

**MINUTES OF HARRISVILLE CITY
CITY COUNCIL MEETING
September 14, 2021
363 West Independence Blvd
Harrisville, UT 84404**

Present: Mayor Michelle Tait, Council Member Wilhelmsen, 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 City Recorder, Justin Shinsel, Public Works, Mark Wilson, Police Chief.

Visitors: Arnold Tait, Deanna Aguilar, Carlos Aguilar, Marcie Jenkins, John Jenkins, Dave VanBeckum, Genneva Blanchard, Mark Hansen.

7:00 P.M. CITY COUNCIL MEETING

1. Call to Order.

Mayor Tait called the meeting to order and welcomed all visitors. Council Member Wilhelmsen and Council Member Loveland were excused.

2. Opening Ceremony.

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

3. CONSENT ITEMS

- a. Approve the minutes of August 10, 2021 as presented.

MOTION: Council Member Weiss motioned to approve the City Council Minutes from August 10, 2021. Council Member Jackson seconded the motion. All Council Members voted aye.

4. BUSINESS ITEMS

- a. **PUBLIC HEARING** – to take public comments for and against Harrisville Ordinance 529; an ordinance vacating an abandoned utility easement on Montgomery Farms Phase 2.

Bill Morris took a moment to explain to the council and those in attendance what this abandoned easement was for and where it was located within the Montgomery Farms subdivision. The easement runs through Lot 2-R within the subdivision. He explained that all the council would be approving is vacating this easement and moving it to the public utility easement.

MOTION: Council Member Christensen motioned to open the public hearing to take comments for or against Harrisville Ordinance 529; an ordinance vacating an abandoned utility easement on Montgomery Farms Phase 2. Council Member Jackson seconded the motion.

A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes
Motion passed 3-0.	

Marcie Jenkins asked for clarification on where the utility easement was and where the connections will be for the new subdivision. Justin stood and answered her questions. He explained that before the homes were built, hers to the south and those to the west, there was a power pole where the utility easement is. Deanna Aguilar stood and asked for clarification on where the subdivision was actually going to be since they were unclear of which open field it would be built onto. Carlos Aguilar asked where the plans were for him to review the proposed subdivision and about the fiber optic boxes. He was told by staff that a complete set of the drawings were in the Planning Commission Packet for September 8, 2021. He was concerned about the value of his own home that borders the new subdivision. Bill told him that was not something the city would know. Geneva Blanchard stepped up, by mayoral invitation, and helped to answer some other concerns for the homeowners about whether or not there was a single-family developments or high density. She explained the whole 19 lots would be single-family homes. Geneva was also asked about a fiber optics line bordering the southern end of the property by resident John Jenkins. Both Geneva and Justin had no idea where or what that line was for or why it was not on any of the surveys or title reports. They both agreed that once Blue Stakes was completed, they would tend to that matter. Geneva added that the whole of the subdivision has been completely surveyed. Mayor addressed the residents, along with Bill Morris, to stir the conversation back to the vacation of the utility easement since that is what the public comment was to be directed to. Mark Hansen stood to clarify that the meeting was to vacate the easement and reroute it onto the road way. Mayor and Bill agreed. If the residents wished for further comment, he said he would be more than happy to stay after and answer them.

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

- b. Discussion/possible action to adopt Harrisville Ordinance 529; an ordinance vacating Montgomery Farms Phase 2 Utility Easement. [Bill Morris]

There was no further discussion with the council members about this ordinance. Bill verified the easement location and that the final approval would happen next month.

MOTION: Council Member Weiss motioned to adopt Harrisville Ordinance 529; an ordinance vacating Montgomery Farms Phase 2 Utility Easement. Council Member Christensen seconded the motion.

A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes

Motion passed 3-0.

- c. Discussion/possible action to approve Harrisville Resolution 21-11; Public Works Vehicle Lease Agreement. [Justin Shinsel]

Justin explained that the council did approve the purchase of two new trucks in a prior meeting. The reason he was presenting this matter again is because the leasing company wished for a verbiage change with the lease of the trucks to be changed from Ford to Chevy since they are no longer able to obtain the Ford trucks currently approved due to the truck shortage. He further stated that the new lease, which is for two years and is a bit cheaper than the prior accepted, would have a buyout option at the end of the lease.

MOTION: Council Member Christensen motioned to approve Harrisville Resolution 21-11; Public Works Vehicle Lease Agreement. Council Member Jackson seconded the motion.

A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes

Motion passed 3-0.

d. Discussion/possible action to surplus Police Vehicles. [Chief Wilson]
Chief Wilson asked for permission to surplus the two F150s when the new Ford Explorers are delivered. Mayor asked when the Explorers can be expected. Chief explained that they should be built by the end of the month. Hoping October. Council Member Jackson asked who would determine fair market value.

