

MINUTES
HARRISVILLE CITY COUNCIL WORK SESSION
October 29, 2024
363 West Independence Blvd
Harrisville, UT 84404

Minutes of a Harrisville City Council Work Session held on October 29th, 2024 at 6:00 P.M. in the Harrisville City Council Chambers, 363 West Independence Blvd., Harrisville, UT.

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

Excused: Bryan Fife, Parks and Recreation Director.

Staff: Jennie Knight, City Administrator, Brody Flint, City Attorney, Justin Shinsel, Public Works Director, Jack Fogal, City Recorder, Mark Wilson, Chief of Police, Sgt. Taylor.

Visitors: Arnold Tait, Scott Kirkland, Jason Harris.

1. Ben Lomond Views Subdivision Master Development Agreement Amendments

Jennie Knight provided an overview of the amendments for the Ben Lomond Subdivision Master Development Agreement. Most of the changes are related to bringing the MDA and exhibits together. There was language not backed up by exhibits in the previous agreement and these amendments fix those. The developer is requesting some flexibility such as removing timeline requirements, transfer between residential sections, and lot size and type. The MDA was originally adopted in 2021. Three phases have been given final approval. Those phases are Millennium Park, Phase 2A which is the spine road, and Phase 2D which is twin homes on the north east side. The developer would like flexibility moving the size and type of units. They want to change some of the duplexes to single family homes but keep the same footprint. Council Member Wilhelmsen inquired if that is what was shown at a previous meeting by Jason Harris. Jennie Knight explained it is similar but it was for a different development not this one. The developer is asking to change some of the townhomes from rear loaded homes with an alley front loaded without a rear alley. Council Member Jackson inquired how North View Fire feels about that change. Jennie Knight explained we are not eliminating access for the homes; they would all still have front access which can accommodate their vehicles. They would like flexibility to change the condos to townhomes. Their research shows it is a better product than condos. If the market shows it would be beneficial, they would like to move the commercial element from the center of the development to Highway 89 or 2000 North. Based on the entrance having a light on Highway 89 it would benefit to have commercial up front. They would like the timeline to be removed from the commercial element and let the market dictate when to build it. All of the timelines are out of compliance with the original MDA. The amendments remove the timelines. Staff also recommends reducing the size of the phases. Anything over 30 lots will be its own phase. Millennium Park improvements are almost completed. They have been working on them for several months. The original MDA called for the HOA to maintain the park. Both staff and the developer would like that amended so the city maintains the park after the developer finishes the improvements. Council Member Wilhelmsen inquired if the creek by the park was going to be enclosed or cleaned up. Justin Shinsel stated it is currently being cleaned and regraded. They are also adding a bridge to cross over the creek from the development to the park. Council Member Wilhelmsen inquired about the concern for kids at the park. Justin

Shinsel stated it is a concern for a few weeks out of the year when water runoff is high. Jason Harris with Fieldstone homes thanked Council for their time and inquired where Council would like to start. Mayor Tait inquired about concerns raised by the Planning Commission. Jason Harris stated there are four things outlined by Planning Commission that they agree with and four that they want Council to consider. Fieldstone Homes is ok with keeping the timely manner for the commercial element. It was recommended that the lots by Huntington Creek and Diana Road stay the same. It was recommended that everything south of the spine road stay the same and changes are made on the North portion of the development. We are not proposing to add units, the concept is that if something gets smaller then another element gets bigger. We want you consider the overall density. There are 15 lots affected by the floodplain. We would like to move the clubhouse to the floodplain area and relocate those 15 lots to another area. They would like some flexibility to make some changes like that so they can take advantage of the allowed 664 units. An item asked for that was not in the documents was a minimum lot size. The current agreement states minimum lot size is 4000 square feet. They would like the flexibility to do lots of 3000 square feet in the amended MDA. Council Member Wilhelmsen inquired on a 3000 square foot lot are the buildings side by side with little space. Jason Harris stated the amended agreement allows for a five-foot side yard setback per house making it 10 feet between houses. Council Member Jackson inquired about the size of the home on those lots. Jason Harris explained it would be similar to a townhome around 1400-1900 square feet. Council Member Wilhelmsen inquired about how many floors for those homes. Jason Harris stated typically 2 floors. Council Member Jackson inquired about the proposed 3 story homes, what would be the square footage of those homes. Jason Harris stated Fieldstones homes for a 3-floor townhome would be approximately 1900 sq ft. They would like some flexibility with those units. The current MDA calls for them to be three stories and Fieldstone thinks two stories may be better in some cases. As an example in the North East side of the project if you lowered the lot size of the duplexes it would increase the lot size of other homes or could be a pocket park. The MDA keeps the cap at 664 homes, just because lot sizes change does not increase the number of homes allowed. Council Member Wilhelmsen inquired will we have space for people to move around and have space for cars and family activities. Jason Harris explained their goal is to house families. If the development does not feel-good people will not live there. They want the project to function and be safe. Every phase will still go to the city to review before final approval. The Planning Commission gave a little flexibility but he is asking for more. He is asking to move the commercial elements to Highway 89 or 2000 N. A huge part of commercial success is visibility from where the traffic is. Planning Commission stated half could be moved where needed but wanted the other half kept in the town center. We are asking for the flexibility to put it on Highway 89 or the town center as best fit. Council Member Jackson inquired about access issues with UDOT. Jason Harris stated the only issue would be if more access was asked for. He does not believe they would get more access if requested. He believes commercial elements would benefit from being on the North side of the spine road on Highway 89. They want to get businesses in place and see where they thing they will be successful. Council Member Wilhelmsen inquired if some commercial elements move will their still be a town center area. Jason Harris stated some residential would be moved from Highway 89 to the town center area.

