



HARRISVILLE CITY

363 W. Independence Blvd · Harrisville, Utah 84404 · 801-782-4100
www.cityofharrisville.com

MAYOR:
Michelle Tait

COUNCIL MEMBERS:
Grover Wilhelmsen
Steve Weiss
Blair Christensen
Max Jackson
Kenny Loveland

CITY COUNCIL AGENDA

363 West Independence Blvd

March 8, 2022

Join Zoom Meeting

<https://us02web.zoom.us/j/87121693579?pwd=ckQzZFFEVGdCZkxhZUx6UHIYYytQZz09>

Meeting ID: 871 2169 3579

Passcode: 394578

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7:00 P.M. CITY COUNCIL MEETING

Presiding: Mayor Michelle Tait

Mayor Pro Tem: Blair Christensen

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE & OPENING CEREMONY [Council Member Weiss]
3. CONSENT ITEMS
 - a. Approve the minutes of February 8, 2022 as presented.
 - b. Advice and consent of Mayor's appointment of City Administrator.
4. OATH OF OFFICE
5. BUSINESS ITEMS
 - a. Discussion/possible action on Local Government Bonding options for 750 West Municipal Complex. [Marcus Keller-Zion's Bank]
 - b. Discussion/possible action to adopt of Harrisville Ordinance 531; Land Use Amendments. [Jennie Knight]
 - c. Discussion/possible action to adopt Harrisville Resolution #22-04; PTIF user update.
6. PUBLIC COMMENTS - (3 minute maximum)
7. CONVENE AS BOARD OF FOUR MILE SPECIAL SERVICE DISTRICT
 - a. Discussion/possible action to adopt Harrisville Resolution #22-05; accepting a petition for annexation of property into the Four Mile Special Service District. [Jennie Knight]
8. MAYOR/COUNCIL FOLLOW-UP
 - a. Open Meeting Acts and Non-Discrimination Training

9. ADJOURN

DATE POSTED: March 3, 2022

BY: Jennie Knight, City Recorder

I, Jennie Knight, certify that I am the City Recorder of Harrisville City, Utah, and that the foregoing City Council agenda was posted and can be viewed at City Hall, on the City's website www.cityofharrisville.com, and at the Utah Public Notice Website at <http://pmn.utah.gov>. Notice of this meeting has also been duly provided as required by law.

**MINUTES OF HARRISVILLE CITY
CITY COUNCIL
February 8, 2022
363 West Independence Blvd
Harrisville, UT 84404**

Present: Mayor Michelle Tait, Council Member Steve Weiss, Council Member Blair Christensen, Council Member Max Jackson, Council Member Kenny Loveland.

Staff: Bill Morris, City Administrator, Jennie Knight, City Recorder, Cynthia Benson, Deputy Recorder, Jessica Hardy, Finance Director, Jill Hunt, City Treasurer, Rick Hill, Bailiff, Justin Shinsel, Public Works Director, Bryan Fife, Parks/Recreation Director, Mark Wilson, Police Chief, Dennis Moore, Assistant Chief, John Millaway, Police Officer, Corey Clark, Police Officer, Tyler Vincent, Police Officer, Nick Taylor, Detective.

Visitors: Rajan Zed, President, Universal Society of Hinduism, Natalia Bingham, Tyler Bingham, Adan Contreras, Jake Thompson, Rod Thompson, Blaine Burrow, John Macedone, Arnold Tait, Abbie Hunt, Nixxon Hunt, Sheldon Hunt, Jaxon Clark, Rod Layton, Deanne Aguilar, Carlos Aguilar, Tami Johnson, Shanna Edwards, Regina Hokansen.

7:00 P.M. CITY COUNCIL MEETING

1. Call to Order.

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

2. Pledge of Allegiance.

Council Member Loveland led the pledge of allegiance.

3. Opening Ceremony.

The opening ceremony was offered by Rajan Zed, President, Universal Society of Hinduism.

4. Consent Items.

a. Approve the minutes of January 11, 2022 as presented.

Council Member Loveland asked for the staff to double check the minutes to verify the boundary location with the city shops is correct.

MOTION: Council Member Loveland motioned to approve the minutes of January 11, 2022 with corrections. Council Member Weiss seconded the motion. All Council Members voted aye. Motion passed.

b. Mayor's Appointment of City Treasurer

Mayor Tait asked Jill Hunt to introduce herself. Ms. Hunt stood and introduced herself. Mayor Tait asked Chief Wilson to stand. Chief Wilson explained Detective Nick Taylor has been promoted to Sergeant.

MOTION: Council Member Jackson motioned to approve the Mayor's appointment of Jill Hunt as the City Treasurer. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

5. Oaths of Office.

Jennie Knight administered the oaths of office to Jill Hunt, City Treasurer, and Nick Taylor, Police Sergeant.