MOTION: Council Member Weiss motioned to surplus Police Vehicles in accordance with the memo dated September 9, 2021. Council Member Christensen seconded the motion. All Council Members voted aye.

A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes

Motion passed 3-0.

e. Discussion/possible action to adopt Harrisville Ordinance 526; A-1 (Agricultural) Zone Amendments. [Bill Morris]
Bill explained the need for this verbiage change. Currently there is a need for veterinarian clinics. He is suggesting adding the verbiage to the ordinance to allow this use in the A-1 zone if the need in our city should arise.

MOTION: Council Member Christensen motioned to adopt Harrisville Ordinance 526; A-1 (Agricultural) Zone Amendments. Council Member Weiss seconded the motion.

A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes

Motion passed 3-0.

f. Discussion/possible action to adopt Harrisville Ordinance 527; Internal Accessory Dwelling Unit Regulations. [Bill Morris]
Bill explained that in the state legislature they adopted House Bill 86 that requires cities to allow Internal Accessory Dwelling Units (ADU) within a current dwelling to help alleviate the housing shortage. This is not for an accessory unit as an external unit or additional building on a property. In order for the city to regulate this state code we needed to adopt an ordinance to do so. He read through the ordinance to further clarify what the ordinance will include. An example he gave was converting an attached garage to a main dwelling into an ADU. This is allowed as long as the parking spaces lost by the conversion are reestablished. He further read through the ordinance to explain the individual line items within along with which city zones would allow the ADU. He finished with a business license is required for any ADU. Mayor asked for clarification by stating they couldn't rent out both top and bottom of their house. They would have to live in one or the other for the unit to be considered an ADU. Bill agreed. Council Member Christensen asked for clarification on Airbnb. Bill confirmed that this ordinance doesn't regulate that use.

MOTION: Council Member Jackson motioned to adopt Harrisville Ordinance 527; Internal Accessory Dwelling Unit Regulations. Council Member Christensen seconded the motion.

A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes

Motion passed 3-0.

- g.** Discussion/possible action to adopt Harrisville Resolution 21-12; Department Head Personnel Policy Amendments. [Bill Morris]

Bill explained that this came about after issues with department head matters this past year. The verbiage change is in regards to the severance package. A severance is there for the terminated employee to have time to find a new job. However, if there is cause then they would not be eligible for severance.

MOTION: Council Member Weiss motioned to adopt Harrisville Resolution 21-12; Department Head Personnel Policy 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

Motion passed 3-0.

5. PUBLIC COMMENTS - (3 minute maximum)

Dave Vanbeckum lives on the corner on 225 west. He had Glen come out to look at his driveway approach. The city already did an asphalt cut before his driveway approach to deal with a settling issue. He is concerned about the pitting on the cement in his approach and thinks his driveway situation is not normal compared to the others in his neighborhood. He is asking if it is possible for the city to replace his approach. He is asking since his driveway is the only one showing the signs of the pitting and wear. He feels it was due to his home being on the corner and a build-up of snow occurs every year along with standing water. Council asked if Justin was aware. Justin said he was aware of the situation and would have a further discussion with staff on how best to handle it.

6. MAYOR/COUNCIL FOLLOW-UP

Mayor mentioned the training for the League Conference on September 29-October 1. If any member of the council would like to attend to please tell Jennie as soon as possible for her to register them.

Council Member Christensen had a call complaining about the traffic at the soccer fields. The traffic is blocking driveways and mailboxes. Wanted to bring it up to see if there is something we can do about it. He wasn't aware of who was even using the field to cause the issue. Bill did mention that the AYSO is short on play fields due to COVID. Matter to be looked into by Bryan to see if AYSO is using the field and thus causing the issue.

Council Member Weiss asked if we could have the developer for the Ben Lomond development to come and explain why they are behind with starting the development. Bill explained there were complications with title and closing that arose. He also stated that he has been in contact

with the developer's lawyer discussing the issues. They are also looking for builders to complete each phase along with the materials to complete the development. Bill also explained there was also an issue with one of the members of their team trying to change the stipulations of the MDA. Council Member Weiss reiterated his desire to discuss why the delay.

7. **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 open the Closed Executive Session for the purpose of discussion of character, professional competence, or physical or mental health of individuals(s). Council Member Christensen seconded the motion.

A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes
Motion passed 3-0.	

Mayor and Council convened into a Closed Executive Session.

MOTION: Council Member Weiss motioned to close the Closed Executive Session for the purpose of discussion of character, professional competence, or physical or mental health of individuals(s). Council Member Christensen seconded the motion.

A Roll Call Vote was taken.

Council Member Jackson	Yes
Council Member Christensen	Yes
Council Member Weiss	Yes
Motion passed 3-0.	

8. ADJOURN

Mayor Tait declared the meeting adjourned at 8:20 p.m.

ATTEST:

MICHELLE TAIT
Mayor

CYNTHIA BENSON

Deputy City Recorder

Approved this 12th day of October, 2021