

**MINUTES OF HARRISVILLE CITY
CITY COUNCIL MEETING
May 12, 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.

Staff: Bill Morris, City Administrator, Jennie Knight, City Recorder, Ronda Kippen, Community Planner, Rick Hill, Bailiff, Mark Wilson, Police Chief, Sean Lambert Public Works Director, Glen Gammell, Lynn Fortie, Treasurer, Bryan Fife, Parks and Recreation Director, Zachary Loveland, Public Works.

Visitors: Blake Leonelli, Arnold Tait, Lacey Crittenden, Nathan Averill, ? Nelson.

7:00 P.M. CITY COUNCIL MEETING

1. Call to Order.

2. Opening Ceremony.

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

3. Consent Items.

- a. Approve the minutes of March 10, 2020 as presented.

MOTION: Council Member Weiss motioned to approve the minutes of March 10, 2020 as presented. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

4. Business Items.

- a. **Discussion/possible action to adopt Harrisville Ordinance 508; Large Project Master Planned Communities/Mixed Use/In-Fill Amendments and General Plan Overlay Map for the same.**

Ronda Kippen explained that as this new ordinance was being administered, there were some inconsistencies, with questions regarding what the city is or is not looking for; site standards, what kind of buildings, landscaping and other items that were not clear when we wrote the code. She said this is common when adopting code. We initially adopt the code and then when trying to administer the code, additional items need to be clarified. There were two key things missing that she felt were putting the city at risk. First, the code called for each developer to bring in a development agreement, this put the city at risk. From a planning perspective she, as the city planner, along with Bill, as the attorney, Planning Commission and the City Council, would have to review the development agreement word for word to make sure the agreement would not put the city at risk over something that could take us to court. Typically, jurisdictions handle this by having a standardized agreement, instead of allowing developers to provide their own agreements.

There are also additional things added to the code which will make better applications for review. Under the current code, we could receive an application from a developer with basic information that staff would be basing a recommendation off of. She recommends having consistency with what reports the city requires to review a development. She also feels holding

developers accountable to be familiar with neighboring properties as well. What is outlined in the code, needs to be submitted at the time of application across the board. Ronda Kippen outlined the changes in this proposed ordinance which will help give staff opportunity to make good recommendations to the planning commission and city council regarding new developments.

Bill Morris further explained Council Member Wilhelmsen wanted to hold developers more accountable with the ordinance. He adjusted some of the language in the ordinance to include transportation plans and studies, pointing out if UDOT requires a study for access on Highway 89, the city should have the change to review that study. He also included geotechnical studies. This ordinance covers two parts. Project areas over 100 acres, and residential/In-fill areas. These changes are consistent in both parts. This covers the issues with legislative power to follow for the courts. There is a different standard to follow with administrative functions versus a legislative function. This gives broader standards that allow for a better product. Staff will be very hands on with developers to make sure we are getting the documents to make a good decision.

MOTION: Council Member Hendrix motioned to adopt Harrisville Ordinance 508; Large Project Master Planned Communities/Mixed Use/In-Fill Amendments and General Plan Overlay Map for the same. 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.

b. Discussion/possible action to adopt Harrisville Resolution 20-07; Update Solid Waste Collection, Disposal, and Recycling Agreement and Fees.

Blake Leonelli, Waste Management, explained this agreement has warranted a review for quite some time. They are looking to create consistent agreements for all their clients. There are no really major changes to the agreement, it is fairly consistent with the service we have been given in the past. Bill Morris explained Lynn Fortie recommended a small increase of \$.10 to cover any changes with the municipal fee.

Council Member Hendrix asked why there is a discrepancy between the Waste Management charge and the municipal fee. Bill Morris explained we collect about 5% over the Waste Management charge to cover the costs of Spring and Fall Clean Up, and any overhead the city pays. He said when things return back to a more normal state, we can conduct an audit. Blake Leonelli said they conduct audits in tandem with cities frequently. They can provide what is being billed for, and a city employee can follow the garbage truck and make appropriate counts on the cans that are present. There are also outside companies that do this for a cost. He admitted there are valid concerns with imperfect service.

