

**MINUTE OF HARRISVILLE CITY
CITY COUNCIL MEETING
June 9, 2020
363 West Independence Blvd
Harrisville, UT 84404**

Present: Mayor Michelle Tait, Council Member Richard Hendrix, Council Member Grover Wilhelmsen, Council Member Steve Weiss, Council Member Blair Christensen, Council Member Max Jackson.

Staff: Mark Wilson, Police Chief, Lynn Fortie, Treasurer, Bill Morris, City Administrator, Sean Lambert, Public Works Director, Bryan Fife, Recreation Director, Jennie Knight, City Recorder.

Visitors: Gary Robinson.

7:00 P.M. CITY COUNCIL MEETING

1. Call to Order.

Mayor Tait called the meeting to order and welcomed all visitors.

2. Opening Ceremony.

Council Member Jackson led the pledge of allegiance and conducted the opening ceremony.

3. Business Items.

- a. **PUBLIC HEARING: Harrisville City Council will take comments for or against Harrisville Resolution 20-10; a resolution amending the city budget for FY2020 in accordance with UCA §10-6-127.**

MOTION: Council Member Weiss motioned to open a public hearing on Harrisville Resolution 20-10; a resolution amending the city budget for FY2020. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

Lynn Fortie explained the amendments made are an estimate for the remaining part of the year. He does not go line item by line item, rather adjusts a few accounts that are exceeding to balance out the departments. In the Administrative Department, engineering was increased. He increased grant expenditures in the police department, which has a subsequent balance on the revenue side. Capital Projects was adjusted on streets and equipment. The appropriation of these funds is balanced and we should get reimbursed for this money in next year's budget. Bill Morris explained the purchase of the park property was made with impact fees. Lynn Fortie further explained he makes adjustments to the larger items so departments do not go over projections.

Gary Robinson inquired to the status of sidewalks at City Hall. Lynn Fortie said he is not able to respond to that, he does not have that information. Bill Morris said he is not aware of any sidewalk projects and pointed out this item includes street projects as well. Lynn Fortie said the street projects include both Larsen Lane and 1100 North, which we will be receiving reimbursement for. Gary Robinson asked if sidewalks are paid for by residents or the city. Bill Morris explained sidewalks are installed by developers, he does not understand what question is being asked. Gary Robinson asked who covers the wear and tear on sidewalks. Bill Morris said the city replaces sidewalk in need of repairs unless the damage was done by the resident.

Gary Robinson said he feels there is a misunderstanding by residents of this policy and this should be included in the newsletter. Mayor Tait pointed out this is a subcategory of capital projects fund for streets and sidewalks. Gary Robinson asked for clarification to be made to residents since his neighbors have asked him about this.

MOTION: Council Member Jackson motioned to close the public hearing. Council Member Weiss seconded the motion. All Council Members voted aye. Motion passed.

b. PUBLIC HEARING: Harrisville City Council will take comments for or against Harrisville Resolution 20-11; a resolution adopting the final city budget for FY2021 in accordance with UCA §10-6-113.

Lynn Fortie outlined the changes made since adoption of the tentative budget; which include removal of summer camp revenue/expenses, police department request for changes to the grant revenue/expenses and increase to the "Air Card" line item. Recreation increased "Buildings and Grounds" for tree removal, and restroom facilities in Public Works. The "Miscellaneous" account was increased for a new secondary water valve at the bowery. RAMP Grant revenue was increased, we receive reimbursement on that. The only other change, not included in the hard copy budget, is the certified tax rate which he would like Council to adopt with the final budget. The resolution may be adopted at the next meeting, but for accuracy, he suggested the rate be included in the final budget adoption. This will increase the General Property Tax Revenue. He understood Council agreed to eliminate Heritage Days for at least the next year or two. He asked about Fireworks. Mayor Tait requested Fireworks remain in the budget.

MOTION: Council Member Hendrix motioned to open the public hearing on Harrisville Resolution 20-11; a resolution adopting the final city budget for FY2021. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

Gary Robinson said when he was on the council there was a practice of how much was put in the rainy-day fund. Lynn Fortie clarified this used to be 15% but is now 25%. Gary Robinson said the city used to always put in the amount to the rainy-day fund. For the last few years, we keep increasing and spending more money. He feels we are not getting any more money and should cut expenses. He recommended combining departments such as Recreation and Public Works to save money. He feels it unnecessary to get two new police cars every year. He said if employees do their jobs more, they should be getting smarter. When he worked, he did not have to be micro managed. He said the city needs to cut expenses not increase them. He feels the golf course will not be bringing in housing for 3-4 years. If cuts are not made, taxes will have to increase. He said all other cities are cutting expenses by 10-20%.