6. Business Items.

a. Children's Justice Center Presentation

A short presentation was given by Rod Layton, President of the Children's Justice Center. Mr. Layton presented a paper copy of his presentation to the council and mayor. Mayor Tait gave him permission to approach the council. Mr. Layton began his presentation with a brief history of the Children's Justice Center (CJC). The CJC was created in 1989 by Reed Richards to facilitate the prosecution of child abuse cases. By 1991, they found the program needed to be repaired. They discovered the children did not respond well within a police department when interrogated. The program now has a forensic interviewer to handle the interrogation of the children. Within the last ten (10) years their casework has doubled. They have found the current center is outdated and far too small. The option to build on/update is not possible due to it being a historic building and because of this they need to build a new center. They began looking into options and found the ARPA funding given to the county qualifies to be used for this project. Mr. Layton approached the County Commissioners to obtain some of the ARPA funding to build a new facility. The Commissioners said they would be willing to give them a million dollars for the new building if they would go to each city in the county and ask for some of the Municipal's ARPA funds. They need to collect \$1.5 million in addition to the county funds. The sum of \$39,000 was reached for Harrisville City to donate for the building of the new center based on the number of cases processed by the CJC for Harrisville City over the past three (3) years. The CJC is a non-profit and are required to follow state statute with how their organization is run. Their program does everything from mental health exams to physical exams. Mr. Layton posed the question, who is responsibility for this? He answered by stating this is a county program, not a state program, to be supported by the county because the county is responsible to process child abuse cases by state statute. Mr. Layton said it is the city's responsibilities to help maintain the program since they are the ones that utilize it. They have the land, zoning and lease agreement already arranged for the new facility. If they do not get the money, they will be behind for two (2) years which is the length they would need to gain the funding themselves. The full cost of the project is \$5.2 million. They are looking overall to obtain \$2.5 million dollars through government funds with the remaining funds being obtained through private funding.

Council Member Jackson asked what the time commitment is. Mr. Layton said right now the county is looking for a commitment from the cities. The CJC would create an Inter Local Agreement with each city that commits their funds after reporting back to the county. He is hoping to dig a hole for the new center by August or September. Council Member Jackson posed the question of what if half of the cities agree and half decline. Mr. Layton said he has asked this question of the commissioners and has not received an answer back from them. Mr. Layton further explained the reasoning for going after ARPA funds is because most cities have not decided what or where they are choosing to spend those funds. Council Member Jackson feels this has put everyone involved in a difficult situation because the cities are statutorily bound to use the CJC to process child abuse cases. Mayor Tait thanked him for his presentation.

b. Discussion/possible action to grant final approval for The Copperwoods subdivision; a 66-unit mixed-use development located at approximately 1956 North Highway 89.

Justin Shinsel introduced the project stating the developer has met all the requirements and standards. They are ready to move forward to begin work at the site. Mayor Tait asked Council if they have any questions. No questions were asked. Mayor Tait addressed Jake Thompson, the developer. Mr. Thompson said the city has been great to work with and they are excited to begin the project.

Council Member Wilhelmsen asked what was happening with the 2000 North intersection. He said it appears the turn looks to be an option in both directions. Which direction will it be; both directions or only right as it was originally presented? Council Member Weiss asked a similar question regarding the turn lanes. Mr. Shinsel addressed these questions by saying the egress traffic is right hand turn only. The 2000 North traffic out onto Highway 89 will be both. He reminded Council that in the future there will be an update to the Highway 89. Council Member Christensen asked if the update would be a cement barrier. Mr. Shinsel said that is the plan. Mayor Tait mentioned the traffic study completed by the developer. Council Member Weiss asked if Mr. Shinsel feels this is a safe option. Mr. Shinsel confirmed.

MOTION: Council Member Wilhelmsen motioned to grant final approval for The Copperwoods subdivision; a 66-unit mixed-use development located at approximately 1956 North Highway 89. Council Member Loveland seconded the motion. All Council Members voted aye. Motion passed.

c. Discussion/possible action to adopt Harrisville Ordinance 530; a zoning change application received by Ben Lomond Properties, LLC from Agricultural (A-1) zone to Commercial (CP-2) for Weber County Parcel #11-019-0007, located at approximately 1801 N. Highway 89.

Jennie Knight presented the staff memo regarding this zoning change. She said this zoning change is consistent with the General Zoning Plan. One of the conditions required for the zoning change is a site plan which is being presented tonight. They are proposing a gas station, a medical office, with restaurants in the middle. The south access point will line up with the development across the street to align the roads. A

positive recommendation was given by the Planning Commission at their January meeting.

Council Member Wilhelmsen asked where this development would be going. Mr. Shinsel said the property is going north or south along Highway 89 and will connect with the 750 City Center development allowing access from east to west with a light on Highway 89. Mr. Shinsel explained the access points for the development and the city municipal center. The city will work with another property owner to obtain the property for complete access through from 750 West to Highway 89. Council Member Loveland asked for the timeframe. The Developer is on a linear timeframe like we are. Bill Morris said the agreement attached to the re-zone says within 18 months a plat needs to be recorded or it will revert back to the original zoning.