Council Member Hendrix said when the city started the recycle program, there was no option to opt out, to lower the garbage service fees. He asked if there has been an increase in the number of residents over the years that want to opt out of recycle services. Blake Leonelli responded there are two items to consider: there is current language included to mandate participation, and often times when residents opt out, they need a second garbage can. Over the years, he has appreciated the relationship they have with cities. Recent changes to

recycling have made items more valuable as commodities. They have seen positive strides in the right direction with recycling.

Council Member Hendrix suggested creating a survey to poll resident preferences. Blake Leonelli said they can do an analysis for data points of what the participation looks like. Mayor Tait asked if Waste Management should be the one to conduct the survey. Bill Morris suggested both. Blake Leonelli said there is a small percentage of residents who opt out. He pointed out there is bad data out there and when a new article is published or incorrect data, people often request to opt out, often times changing their minds after they have discontinued service. Council Member Hendrix asked if one person puts garbage into a recycling bin, does it contaminate the entire load. Blake Leonelli confirmed this can happen. There are people who treat the recycling bin as a second trash. He explained it is his job to educate residents to the proper recycling material.

MOTION: Council Member Jackson motioned to adopt Harrisville Resolution 20-07; Update Solid Waste Collection, Disposal, and Recycling Agreement and Fees. 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.

c. Discussion/possible action to adopt Harrisville Ordinance 509; Wall Avenue Zoning Map Amendment.

Mayor Tait informed Council the developer withdrew their application earlier today. We do not have any more information at this time, unfortunately, but speculation is the situation with the economy. Council agreed to approve this zoning change in case another project may be interested in this area. Bill Morris said the zoning change would remain in place for a period of 18 months before reverting back to the original zoning. This has been recommended by the planning commission for approval. The appropriate site plan is attached as the concept plan, which is required by ordinance for the zoning change request. Section two of the ordinance outlines this zoning change would be valid for 18 months and then revert back to RE-15. If another developer came in, a new concept plan could be presented as approved, making the process easier.

MOTION: Council Member Weiss motioned to adopt Harrisville Ordinance 509; Wall Avenue Zoning Map Amendment. 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.

d. Discussion/possible action to adopt Harrisville Resolution 20-05; Electronic Meeting Policy.

Bill Morris explained this adopts an electronic meeting policy which we have not had in place until now. State code require a policy be in place to conduct electronic meetings. Several models were used but many did not address pandemic situations. Staff was able to modify the models for appropriate use and to meet our needs at this time.

MOTION: Council Member Hendrix motioned to adopt Harrisville Resolution 20-05; Electronic Meeting Policy. 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.

e. Discussion/possible action to set a public hearing for June 9, 2020 for purposes of amending the FY2019-20 budget in accordance with UCA 10-6-127.

Lynn Fortie explained this is a formality to set a public hearing required by state law if there are amendments necessary at the end of the current fiscal year.

MOTION: Council Member Wilhelmsen motioned to set a public hearing for June 9, 2020 for purposes of amending the FY2019-20 budget in accordance with UCA 10-6-127. Council Member Hendrix seconded the motion. All Council Members voted aye. Motion passed.

f. Discussion/possible action to adopt tentative FY2020-21 budget in accordance with UCA 10-6-113; and set a public hearing on proposed final budget for June 9, 2020.

