

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

Tuesday, February 8, 2011
7:00 p.m.
Council Chambers
363 West Independence Blvd.
Harrisville, Utah 84404

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

STAFF: Jennifer Morrell, City Recorder; Bill Morris, City Administrator;

VISITORS: Ruth Pearce, Jeff Pearce, Fred Oates, Gary Robinson, Robert Hales, Arnold Tait, Michelle Tait, Craig Butters, John Sherman, Calvin Pack, Kevin Butters, Mason Bateman, Nick Bell.

7:00 P.M. CITY COUNCIL MEETING

1. Mayor Richard Hendrix called the meeting to order and welcomed all visitors.
2. Mayor Hendrix led the Pledge of Allegiance and offered the opening ceremony.
3. **CONSENT ITEMS**
 - a. **Approve the minutes of January 25, 2011 as presented.**

MOTION: Council Member Richins moved to approve the minutes of January 25, 2011 as presented. Council Member Allen seconded the motion. All Council Members voted aye. Motion passed.

4. PUBLIC COMMENTS

Craig Butters, co-owner of SPS American Car Care in Harrisville, spoke to the Council about his concern with the new sign ordinance. He is concerned the new ordinance will require him to take down his existing signs and replace them with new ones. He brought attention to the requirements for awnings and said there were other businesses in the City that would be negatively impacted.

Mr. Butters also discussed his past efforts to secure approval for an electronic sign which he was turned down on. He said the setback and zoning requirements for an electronic sign in the new ordinance would make the future purchase of an electronic sign impossible. He pointed out that the restrictions on window signs and specialty signs would affect 100% of the businesses in the City and limit their ability to promote their business. He feels the new sign ordinance would cost him over \$100,000 to complete and asked the Council to table the ordinance and give it some reconsideration.

Kevin Butters, co-owner of SPS American Car Care in Harrisville, expressed concern with the overall face of the ordinance in reducing the economic viability of Harrisville businesses. He discussed the challenges of operating a business, specifically the fiscal issues businesses are facing. Mr. Butters pointed out that the ordinance does not grandfather existing signs and they will need to be adjusted or moved. He thinks this will cost businesses a lot of money and impose a heavy burden. He questioned the benefit to the City in creating this ordinance.

Jon Sherman, Manager of SPS American Car Care, said his main concern was with banner signs. He feels the changes to the ordinance will be a deficit to his business. He mentioned they have been working to make things look good out front and asked the Council to consider changing the ordinance.

5. BUSINESS ITEMS

a. Discussion and possible action on appointment of a new Council Member to fill an interim vacancy on the City Council.

Mayor Hendrix acknowledged the five individuals who have applied to fill the vacancy created when Council Member Fowers resigned. He asked each of them to take a few minutes and introduce themselves and share why they would like to fill the vacancy on the City Council.

Fred Oates. Mr. Oates said he has been a resident for 50 years. He has performed volunteer work with Community Action and is retired from UTA. He was the mayor of Harrisville City when there was no tax base and is concerned about tough economic times. He mentioned his connection with Rep. Wilcox who informs him of anything that comes down from the House of Representatives that would impact the city. Mr. Oates extended his appreciation to Council Members for the job they do and encouraged them to be open minded.

Gary Robinson. Mr. Robinson has lived in Harrisville for 33 years. He is a former Council Member and has a degree in planning, accounting, and business management. He has been an accountant for over 30 years for the same company and manages billions of dollars. He described the importance of checks and balances in society. He talked about helping his company through a bankruptcy and guiding them as they paid off creditors. He monitored expenses carefully when he was on the Council before and thinks there may be some hard financial times for the next 2-3 years. He doesn't believe in entitlements and thinks we need to treat tax payers the same way.

Jeff Pearce. Mr. Pearce has been the Planning Commission chair, serves on the Project Management Committee, the North View Fire Board, and has been to practically every City Council meeting in the past 6 years. He has been to all the available land use training in the past 5-6 years. He is on the CERT Council for the county and is a CERT trainer. Mr. Pearce said he was involved with rewriting city ordinances over the past 3 years and is familiar with all the different neighborhood areas and what is being built. He has run his own business for over 20 years which gives him the freedom to attend city business when needed. He is focused on ideas for increasing the tax base and decreasing costs and looking for ways to generate more tax revenue. He feels his attendance at all of the meetings over the past few years makes him the right individual.

Michelle Tait. Ms. Tait has lived in Harrisville for 17 years. She is interested in filling Darla's seat for the next year. As a former Council Member, she has worked with all the present Council Members and feels she can bring energy back to the Council. She has stayed in contact with the things that are going on in the city and put in a lot of volunteer time last year with Heritage Days and Little Miss. She loves the city and the community and would like to serve and give back to Harrisville.