Council Member Weiss was concerned with the south access point and the alignment from across Highway 89. Mr. Shinsel said this is the only access point UDOT will allow because the other entrance is too close to the other intersections and the future light going in at the Ben Lomond subdivision entrance. There would be the possibility of asking for a right in and right out for the south entrance to Ben Lomond Views. Council Member Weiss is concerned for that south access more than the north. Mr. Shinsel said they are still in talks with UDOT over the streetlight with when the light will be going in. For instance, is the light going in prior to any development or during phase one or while the commercial is added to justify the use. Council Member Weiss is concerned about having the same issues the city sees at the 1100 North access across Washington Boulevard.

Mayor Tait explained the density is not the same in this area. Council Member Weiss expressed his concern with the those coming into the area racing across Highway 89. Council Member Jackson said the light will slow them down a bit. Council Member Weiss asked if we could approach UDOT with a right in and right out for the south entrance. Mr. Shinsel said he would make certain to bring this matter up during his discussions with UDOT.

MOTION: Council Member Weiss motioned to adopt Harrisville Ordinance 530; a zoning change application received by Ben Lomond Properties, LLC from Agricultural (A-1) zone to Commercial (CP-2) for Weber County Parcel #11-019-0007, located at approximately 1801 N. Highway 89. Council Member Christensen seconded the motion. A Roll Call Vote was taken.

Council Member Wilhelmsen	Yes
Council Member Weiss	Yes
Council Member Christensen	Yes
Council Member Jackson	Yes
Council Member Loveland	Yes

Motion passed 5-0.

d. PUBLIC HEARING – Harrisville City Council will take comments for or against Harrisville Resolution 22-03; a resolution adopting the Sanitary Sewer Impact Fee Facilities Plan.

Mr. Shinsel presented the Sewer Impact Fee Facilities Plan. He reviewed the plans that were considered to determine an appropriate impact fee to be assessed for future growth in the city. The future projects for these funds were reviewed which include: 750 West Municipal Complex. Cost analysis will be conducted by Zion’s Bank and will be adopted and implemented in any new developments. Deficiencies are reviewed and addressed within the plan. Also included is a GIS map of the manhole locations. Bill Morris outlined the projects and how the process works with the fee being adopted by ordinance. The final determination of the fees goes through a third party, in this case Zion’s Bank, to determine what the impact fee will be.

MOTION: Council Member Loveland motioned to open a public hearing to take comments for or against Harrisville Resolution 22-03; a resolution adopting the Sanitary Sewer Impact Fee Facilities Plan. Council Member Weiss seconded the motion. All Council Members voted aye. Motion passed.

No public comment was given at this time.

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

e. Discussion/possible action to adopt Harrisville Resolution 22-03; a resolution adopting the Sanitary Sewer Impact Fee Facilities Plan.

No further discussion was given.

MOTION: Council Member Christensen motioned to adopt Harrisville Resolution 22-03; a resolution adopting the Sanitary Sewer Impact Fee Facilities Plan. Council Member Jackson seconded the motion. A Roll Call Vote was taken.

Council Member Wilhelmsen	Yes
Council Member Weiss	Yes
Council Member Christensen	Yes
Council Member Jackson	Yes
Council Member Loveland	Yes

Motion passed 5-0.

f. Youth City Council Presentation/Report on attending Local Officials Day at the Legislature.

Mayor Tait invited Tami Johnson, Youth City Council Coordinator, to present regarding the youth’s attendance at the Local Officials Day at the Legislature. A short presentation was given by Natalia Bingham, Adan Contreras and Tami Johnson about the ULCT

2022 Officials Day Event the Youth City Council attended on January 19, 2022. The presentation included pictures of the event along with a summary of the classes attended. Miss Bingham spoke on the capital visit. She mentioned that the day started early and they attended two presentations on the history of flags and how to create a good one. They also attended a press conference as well which was a highlight for her since it was her first. She said the whole experience was amazing. She thanked the Council for allowing her to go and for being able to present. Mr. Contreras spoke on the local official's day as well. He started off by talking about how breakfast was fast and the early hour for leaving. He mentioned the first presentation was with Ted Kane. Mr. Kane is a Vexillologist and gave a presentation on how state flags should be made. He also mentioned Dalin Millington who had designed the Elk Ridge City flag. He mentioned the group entered the capital building and were able to explore the complex with a scavenger hunt. He felt they needed to use more marble in the construction of the capital. There simply wasn't enough marble used. His highlight was how he was able to meet and spend some time with Representative Ryan Wilcox.

Council Member Loveland asked who would be designing the Harrisville City flag. Ms. Johnson said the YCC would be willing and suggested opening this up to the public. Council Member Loveland requested follow up to Council and asked to let them know what they can do to support the project. Ms. Johnson was asked to take on this project with the YCC spearheading it.

g. Discussion/possible action to purchase utility trailers.