Lynn Fortie reviewed the budget summary outlining the changes for the next fiscal year. The tentative budget includes: no merit increases for employees, health benefit increase of 5.8%, retirement rates remained the same with exception to Tier II hybrid, which has a small increase. New equipment purchases include: police have asked for two vehicles, public works is moving to leasing vehicles, and new cabin features. Lynn Fortie said he will update the budget to reflect the change made with adopting the solid waste contract. Council Member Hendrix asked what the current certified tax rate is. Lynn Fortie said he does not know off the top of his head but could provide that figure. Council Member Hendrix asked Council if they should consider maintaining the tax rate; he realizes the city would have to go through truth and taxation. Council Member Jackson asked how we are doing with projections on the current year. Lynn Fortie responded the current year estimated a use of fund balance. Mayor Tait pointed out we are doing well considering the estimated deficit. She said we are approving a tentative budget. Lynn Fortie explained he leaves the tentative budget the same until final adoption unless someone requests a change, then he makes the change. He explained with additional purchases of product over the last two months, we should expect an increase in sales tax, which is on a two-month lag, but will give a better indication after May's financials are complete.

Council Member Jackson asked how much the projected deficit was from last year. Lynn Fortie explained about the same as this proposed. Council Member Hendrix pointed out an error in the summer camp fund, which was corrected. Bill Morris suggested Council review the tentative budget and submit any questions to Lynn Fortie or the appropriate department head.

Council Member Hendrix asked about the leasing proposal. Glen Gammell explained when he and Sean Lambert were reviewing the budget to see how they can save money, they felt the resale value on vehicles does not match the costs of purchasing. There is money spent on the rotation of the trucks with cost increases for tires, oil changes, etc. There is a company who leases vehicles to cities. He reviewed the prices of leasing versus purchasing. For a cost of \$4,500 per year per vehicle, they can have a new vehicle each year. These will be full warrantee, oil changes, and state licensing. He is looking to change out the entire fleet. The current trucks do not service the city properly for snow removal. They currently only have one truck which is capable of servicing small areas. They will be moving back to diesel trucks. He further explained the current trucks transmissions cannot handle the snow plowing. Leasing vehicles will save money in the long run. The actual snow plow trucks will be purchased and stay with the city for a long time. The day to day trucks will be leased. He reviewed the costs of operating the street sweeper. He would like to rent a street sweeper and sell the current sweeper. There will also be no need for the dump truck with the high lift, since this was used for waste disposal with the street sweeper. Bill Morris asked if the rental of the street sweeper includes wages. He also suggested combining with other small cities in the area who might be interested to decrease the costs even more.

Council Member Jackson clarified the 350's would be day to day trucks that are leased and the larger trucks would be purchased. Council Member Weiss asked for confirmation they get new trucks every year. Glen Gammell responded yes. He explained they will keep the 09 Dodge 1500 because this fuels the mowers. He said when Parks and Recreation Director Fifes truck payments are up, we will consider leasing a new vehicle for him as well. Council Member Jackson asked if service is included. Glen Gammell explained any service before 5,000 miles is included. If for some reason a truck needed service, he would service himself with OEM parts. Mayor and Council agreed this is a good area for improvement.

MOTION: Council Member Hendrix motioned to adopt tentative FY2020-21 budget in accordance with UCA 10-6-113; and set a public hearing on proposed final budget for June 9, 2020. Council Member Jackson seconded the motion. All Council Members voted aye. Motion passed.

g. Discussion/possible action to adopt Harrisville Resolution 20-06; Interlocal Agreement for Street Maintenance Projects.

Bill Morris explained UDOT standards required we send projects out to bid when we use Class C Road Funds. North Ogden was originally part of this agreement, but they do not have any projects this year. Council Member Jackson asked for further clarification. Sean Lambert explained the more work available, the better rate we get. This agreement is only for 2020 Road Projects. Mayor Tait said this is a great way to save money.

MOTION: Council Member Weiss motioned to adopt Harrisville Resolution 20-06; Interlocal Agreement for Street Maintenance Projects. 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.

h. Discussion/possible action to adopt Harrisville Resolution 20-08; Municipal Wastewater Planning Program.