Rob Hales. Mr. Hales noted he is the least experienced of the group but is here because he feels everyone needs to serve in their community. He moved to the old Shurtleff home 8 years ago and has grown to love Harrisville. He expressed his desire to serve and said he does not have an agenda. He is part owner of Lomond View Nursery and has experience running the business and making the necessary cuts to survive. He has experience making hard decisions.

Council Member Crowther asked if any of the candidates had read the new sign ordinance. Mr. Robinson discussed the changes to the sign ordinance 5 years ago and is wondering what has prompted the need to make additional changes. Mr. Pearce said he has read the ordinance and explained why they were making the change. Mr. Oates asked if there was a state law that prompted the change.

Council Member Crowther asked if any of the candidates has a desire to run in the next council election. Mr. Pearce said he was planning to run. Ms. Tait said she would need to wait and see. Mr. Hales said he would have to see how things went.

Council Members gave their recommendations and Mayor Hendrix gave the appointment to Michelle Tait. Mayor Hendrix expressed his appreciation for all those who applied and their willingness to serve.

MOTION: Council Member Allen motioned to approve the appointment of Michelle Tait to the City Council. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

b. Discussion and possible action on Ordinance No. 435, Sign Ordinance Amendment.

Mr. Morris explained this ordinance was drafted by Greg Montgomery with help from the Planning Commission. Mr. Montgomery was asked to rewrite the entire land use ordinance after the passage of SB60. The sign ordinance is the last ordinance that needs to be done.

One change has been made to the draft approved by the Planning Commission. It put oversight of the sign ordinance under the building official instead of public works. Because the building official has not had the opportunity to review this ordinance, Mr. Morris recommends tabling it. He will also meet with business owners to see what their concerns are and maybe make some changes. He said the goal was to make signs more attractive and welcome people to our businesses.

Council Member Allen asked who had reviewed the ordinance. Mr. Morris said the Planning Commission met once to review this and the Butters were at that meeting and raised their concerns. He said the Planning Commission had a public hearing but the Butters were not present. Council Member Allen feels the current signs at SPS American Car Care look fine.

Mr. Morris reiterated that the Planning Commission held a public meeting followed by a public hearing. The only change made by staff was changing the word "public works" to "building official". Mr. Morris explained that Ken Martin is the building official and signs the building permits approving the signs. Council Member Allen asked who would enforce this ordinance. Mr. Morris said the Police Department's code enforcement officer would enforce it. He reiterated the need for Mr. Martin to review the ordinance.

Council Member Richins asked about the additions and redactions. He feels it would be good to have Greg Montgomery come and give an overview of the revision. Mayor Hendrix said his recommendation is to table the ordinance. He said there are a number of things in the ordinance that have not been enforced in the past.

MOTION: Council Member Wilhelmsen motioned to table Ordinance No. 435 and authorize staff to make changes after reviewing the ordinance with the building official and business owners. Council Member Crowther seconded the motion. Council Member Richins had a question for Craig Butters regarding the awnings. Mr. Butters said the awnings are affixed to the wall of the building above the eaves or above the parapet wall. The new ordinance restricts signs from being taller than the parapet wall. He does not see the need for this. All Council Members voted aye. Motion passed.

6. PUBLIC COMMENTS

Calvin Pack, owner Pro-Tech Service in Harrisville, said he chose to move his business to Harrisville because the City was agreeable and willing to work with them. He commented on how nice it was to know, from Public Works to the Mayor, they are listened to which was another reason they chose to move to Harrisville. He said he does not understand the sign ordinance and would like to see staff members go out and get comments from business owners. Mr. Pack stated he will be in violation if this sign ordinance is passed. He also expressed concern for his neighbor whose sign sticks out 10 feet above his building as well as portable signs that need to be moved. Mr. Pack has been in Harrisville for 17 years. He hopes the City can work with business owners in the future and make the sign ordinance work for everybody.

7. MAYOR/COUNCIL FOLLOW UP

Mayor Hendrix reminded Council Members of the retreat which will be held February 25th in Marriott-Slaterville. Council Member Wilhelmsen asked if there were any comments for Heritage Days. He said they are looking for volunteers.

Mayor Hendrix also mentioned that the FEMA flood plain revision has come through and said the changes have removed the residents in question but they have added 4 additional homes into the flood plain. He said an elevation survey was done to make sure the FEMA data was correct.

8. ADJOURN

Mayor Hendrix moved to adjourn at 7:53 p.m.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

RICHARD HENDRIX
Mayor

ATTEST:

JENNIFER MORRELL
City Recorder

Approved this 8th day of March, 2011