Justin Shinsel gave explanation on the purchase of two new utility trailers for the Public Works department to help haul, collect and dump items about the city. He said with the purchase of the skid steer and a few others pieces of equipment down the road, a utility trailer and a flat bad with a tilt neck would be better suited to haul this type of equipment. The current trailer is not strong enough to work with the future purchases. It would cost far more to upgrade the current trailers than it would be to purchase new ones which would also accommodate future purchases.

Council Member Jackson asked about the specifications of the trailers. Mayor Tait asked if this purchase was within his budget. He confirmed yes and gave the appropriate specifications of the trailer types. Mayor Tait asked for the longevity of the trailers. Mr. Shinsel said 20-30 years. Council Member Loveland asked if we already have trucks within the Public Works fleet set up to pull the gooseneck trailer. Mr. Shinsel confirmed yes, explaining this was considered when purchasing the new trucks. Council Member Jackson asked if we have to put this out for bid. Mr. Shinsel said this bid is under state contract at \$30,000 to purchase both trailers.

MOTION: Council Member Weiss motioned to purchase two (2) utility trailers. Council Member Jackson seconded the motion. A Roll Call Vote was taken.

Council Member Wilhelmsen	Yes
Council Member Weiss	Yes
Council Member Christensen	Yes

Council Member Jackson **Yes**
Council Member Loveland **Yes**

Motion passed 5-0.

h. 2022 Goals

Ms. Knight presented the 2021 goals which were: 1) Economic Development, 2) Strategic Planning, 3) Update Impact Fee Analysis, 4) New Municipal Complex Concept Plan, 5) Approval for Ben Lomond Development, 6) West Harrisville Road Reconstruction, 7) Cemetery Plan and 8) Department and Staff Improvements. Action has been taken on the Updated Impact Fee Analysis tonight. Last month action was taken on the New Municipal Complex with the surplus of the city owned properties. Approval for the Ben Lomond Development was adopted in June 2021; an open house will be held on February 16, 2022 at Orion Jr. High. With regard to the West Harrisville Road reconstruction; the city has recently received WFRC and WACOG funds through the county for the widening of the road and the project is slated for 2024. The cemetery plan was somewhat put on the back burner to deal with higher priority items. Department and staff improvements have been made along with the wage study to address some of the issues the city was experiencing there.

Mayor Tait said she was not certain she had ever seen the city check off so many goals in one year. Mr. Morris said that the Economic Development was addressed with the commercial developments currently in progress. He agreed that this alone was a significant accomplishment. Mayor Tait addressed the Council to set the new goals for 2022.

Council Member Weiss added that he wished to see the Municipal Complex completed as all one project. Mr. Morris said staff will have a bond presentation in March to help facilitate this. Ms. Knight said we have nine (9) proposed projects coming through the city with three (3) additional commercial developments. There are four (4) site plans working through the pipe line. Several of these projects are mixed-use developments. Mr. Morris said a goal to add is department and staff development to help facilitate the new developments coming into the city. Council Member Weiss would love to see a city flag with YCC initiating this project. Council Member Wilhelmsen would like to see more city activities. The cemetery park plan needs to continue to be a goal. Mr. Morris mentioned having a utility rate analysis to be completed for sewer, secondary water, storm water, garbage as a goal.

The 2022 Goals set include: 1) Economic Development, 2) 750 West Municipal Complex, 3) Breaking ground on the Ben Lomond Development, 4) Departmental and Staff Development, 5) City Flag, 6) Increase activities to involve Harrisville residents, 7) Cemetery Plan to find a site location, 8) Utility rate analysis.

7. Public Comments - (3 minute maximum)

John Macedone asked the Council to look into the trucking company on 750 West. He is a mechanic and would like to see the complex kept clean and thinks the complex is in worse shape than some of the other areas in the city. He mentioned the incident which knocked out a power pole and fiber optics in the area and said the semi-trailers are doubling.

Natalia Bingham proposed a monthly service opportunity for the city. She suggested implementing service opportunities for younger children, teens and adults in the community to help bring us together.

Tyler Bingham suggested the city increase the use of social media and mentioned a weekly mayor update that is done within another community.

Blaine Barrow asked about the 750 West municipal project with regard to how far along the process was. He is concerned with the residents around the property have no idea what is going on. He asked for dialogue with himself and the other residents since he sees some concerns with the property. Mayor Tait addressed this explaining the city is developing this project through Project Management with all the entities involved.

8. Mayor/Council Follow-Up.

a. Extension to White Board Memo

Cynthia Benson presented her proposal as outlined in a memo to the council/mayor dated February 3, 2022. After meeting with the audio team and Assistant Chief Moore, a solution to provide proper view of the electronic packet for Council Members Weiss and Wilhelmsen is to either move a current television in the council chambers used for court proceedings or to purchase another, smaller television. Council authorized option #2 to purchase a smaller television and have it mounted on the east wall by the rostrum.