Council Member Fawcett arrived at 6:35 PM.

Jason Harris stated in section 2.8 of the MDA it talks about amenities. In the MDA there are some conceptual ideas. They intend to adhere to city standards. They want to change some items like a covering for the playground. There is something called a master development report. It describes how many lots have been used and tracks development in the project. He

wants to create a document that will serve the same purpose that does not need to wait for the plats. This will help staff keep track of what has been done and what needs to be done. He wants to make sure that at the end of the day staff has the authority to correct grammar changes and other small changes without having to be amended with Council again. The current MDA is 540 pages. A lot of it is the traffic studies, soil studies, etc. He is asking to remove some of those documents that are not needed for the MDA. Council Member Weiss inquired will you fulfill the required lots correctly if you are given flexibility. Jason Harris stated yes. Council Member Weiss clarified you are asking for freedom to make some changes to give a better product. Jason Harris stated yes.

**MINUTES
HARRISVILLE CITY COUNCIL
October 29, 2024
363 West Independence Blvd
Harrisville, UT 84404**

Minutes of a Harrisville City Council held on October 29th, 2024 at 7:00 P.M. in the Harrisville City Council Chambers, 363 West Independence Blvd., Harrisville, UT.

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

Excused:

Staff: Jennie Knight, City Administrator, Brody Flint, City Attorney, Justin Shinsel, Public Works Director, Jack Fogal, City Recorder, Bryan Fife, Parks and Recreation Director, Mark Wilson, Chief of Police, Sgt. Taylor, Officer Fowers, Officer Duffy.

Visitors: Arnold Tait, Scott Kirkland, Jason Harris, Glade McCombs, Todd Fowers, Brittany Fowers, Ava Fowers, Chris Cope, Chelsea Kauffman, Frances Hood, Steven Hood, Cecil Satterthwaite, Marcus Keller, Sam Elder.

1. Call to Order.

Mayor Tait called the meeting to order and welcomed all in attendance.

2. Opening Ceremony.

Council Member Fawcett opened with the Pledge of Allegiance.

3. Consent Items

a. Approval of Meeting Minutes for October 8th, 2024 as presented.

Motion: Council Member Jackson made a motion to approve the meeting minutes for October 8th, 2024 as presented, second by Council Member Wilhelmsen.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Yes
Council Member Christensen, Yes
Council Member Jackson, Yes

Council Member Fawcett, Yes

The motion passed unanimously

4. Oath Of Office

Jack Fogal administered the Oath of Office to Todd Fowers.

5. Business Items.

a. Public Hearing – to receive input from the public for and/or against Resolution 24-16; a resolution amending the FY 2025 budget.

Jennie Knight explained in August Council adopted an increase to our property tax rate. The increase from the tax rate was approximately \$47,800. Code enforcement under this proposal would be covered under the police salaries. Professional planner is a third-party planner, staff is proposing to increase the line-item budget. Council Member Fawcett inquired is it an officer doing code enforcement. Jennie Knight stated no it is a part time person who is not an officer. This budget amendment will also cover the cost of a new website.

Motion: Council Member Weiss made a motion to open the public hearing for Resolution 24-16; a resolution amending the FY 2025 budget, second by Council Member Wilhelmsen.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Yes
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously

There was no public comment given.