Bill Morris explained in 2012 the state adopted a new rule to address sewer management. Even though this report is done annually, and Sean submits the report, we pass a resolution as proof that this was reviewed. In the past we have had presentations addressing grease pits and sewer lines, the number of connections we have, and how many more we can support to properly determine fees. We should be reviewing this every year in the spring. Council Member Hendrix asked about the difference in sewer rates. Sean Lambert clarified the current sewer rate.

MOTION: Council Member Christensen motioned to adopt Harrisville Resolution 20-08; Municipal Wastewater Planning Program. 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.

i. Discussion/possible action to approve conceptual concept for 1100 North Pocket Park.

Sean Lambert explained with the completion of 1100 North and Colony 6, there is a small portion of land that was dedicated to the city for a pocket park. The city engineer's office put together a concept design as to how this area could be used. Mayor and Council discussed the area and potential of the land.

MOTION: Council Member Jackson motioned to approve the concept plan for 1100 North Pocket Park. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

j. Discussion/possible action to adopt Resolution 20-09; Housing Authority.

Bill Morris explained as we are doing Community Reinvestment agency areas, we are required to set 10% aside for housing. He would prefer to use this money in our own city. We do not have an estimate of how much these areas will create and we are still a few months out, but the 10% of that income will be ear marked for affordable housing. Back when Gene Bingham was with the city, he worried about how we would address areas in the city that become blighted. With Community Reinvestment areas, we can help our neighborhoods that have become blighted. Mayor Tait asked who the authority is on this. Bill Morris responded the Council Members are appointed as the authority. If we do not adopt a housing authority of our own, this money will be given to another community. Council Member Jackson asked about enforcement. Bill Morris explained there is no enforcement, he will be the agent through this policy, with the Mayor as the Chief Executive Officer of the authority.

Bill Morris also explained housing authorities give money that can be used for down payments on first time homes, or to reroof homes in blighted areas.

MOTION: Council Member Hendrix motioned to adopt Resolution 20-09; Housing Authority. 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.

5. Public Comments - (3 minute maximum)

No public comments were offered.

6. Mayor/Council Follow-Up:

Council Member Wilhelmsen said he has major concerns on 1100 North with running stop signs and speeding. Council has talked about signage in the past. There are residents in the area with privately purchased speed signs. He hopes drivers are watching the green signs to warn of children in the area. He feels the city should do anything we can to help remind people to slow down. He realizes we can only do so much, but wants to make sure we are taking a proactive approach. Council has responded to complaints on 750 West; he feels this needs to be discussed and brought forward. Council Member Hendrix commented traffic will slow when Larsen Lane opens back up. Sean Lambert reported part of the 2020 road projects is road striping. He has not personally seen issues on 1100 North but admitted he drives that during the day. He welcomed Council to review the striping plan. He cautioned that costs can increase quickly.

Council Member Weiss commented if we cannot make changes now, how are we do address this; especially in light of the pandemic and keeping our police force safe. He asked how the police department is handling this. Bill Morris explained the difficulty with issuing citations and handling court cases during this period. He said they had planned for court to resume on June 1, 2020 but were informed of a Supreme Court order to keep the courts closed indefinitely. He meets weekly and conducts court over the phone, trying to get defendants pled in. He informed Council there has been a nation-wide speeding problem during the pandemic. They are pulling people over and issuing warnings. Council Member Jackson said there are ways to enforce the laws without making contact.

Bill Morris explained some of the economic issues people are facing and how that impacts the courts ability to charge appropriate fines. He said they may start holding court on Zoom platform. Council Member Weiss said he agrees with Council Member Wilhelmsen. He witnessed a young man on a dirt bike go right through a stop sign. Bill Morris pointed out there are problems with vehicles racing in the BDO. The Weber County Fairgrounds have been keeping their gates locked to help. Ogden City Police and the Weber County Sheriff's Office are trying to put a stop to this.

a. Heritage Days

Mayor Tait invited Bryan Fife to explain how Heritage Days is impacted this year. Bryan Fife gave a brief overview of events that will be impacted due to COVID-19. He reviewed an outline of expenses that have been budgeted but not always spent. The MC costs have increased each

year to meet what is comparable. The entertainment has varied each year as well. Some of the challenges this year faces are lack of MC services and most events will not be allowed due to social distancing requirements. The MC had to lay off all of his employees and is looking at liquidating his business due to the effects of COVID-19. With his experience and equipment, the city is looking at significant increase in costs to provide those services. Other cities are paying more for the same service.