Council Member Weiss reviewed Ben Lomond open house details and the dates for the Fall Festival. Bryan Fife said he had not scheduled the fireworks yet but will as soon as he has the Council go-ahead and a date. Council Member Weiss said he had been fielding several questions on whether or not the city was having this event again. The date was selected as Tuesday, October 18, 2022 for the Fall Festival. Council Member Loveland asked if YCC was willing to help again with the Fall Festival. Ms. Johnson said yes.

Council Member Christensen thanked staff for getting the Ben Lomond presentation arranged. There was an article in the Standard Examiner on Monday, February 7, 2022 about the open house.

- 9. 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 individual(s).

MOTION: Council Member Weiss motioned to open the Closed Executive Session. Council Member Wilhelmsen seconded the motion. A Roll Call Vote was taken.

Council Member Wilhelmsen	Yes
Council Member Weiss	Yes
Council Member Christensen	Yes
Council Member Jackson	Yes
Council Member Loveland	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. Council Member Wilhelmsen seconded the motion. A Roll Call Vote was taken.

Council Member Wilhelmsen	Yes
Council Member Weiss	Yes
Council Member Christensen	Yes
Council Member Jackson	Yes
Council Member Loveland	Yes

Motion passed 5-0.

10. Adjourn.

Mayor Tait declared the meeting adjourned at 9:19 p.m.

ATTEST:

MICHELLE TAIT
Mayor

JENNIE KNIGHT

City Recorder

Approved this 8th day of March, 2022



MEMORANDUM

TO: Harrisville Mayor and City Council
FROM: Jennie Knight, City Administrator
RE: Ordinance 531; Land Use Administrative Amendments
DATE: March 3, 2022

Harrisville Ordinance 531; Land Use Administrative Amendments comes with a positive recommendation from Planning Commission at their February 8, 2022 meeting where a public hearing was held and no public comments were received. This ordinance is to update the Municipal Code with regard to Planning Commission membership terms as well as adopting an Appeal Authority that better aligns with Title 10, Chapter 9a, Part 7: Appeal Authority and Variances of the Utah Code Annotated. The Commissioners requested one change to the ordinance in section 2.01.010(5) to include removal of a Planning Commissioner must be subject to the advice and consent of the City Council. Since the recommendation from the Commissioners, staff also found an additional conflict needing to be repealed and added section 11.02.030 to the repealer.

**HARRISVILLE CITY
ORDINANCE 531**

LAND USE ADMINISTRATIVE AMENDMENTS

AN ORDINANCE OF HARRISVILLE CITY, REPEALING, RE-ENACTING AND AMENDING THE LAND USE AUTHORITY AND PLANNING COMMISSION ADMINISTRATIVE STRUCTURE; LAND USE DUTIES AND POWERS; LAND USE APPEALS; SEVERABILITY; AND EFFECTIVE DATE.

WHEREAS, Harrisville City (hereafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on February 9, 2022, to take public comment on the proposed Ordinance, after which the Planning Commission gave its recommendation to adopt this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on March 8, 2022;

NOW, THEREFORE, be it ordained by the City Council of Harrisville City as follows:

Section 1: **Repealer.** Sections 11.02.030, 11.02.040 and 11.02.050 of the *Harrisville Municipal Code* are both hereby repealed in their entirety. The remaining Sections of Chapter 11.02 of the *Harrisville Municipal Code* shall be renumbered appropriately. Section 2.01 of the *Harrisville Municipal Code* entitled “Land Use Authorities and Appeals” is repealed and re-enacted. Any other ordinance or portion of the *Harrisville Municipal Code* inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Administrative Actions. The *Harrisville Municipal Code* is amended to repeal all instances requiring administrative action, or non-legislative action, on a land use application by the City Council, excepting subdivisions over ten (10) lots.

Section 3: Adoption. The following portions of the *Harrisville Municipal Code* are hereby adopted to read as follows:

2.01.010 Planning Commission.

1. Establishment. In accordance with Utah Code Annotated §10-9a-301, City hereby establishes the Planning Commission subject to this Section.
2. Membership. The Planning Commission is composed of three (3) to five (5) members, and alternates as needed. Any alternate shall vote and is considered in all respects to exercise the same powers and duties as a member. All members shall be residents, and registered voters of the City, duly appointed by the Mayor, subject to the advice and consent of the City Council.
3. Term. Each member of the Planning Commission shall serve a term of four (4) years which may be staggered from other members.
4. Vacancy. Any vacancy in the Planning Commission is filled for the remainder of the unexpired term by appointment of the Mayor, subject to the advice and consent of the City Council.
5. Removal. A member may be removed by the Mayor at any time, subject to the advice and consent of the City Council.
6. Powers and Duties. The Planning Commission is a recommending body and shall only exercise the powers and duties set forth in Utah Code §10-9a-302, and as may be provided by code.
7. Presiding Officer. The Planning Commission shall, at its first meeting each year, elect a Chair and Vice-chair from its membership. The Chair shall serve as the presiding officer, and the Vice-chair shall serve as such in the absence of the Chair.
8. Quorum. A quorum of the Planning Commission consists of the majority of the members present at a public meeting. A decision of the Planning Commission is based upon the majority vote of the quorum present and voting at a public meeting. Each member present at a meeting shall vote on an issue, yea or nay, except when a member declares a conflict of interest. A tie vote fails, or is deemed to be a negative recommendation, as the case may be.
9. Rules. The Planning Commission shall follow the Rules of Procedure and Order adopted by the City Council.
10. Compensation. The Mayor may fix per diem and compensation as established by the City Council.

