assist the City with the municipal election this year. They will provide the voting machines, ballots, training, supplies, support, etc. for \$2,800. She explained her desire to enter into the agreement and also mentioned that the City would still be responsible for legal notices and poll worker wages. She explained that the amount budgeted for elections, \$4,000, would be enough to cover the costs and also noted that the City would be charging North View Fire District for putting their open board seat on the ballot.

Council Member Allen pointed out an error on Exhibit B with the number of council seats noting there were three seats and not two. He asked if that would change the cost. Ms. Morrell said it should not affect the cost and explained that voter turnout is what drives the cost of the election. She will be combining all the precincts into one polling location which has helped to reduce the costs.

MOTION: Council Member Allen motioned to approve Resolution 2011-05, Interlocal Agreement with Weber County Clerk's Office, Elections Division. Council Member Crowther seconded the motion. Roll call vote. All council members voted yes with Council Member Tait excused. Motion passed.

d. Discussion and/or possible action to approve Ordinance No. 438, Criminal Code.

Ms. Morrell explained that the criminal code this ordinance is replacing had adopted Title 76 of the Utah Criminal Code. In 2005 the state adopted Title 41.6a which covers traffic laws. This ordinance adopts both of these and brings the City in line with what the state has done.

Ms. Morrell pointed out section 5.01.020, disrupting a meeting or gathering, and referred to the historic district meeting that was held last year. She said that 5.01.030, public indecency, would offer more protection if a sexually oriented business came into the City. Council Member Richins asked if this

section was new. Ms. Morrell said it was not and pointed out some of the changes. Lt. Keith Wheelwright said they have added some of the things that are in the state statute.

Ms. Morrell moved on to Chapter 5.06, Juvenile Night Curfew, and said the City is following the same hours for curfew as the Weber County Sheriff follows. The only difference is the county lists specific hours for the daytime curfew and the City ordinance says "when school is in session".

Mayor Hendrix asked for a definition of emancipation under the definitions section. Ms. Morrell and Lt. Wheelwright explained that a minor can petition the courts to live independent of their parents if they are 16 and can demonstrate the ability to manage their financial affairs and live independent of their parents.

Mayor Hendrix also asked about the night curfews and mentioned there are youth who like to play night games at the park in the summer. Lt. Wheelwright said it is fine if they are supervised and Ms. Morrell pointed out that they are exempt if they are within 100 yards of their home.

Lt. Wheelwright explained that when groups of kids are out late at night there are rashes of vandalism, vehicle burglary, and damage to property. He said it is not necessarily the same kids that cause the problems but because there are a lot of kids out it is harder to keep track of them and for the most part they are not being supervised. He added that it is hard to tell between the good kids and the ones that cause trouble and said it only takes one bad decision and the rest of the group follows.

Mayor Hendrix pointed out that this will give officers some credence to stop the kids and question them. Lt. Wheelwright said parents are responsible for their children and kids that age have no reason to wonder around at night.

Council Member Crowther reviewed some typographical/formatting changes he wanted to see in the ordinance.

MOTION: Council Member Crowther motioned to approve Ordinance No. 438, Criminal Code, with the formatting changes discussed. Council Member Richins seconded the motion. Roll call vote. All voted yes with Council Member Tait excused. Motion passed.

e. Discussion and/or possible action to replace vacancy on Weber Mosquito Abatement District board starting July 1st, 2011.

Mayor Hendrix explained that when Merrill Harris was hired to work part-time for Parks and Recreation he could no longer serve on the Weber Mosquito Abatement Board. Ms. Morrell said it was not a conflict for the City but a conflict for the Mosquito Board to have a city employee as a board member. Mayor Hendrix said Mr. Harris has submitted his resignation and would like to recommend appointing himself to fill the position.

Council Members all gave their support of the recommendation. Council Member Crowther asked how long the term was. Mayor Hendrix said it was indefinite and mentioned he has some concerns with the Mosquito Abatement Board and is planning to bring up some healthy discussion.

MOTION: Council Member Richins motioned to replace Merrill Harris as a member of the Weber Mosquito Abatement District board with Mayor Richard Hendrix starting July 1, 2011. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

6. PUBLIC COMMENTS

Jeff Pearce, Planning Commission Chairman, asked the Mayor to look into the wetlands on the backside of the Lutheran church. He said there are high weeds and massive amounts of standing water which creates a mosquito farm.

7. MAYOR/COUNCIL FOLLOW UP

Council Member Wilhelmsen discussed Heritage Days. He said the Fear Factor committee needs Council Members to help. He also mentioned that a request for volunteers was being sent to the local

LDS wards. He discussed those who were going to volunteer and said they are upgrading some of the booths so electricity is available for arcade games.

Council Member Wilhelmsen also mentioned that the parade committee has been a little disorganized and explained that the person in charge will be out of town on the day of the parade. He said the bids are in for the program book and River Printing will be doing the booklet.

Council Member Richins asked how the park construction will impact Heritage Days. Mayor Hendrix said the contractors are aware of the 29th and 30th and an empty lot has been provided for them to stage their equipment so the parking lot will be kept clear that weekend. He also said the parking lot will be done first to accommodate more stalls for Heritage Days.

Council Member Crowther suggested a sign go up to explain the scope of the project and the site plan. Mayor Hendrix said we need to have a sign put up for the RAMP requirements but an information sign could also be put up as well. Council Member Crowther suggested the ball field restroom remain open. Council Members discussed whether the ball field restroom should be open with the ongoing construction. Mayor Hendrix will check to see if it will even be in working order.

Council Member Wilhelmsen said Bob and Ruth Neilson will be the Grand Marshall. Council Member Richins suggested the first mayor of Harrisville as a future Grand Marshall for next year. Ms. Morrell that would be very appropriate for next year as it is the jubilee year.

Council Member Wilhelmsen talked about Little Miss Harrisville and the possibility of opening it up to non-residents next year. Ms. Morrell pointed out that the City subsidizes part of the cost and is not in a position to do that for non-residents as well.

8. ADJOURN

Mayor Hendrix moved to adjourn at 8:53 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 12th day of July, 2011