Council Member Jackson asked how much we are using of the rainy-day fund. Mayor Tait clarified there were plenty of years where we put the full 25% into the rainy-day fund. Recently we have not been able to put in the full amount but are still putting money in each year. We are not that far under where we used to be and she would like to see us go back up. Council Member Jackson pointed out 90% of certain budgets is for personnel. As far as equipment goes, in the grand scheme of things, it is better to have equipment that is not going to be a liability to the city.

MOTION: Council Member Weiss motioned to close the public hearing. Council Member Hendrix seconded the motion. All Council Members voted aye. Motion passed.

- c. **Discussion/possible action to adopt Harrisville Resolution 20-10; a resolution amending the city budget for FY2020 in accordance with UCA §10-6-127.**

No further discussion was given.

MOTION: Council Members Wilhelmsen motioned to adopt Harrisville Resolution 20-10; a resolution amending the city budget for FY2020. Council Member Weiss seconded the motion. A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes
Council Member Wilhelmsen	Yes
Council Member Hendrix	Yes

Motion passed 5-0.

- d. **Discussion/possible action to adopt Harrisville Resolution 20-11; a resolution adopting the final city budget for FY2021 in accordance with UCA §10-6-113.**

Council Member Hendrix asked for clarification on a line item in Public Works under maintenance listed as Transportation Tax Expenditure, which is new to him. Bill Morris said this is money received from the Transportation Tax that was adopted with state legislation a few years ago. Lynn Fortie confirmed this is the new tax. Council Member Wilhelmsen asked for clarification on the rainy-day fund and how much we are putting back in. Mayor Tait explained we have been working hard all year and are as close as we have ever been. We have solid numbers through April but only projections for May and June to finish out this fiscal year. Lynn Fortie said the latest projection is approximately \$80,000 or close to that. Often times things come through we were not expecting. Council Member Wilhelmsen said he can see the concerns, but with COVID-19 and other things trickling down from this, every city is going to be affected. Bill Morris reminded Council we have cut budget by three employees and cut out Heritage Days. Council Member Wilhelmsen agreed we are trying to do all we can.

MOTION: Council Member Weiss motioned to adopt Harrisville Resolution 20-11; a resolution adopting the final city budget for FY2021 with amendments. Council Member Christensen seconded the motion. A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes
Council Member Wilhelmsen	Yes
Council Member Hendrix	Yes

Motion passed 5-0.

- e. **Discussion/possible action to approve 2020 Street Maintenance Projects.**

Sean Lambert explained with recent approval of combining our Street Maintenance Projects with Pleasant View to receive a low bid. The low bid for projects came back for Staker Parsons. Bill Morris thanked Director Lambert for cooperating with other cities to lower our costs.

MOTION: Council Member Wilhelmsen motioned to award the bid to the low bid from Staker Parsons for Street Maintenance Projects. Council Member Weiss seconded the motion. A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes
Council Member Wilhelmsen	Yes
Council Member Hendrix	Yes

Motion passed 5-0.

f. Discussion on Parks and Recreation regulations and 2020 Splash Pad season.

Bill Morris explained he and Director Fife recently spoke regarding issues with implementing recreation regulations and opening the splash pad season. They will be reviewing current recreation regulations and possibly make some amendments to or repeal some of our old resolutions and adopt new policy. This will come down in the future. With regard to the splash pad, until recently we have been shut down according to local health department regulations and waiting for additional equipment. The earliest the splash pad can be opened would be July 1st and then meeting social distancing requirements would be extremely difficult and likely require an employee to man the splash pad at all times. North Shore is open but people are supposed to be keeping a 6 ft distance. Our splash pad is not large enough to accommodate more than 8-9 people at a time. South Ogden and Roy are both struggling to meet the social distancing requirements and may have to shut down. After reviewing the operating costs and other issues, staff is recommending keeping the splash pad closed to be fiscally wise. They are seeking Council input on this.