2.01.020 Appeal Authority.

1. Establishment. In accordance with Utah Code §10-9a-701, the City hereby establishes an Appeal Authority to hear and decide land use appeals, and other appeals as provided by the municipal code.

2. Appointment. The Mayor shall appoint an individual, including alternates, as the Appeal Authority subject to the advice and consent of the City Council.
3. Qualification. The individual appointed should have qualified experience in land use as a professional surveyor, attorney, civil engineer, educator, or other land use related field.
4. Compensation. The Mayor may fix per diem and compensation as established by the City Council.
5. Authority. The Appeal Authority is quasi-judicial and serves as the final arbiter of issues involving the interpretation or application of the municipal code in the course of hearing and deciding all appeals, including:
 - a. Appeals set forth in Utah Code 10-9a-701(1)(b)
 - b. Variances in accordance with Utah Code §10-9a-702.
 - c. Appeals regarding geological hazards shall be administered in accordance with Utah Code §10-9a-703.
 - d. Any other appeal specified in the municipal code.
6. Time. In accordance with Utah Code Annotated §10-9a-704, a written appeal of any land use decision shall be filed with the City Recorder within ten (10) calendar days of the decision issued by the land use authority. An applicant, present at a meeting where a decision is made, is presumed to have actual notice of the decision which shall be deemed as the commencement of the ten (10) calendar day appeal period.
7. Burden. In accordance with Utah Code Annotated §10-9a-705, the appellant has the burden of proving error.
8. Due Process. Due process is afforded in accordance with Utah Code Annotated §10-9a-706.
9. Scope. Subject to the scope set forth in Utah Code Annotated §10-9a-707, the standard of review for the appeal authority is as follows:
 - a. For factual matters, the Appeal Authority may review the matter de novo.
 - b. The Appeal Authority shall determine the correctness of a decision of the Land Use Authority in its interpretation and application.
 - c. An appeal may be made where a Land Use Authority has applied a land use regulation to a particular application, person, or parcel.
 - d. All other standards for making an appeal shall be based upon the preponderance of the evidence.
10. Final Decision. The Appeal Authority shall issue a final decision in accordance with Utah Code §10-9a-708.
11. District Court. No person may challenge in district court any land use decision of the City until that person has complied with Utah Code Annotated §10-9a-801, and otherwise exhausted all administrative remedies and in accordance with Utah Code Annotated §10-9a-701(2). The following limitations apply:
 - a. No adversely affected parties shall present a theory of relief in district court that was not first presented to the appeal authority.
 - b. Adversely affected parties are precluded from pursuing duplicate or successive appeals before the same or separate appeal authorities as a condition of the adversely affected party's duty to exhaust administrative remedies.

- c. The Appeal Authority may provide that a matter be appealed directly to the district court.

Section 4: Amendment. Section 11.18.100 of the *Harrisville Municipal Code* is hereby amended to read as follows:

11.18.100 Revocation.

~~In addition to other remedies and enforcement provided by law or code, A a conditional use permit may be revoked by the Planning Commission if any of the conditions or terms are violated; however, the person who has right to the conditional use permit shall first be given an opportunity to show cause before the planning commission why the permit should not be revoked. A violation of a condition or term of the conditional use permit shall constitute a violation of this code, and the revocation of a permit shall not prohibit prosecution or any other legal action taken on account of the violation. The decision of the planning commission to revoke a conditional use permit may be appealed to the city council, in writing, within fifteen (15) days of the planning commission's decision.~~

Section 5: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 6: Effective date. This Ordinance takes effect immediately upon adoption and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 20__.

MICHELLE TAIT
 Mayor

ATTEST:

JENNIE KNIGHT
 City Recorder

Municipal Vote Tally:	Yes	No
Council Member Wilhelmsen	___	___
Council Member Weiss	___	___
Council Member Christensen	___	___
Council Member Jackson	___	___
Council Member Loveland	___	___

RECORDED this ____ day of _____, 20__.

PUBLISHED OR POSTED this ____ day of _____, 20__.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Harrisville City, hereby certify that foregoing ordinance was duly passed and published, or posted at 1) City Hall 2) 2150 North and 3) The Cabin on the above referenced dates.