He has been in contact with Fireworks West. He requested a refund for the fireworks show but the contact did not have an answer for that. Mayor Tait explained there has been some discussion of combining this event with Marriott-Slaterville and have a firework show in a common location. She contacted Commissioner Harvey to see if the event could be held at the fairgrounds. Bryan Fife pointed out this is a 10-minute show, just to clarify, most cities spend twice to three times as much for a longer show. The firework provider as committed to August 1, 2020 date, if this changes, he will need to be notified.

Bill Morris said the main concern is whether a mass gathering permit will be issued through the health department to even hold an event. Right now, we are at Orange Risk, with no idea when Yellow Risk will be implemented. Council Member Weiss said if things open too soon, we might be in a worse situation by then. Bill Morris pointed out after being at Orange Risk for one week, there was a spike of another 11 cases in Weber County. Council Member Weiss expressed concern with spending this amount of money on an event that may not happen. Bill Morris said a lot of events have been canceled. There is no decision on whether the Weber County Fair will happen. Council Member Weiss said if Heritage Days is canceled this year, it will help balance the reserve better, since we have no idea what will happen.

Bill Morris asked about the next few years. Council Member Hendrix said he estimates only about 5% of attendees are Harrisville residents at Heritages Days. He has concern holding this event when we are not getting Harrisville residents in attendance. Mayor Tait asked if Council is okay with holding quarterly activities instead, that are less costly and have more resident support. Council Member Christensen said he feels quarterly events might encourage more participation. Council Member Weiss said that would allow staff to be more flexible with what is happening right now, and not spend a lot of money. Those smaller events are much more affordable. Bryan Fife pointed out the Movie in the Park is free right now as long as the church is willing to run it. Bill Morris asked for direction for staff, whether or not to remove the Heritage Days budget for the amended budget and next years celebration, with exception to Fireworks West, who have already been paid. Mayor and Council agreed to remove Heritage Days budget until further notice. Council Member Hendrix asked for clarification on the fireworks. Mayor Tait said staff will work something out. Bill Morris suggested trying to get a refund, if possible, otherwise we look at holding some type of small event or combined event.

Bryan Fife explained the fence project that was completed last fiscal year, had a few residents who opted out of the project. One resident has lost her husband recently and would like to be considered for the project now. Council Member Hendrix asked for some more clarification. Bryan Fife explained there are two or three residents who opted out of the project because of shrubbery and growth on the fence line they did not want to lose, but this resident would have participated, except her husband opted out. He is happy to schedule this project but would like Council approval since this project has already been completed. Mayor Tait asked if this is something Council is willing to allow. Bryan Fife clarified this will benefit the city with maintenance. Council Member Weiss said he is willing as long as the resident does her part to be ready. Bryan Fife clarified the help that was given to previous residents who participated. This particular fence is held up by railroad ties that will have to be removed. Mayor Tait asked if the estimate is comparable to last years pricing. Bryan Fife confirmed yes. Council Member Hendrix asked for specifics. Bryan Fife said he will do what he is asked to do and can do as

much as they need him to. Council agreed to allow the resident participation with the resident doing the prep work and Bryan Fife helping out where needed. Bryan Fife said this likely would not happen until after July.

7. Adjourn.

MOTION: Council Member Hendrix motioned to adjourn. Council Member Weiss seconded the motion. All Council Members voted aye. Meeting adjourned at 9:15 pm.

ATTEST:

MICHELLE TAIT
Mayor

JENNIE KNIGHT

City Recorder

Approved this 9th day of June, 2020