Council Member Wilhelmsen asked if we go through the process to open, would we end up like the other splash pads and have to close and if there is a penalty. Director Fife explained there is no penalty he is aware of other than the time and money spent and then to risk being shut down. Council Member Weiss expressed concern with spending this money and risking the shutdown. Director Fife said related costs are mostly to cover the time of employees. We would not be able to open until July 1st and then have to put an employee there to monitor at all times. He is already seeing the day care vans pulling in to see if the splash pad is open. Council Member Wilhelmsen asked if the day cares are an issue. Director Fife said there have been ongoing issue with day cares that have even been brought to council in the past to address. These bring in a lot of kids at one time. Bill Morris said we are not looking for a vote, just by consensus. Mayor Tait said this will be sad for the residents of the city. Director Fife said he is receiving calls every day wanting to know the status. Council Member Hendrix said he is hesitant to shut this down but is worried about liability issues if someone caught the virus. Mayor Tait asked if the closure would allow staff the extra time, they are in need of to address other projects. Director Fife said they have already been using this extra time. Council Member Hendrix pointed out this is a small splash pad and when installed we opted not to put a fence around it. Mayor Tait said with reluctance she agrees. Council unanimously agreed to close the splash pad for the 2020 season.

4. Public Comments - (3 minute maximum)

Gary Robinson asked for an update on the status of the Larsen Lane project. He also stated there has been some crime at the end of Independence and no report back to the homeowners. He said there used to be a greater police presence at the end of the street that he is not seeing anymore. He asked if the city will turn into an "HOA" city. He has concerns with some of the agenda items for Planning Commission creating high restrictions on homeowners. Mayor Tait reported the police force is running with one less man.

Trent Nelson, Justice Court Judge, gave an update of the status of the Justice Court. He explained the Supreme Court has shut down the day to day activities of the court. We are currently transitioning to encourage more participation and are trying to do much remotely. There will be additional transitions time in the future before having people come in person to court. Bill Morris pointed out they have been proactive to address these issues. Judge Nelson gave a quick update and encouraged Council feedback on how quickly they would like to see the court reopen. Bill Morris reported court will be held for the first time tomorrow over Zoom. There have been a lot of theft and domestic violence. He and Nikki have called defendants but here are a lot that need to be contacted. He has taken special consideration due to the pandemic with regard to jobs and personal finances. He does not know how this will affect the fines and forfeiture in addition to police not writing as many tickets.

Judge Nelson explained several courts have paused their day to day activities, because we have not pushed things, we have continued our court. There is an extensive amount of people still to be seen and he is not allowed to issue warrants under the direction from the Supreme Court. So that leverage is not there with defendants. They are running up against a bigger calendar and are readily giving extensions for people who are suffering. We are pushing on to try to get things done. When we have in person court, warrants can be issued.

Bill Morris informed Council court has been moved to 8:00am. He asked if police have addressed the issue of bailiffs. Police Chief Wilson said they will have coverage for bailiffs. Bill Morris explained Nikki Green has moved into the front office and defendants can check in and then wait in their car. Judge Nelson said they are still trying to contact defendants by phone. Pretrials will be held, without entering the court room, once a resolution is reached Nikki follows up with the Judge. Any jury trials will be put out until the end of the year. Judge Nelson asked for any criteria the city is requiring for when they hold court in person. This is likely to be a month or so away. Chief Wilson said they have masks available for those who may not come with one. Bill Morris said there is funding available to purchase masks or other necessary supplies. He will work with the Mayor, Chief Wilson, and Emergency Management Coordinator Zack Loveland to determine the use of available funding. Council Member Hendrix asked if this funding can be used to support small businesses. Bill Morris explained the city can determine that, yes. Another example, would be to absorb business license renewal fees for the next year.

5. Mayor/Council Follow-Up:

Council Member Jackson reported the marker for Chief Terikee has become oxidized. Yesterday a group of people from the Weber Heritage Foundation stopped at the marker. The committee chairman, Tyler Malmrose, spoke to them. They talked about getting a new marker and the foundation offered to help with that. He would like to see this happen. Bill Morris said staff may have a connection with a provider to have this new marker made. He asked for the language to be typed up before it becomes unreadable. Council Member Jackson hopes with the foundation recognition, this marker will be visited more often.

6. CLOSED EXECUTIVE SESSION: Utah State Code §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 individuals(s).

MOTION: Council Member Weiss motioned to close the public meeting and enter into a Closed Executive Session. Council Member Hendrix seconded the motion. A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes
Council Member Wilhelmsen	Yes
Council Member Hendrix	Yes

Motion passed 5-0.

Mayor and Council convened into a Closed Executive Session.

MOTION: Council Member Weiss motioned to close the Closed Executive Session and reopen the public meeting. Council Member Wilhelmsen seconded the motion. A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes
Council Member Wilhelmsen	Yes
Council Member Hendrix	Yes

Motion passed 5-0.

7. Adjourn.

Mayor Tait declared the meeting adjourned at 8:21pm.

ATTEST:

MICHELLE TAIT
Mayor

JENNIE KNIGHT

City Recorder

Approved this 11th day of August, 2020