City Recorder

DATE: _____

DRAFT



MEMORANDUM

TO: Harrisville Mayor and City Council
FROM: Jennie Knight, City Administrator
RE: Resolution 22-04; Utah Public Treasurers' Investment Fund
DATE: March 3, 2022

Harrisville Resolution 22-04; Utah Public Treasurers' Investment Fund is required to certified authorized users who access and/or transact with PTIF accounts and execute the necessary forms on behalf of the City. This action adds Jill Hunt, Harrisville City Treasurer, as a PTIF authorized user.

**HARRISVILLE CITY
RESOLUTION 22-04**

UTAH PUBLIC TREASURERS' INVESTMENT FUND (PTIF)

**A RESOLUTION OF HARRISVILLE CITY, UTAH, RELATING TO
AUTHORIZED USERS FOR THE UTAH PUBLIC TREASURERS'
INVESTMENT FUND (PTIF).**

WHEREAS, Harrisville City (hereafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-3-717 authorizes the City Council to “exercise all administrative powers by resolution”;

WHEREAS, the Utah Public Treasurers' Investment Fund (PTIF) is available to state and local government entities as a short-term cash investment vehicle:

WHEREAS, the PTIF requires that attached Utah Public Treasurers' Investment Fund Public Entity Resolution be completed as set forth in Exhibit “A” attached hereto and incorporated herein by this reference;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Harrisville City that the attached Utah Public Treasurers' Investment Fund Change Form from the Office of the State Treasurer attached in Exhibit “A” is hereby adopted and incorporated herein by this reference and the Mayor is authorized to execute the same.

PASSED AND APPROVED by the Harrisville City Council this 14th day of December, 2021.

MICHELLE TAIT
Mayor

JENNIE KNIGHT
City Recorder

Municipal Council

	Roll Call Vote Tally	
	Yes	No
Mr. Wilhelmsen	___	___
Mr. Weiss	___	___
Mr. Christensen	___	___
Mr. Jackson	___	___
Mr. Loveland	___	___



MEMORANDUM

TO: Harrisville Mayor and City Council
FROM: Jennie Knight, City Administrator
RE: Resolution 22-05; Accepting a Petition for Annexation of certain real property into the Four Mile Special Service District.
DATE: March 3, 2022

Background: The proposed resolution is the next step required to annex the Warren Hollow Subdivision into the Four Mile Special Service District to provide secondary water services to the residents. This was a condition included in the Subdivision Development Agreement but must be vetted through the proper annexation process to be assessed the appropriate fees and potential taxes. Once the petition has been certified, the required annexation noticing will be sent and a public hearing will be scheduled within 45 days to receive public input.

Under UCA §17B-1-405, within 30 days after a petition has been filed, the board of trustees must certify the petition to make sure the state code requirements have been met. Staff has reviewed UCA §17B-1-404 which outlines the following requirements on a petition that is filed.

- (1) Each petition under Subsection [17B-1-403\(1\)\(a\)](#) shall:
- (a) indicate the typed or printed name and current residence address of each person signing the petition;
 - (b) separately group signatures by county and municipality, so that all signatures of the owners of real property located within or of registered voters residing within each county whose unincorporated area includes and each municipality whose boundaries include part of the area proposed for annexation are grouped separately;
 - (c) if it is a petition under Subsection [17B-1-403\(1\)\(a\)\(i\)](#) or [\(ii\)\(A\)](#), indicate the address of the property as to which the owner is signing the petition;
 - (d) designate up to three signers of the petition as sponsors, one of whom shall be designated the contact sponsor, with the mailing address and telephone number of each;
 - (e) be filed with the board of trustees of the proposed annexing local district; and
 - (f) for a petition under Subsection [17B-1-403\(1\)\(a\)\(i\)](#), state the proposed method of supplying water to the area proposed to be annexed.

Due to the petition being filed and meeting the state code requirements, staff recommends Council, who is the acting board for the Four Mile Special Service District, approve the proposed Harrisville Resolution 22-05, to certify the annexation petition.

**HARRISVILLE CITY
RESOLUTION 22-05**

**A RESOLUTION OF HARRISVILLE CITY, UTAH, ACCEPTING A
PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY
UNDER THE PROVISIONS OF SECTIONS 17B-1-402 INTO THE FOUR
MILE SPECIAL SERVICE DISTRICT, UTAH CODE ANNOTATED, 1953
AS AMENDED.**

WHEREAS, Four Mile Special Service District (hereafter referred to as “District”) is a Local District, duly organized and existing under the laws of the State of Utah; and

WHEREAS, the Harrisville City Council is the acting Board of Trustees for the District; and

WHEREAS, Chapter 1 of Title 17B of the *Utah Code Annotated* provides the process of annexation of an area into a Local District by a petition for the same; and

WHEREAS, the District received a petition from Patrick Burns on February 24, 2022, requesting annexation of certain real property into the present boundaries of the Four Mile Special Service District; and

WHEREAS, said petition contains the signature of owners of private real property that is in accordance with Utah Code Annotated §17B-1-403(1)(a)(i) or (ii), 17B-1-403(3) and 17B-1-404(1); and

WHEREAS, the petition was accompanied by an accurate map, prepared by a licensed surveyor, of the area proposed for annexation; and

WHEREAS, said petition appears to comply with all applicable requirements of Title 17B, Chapter 1, Part 4, of the *Utah Code Annotated*, 1953, as amended,

NOW, THEREFORE, BE IT RESOLVED by the City Council of Harrisville City, Weber County, State of Utah, as follows:

Section 1. Petition Acceptance. In accordance with *Utah Code Annotated* §17B-1-405(1)(b)(i), 1953 as amended, the Petition to Annex, as provided in the attached Exhibit “A” incorporated herein by this reference, is hereby accepted for further consideration as provided in Title 17B, Chapter 1, Part 4, of the *Utah Code Annotated*, 1953, as amended.

Section 2. Determination for Certification. The petition incorporated herein is hereby referred to the city recorder for determination of whether the petition meets the requirements for certification in accordance with Utah Code Annotated §17B-1-405(1), 1953 as amended.

Section 3. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED AND APPROVED by the Harrisville City Council this 8th day of March, 2022.

MICHELLE TAIT, Mayor

ATTEST:

JENNIE KNIGHT, City Recorder

Roll Call Vote:

Mr. Wilhelmsen	Yes	No
Mr. Weiss	Yes	No
Mr. Christensen	Yes	No
Mr. Jackson	Yes	No
Mr. Loveland	Yes	No

DRAFT

PETITION FOR ANNEXATION
OF TERRITORY
TO FOUR MILE SPECIAL SERVICE DISTRICT,
HARRISVILLE CITY, UTAH

TO THE COUNCIL OF HARRISVILLE CITY:

The undersigned real property owners respectfully petition and pray that the following described lands and territory in Weber County, Utah, be immediately annexed to Four Mile Special Service District, Harrisville City, to wit:

BOUNDARY DESCRIPTION

All of Lot 4 Jennings Subdivision - 1st Amendment, together with all of Warren's Subdivision, together with a part of the Northeast Quarter of Section 8, Township 6 North, Range 1 West Salt Lake Base & Meridian, U.S. Survey:

Beginning at a point 215.29 feet North 44°19'27" West and 170.26 feet South 88°57'31" East from the Center of Section 8; running thence North 14°31'51" East 193.69 feet to point on a non tangent arc; thence Northeasterly along the arc of a 55.00 foot radius curve to the right a distance of 54.91 feet (Central Angle equals 57°11'59" Long Chord bears North 34°26'16" East 52.66 feet) to a point along the extension of that certain boundary line agreement found at Entry No. 1769278; thence along the extension and said agreement North 16°19'23" West (Record South 16°21'56" West) 219.08 feet to the South Right of Way of Larsen Lane; thence along said Right of Way the following two (2) courses: North 60°37'30" East 309.37 feet, and 2) North 58°37'30" East 353.33 feet to the Jennings Subdivision - 1st Amendment; thence along said Subdivision South 0°46'41" West 169.21 feet to the Northwest corner of Lot 4 of said Subdivision; thence along said lot 4 the following seven (7) courses: 1) North 68°35'38" East 221.85 feet, 2) South 1°06'40" West 428.28 feet, 3) South 1°19'51" West 109.60 feet, 4) North 88°40'09" West 156.00 feet, 5) South 1°19'51" West 299.14 feet to the North Right of Way of 700 North street, 6) North 88°57'31" West along said Right of Way a distance of 43.01 feet, and 7) North 0°46'41" East 133.29 feet; thence North 88°57'31" West 577.45 feet to the Point of Beginning.

Contains 10.317 Acres more or less

In support of this petition, the petitioners respectfully declare and represent that they are a majority of the owners of the private real property located within the above-described territory and are the owners of not less than one-third (1/3) in value of all said territory as shown by the last assessment rolls of Weber County, State of Utah, and that the said territory lies contiguous to the corporate limits of Harrisville City, a municipal Corporation of Utah.

THE PETITIONER MUST SUBMIT A COPY OF THIS PETITION TO THE WEBER COUNTY CLERK THE SAME DAY IT IS FILED WITH HARRISVILLE CITY

The petitioners further file herewith the original mylar and three (3) counterparts of an accurate map or plat of the territory sought to be annexed which the petitioners have caused to be made by and under the supervision of _____, a competent surveyor and engineer licensed under the State of Utah. License number _____.

* Contact Sponsor:



Name

Paul Burns 1407 N. Mountain Rd Ogden UT 84404 (801) 710-2234

Address

Phone

*Sponsors:

Name Address Phone

*Other Petitioners:

Name Address Phone

***All signatures must be notarized.

State of Utah)

) SS

County of Weber)

On the 24 day of FEB, 2022, personally appeared before
me PATRICK BURNS

The signers of the foregoing instrument, who duly acknowledged to me that they executed the same.

Notary

Residing at: OGDEN, UT

Commission expires: 02/10/2026