Motion: Council Member Jackson made a motion to close the public hearing for Resolution 24-16; a resolution amending the FY 2025 budget, second by Council Member Fawcett.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Yes
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously

b. Discussion/possible action to adopt Resolution 24-16; a resolution amending the FY 2025 budget.

Jennie Knight explained this is the time for any discussion or questions for this proposal. Staff is available to answer questions. Council Member Wilhelmsen inquired about the professional planner. Jennie Knight explained we have a contracted planner from a third party. Council Member Fawcett inquired about the benefit for increasing the budget for the planner. Jennie Knight stated it would allow our planner to attend more meetings and provide more information to developers, residents, and Council. Council Member Wilhelmsen inquired about the website line item. Jennie Knight explained it covers public relations, a new website for the City, Police, Public Works, and Parks and Recreation.

Motion: Council Member Christensen motioned to adopt Resolution 24-16; a resolution amending the FY 2025 budget, second by Council Member Weiss.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Yes
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.

c. Discussion/possible action to adopt Ordinance 559; an ordinance amending the General Plan Map and Official Zoning Map for certain Parcels on 750 West.

Jennie Knight explained this ordinance is based on an application filed with the city for a rezone at 2550 W. 750 N. There is a memo from the contracted planner including information about current zoning and zoning in the area. It will change from Agricultural A-1 to Commercial CP-2. Council Member Christensen inquired what "certain parcels" means. Jennie Knight clarified it means the parcels outlined in the ordinance. Council Member Christensen asked about access on the roads. Jennie Knight explained there would be two on 2550 W and one on 750 N, but that is more to do with a site plan and not the rezone. All uses would have to comply with CP-2 zoning in our current code. Council Member Christensen inquired if the entrance on 750 can be eliminated. Jennie Knight explained that would come with site plan approval, which would be done by Planning Commission.

Motion: Council Member Weiss motioned to adopt Ordinance 559; an ordinance amending the General Plan Map and Official Zoning Map for certain Parcels on 750 west, second by Council Member Wilhelmsen.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Yes
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.

d. Discussion/possible action to adopt Ordinance 560; an ordinance amending and restating the Master Development Agreement (MDA) for Ben Lomond Views Subdivision.

Council Member Christensen inquired about the 3000 sq ft lot sizes and if the lot sizes are reduced can more commercial be added. Jason Harris stated they would not be against it but do not know for sure yet where those changes would occur. Council Member Wilhelmsen stated he liked the presentation but has concerns due to the size of this project. Jason Harris stated it is a large project and when reading through the original MDA he had some concerns. He believes having some of that flexibility would help to ensure the success of the project. Council Member Wilhelmsen inquired about commercial elements on 2000 N. Jason Harris stated Highway 89 has 16000 trips a day. 2000 N. has 500 trips per day. The spine road will have less trips per day than 2000 N. based on projections. They want the flexibility to move the commercial elements to where it would be most successful. Council Member Wilhelmsen inquired why Planning Commission wanted to keep the housing elements the same on the southern part of the project. Jason Harris stated it was due there being pre-existing housing in that area and wanting to keep single family homes by those single family homes. The lender has done a great job of keeping the project going. These changes are necessary to make sure the project is economically relevant. Council Member Wilhelmsen inquired how will we know that the commercial elements will still be constructed if there is not a time frame. Jason Harris stated their concern with how it was written was it has to be built at this specific point not at the point when it makes sense. This has a five to six year buildout time frame. From a housing perspective there is a definite need. The biggest constraint is can people afford to move into the homes. There is excitement because there are a variety of product types. It gives some different cost points for people to purchase.

Motion: Council Member Weiss motioned to adopt Ordinance 560; an ordinance amending and restating the Master Development Agreement (MDA) for Ben Lomond Views Subdivision allowing the 3000 square foot lots, the language changes discussed be accepted, the redlines accepted cleaning up the MDA, giving flexibility with commercial and project as a whole to make it work, clubhouse can be moved to and other lots utilized, redlines be accepted to clean up current MDA, with a maximum density of 664 lots, and staff has the ability to make technical changes, second by Council Member Jackson.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Yes
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.

e. Discussion on governing documents for Ben Lomond Views Public Infrastructure District.

Marcus Keller explained his team and the Fieldstone team have been corresponding trying to make the PID as clear as possible for the presentation to Council. If the PID is approved on November 12th it would be set in stone and is final. Staff and his team have been working to make sure the proposed PID follows the MDA and what is outlined in it. A PID is used to fund

public infrastructure. It must be used on public infrastructure in the Ben Lomond District. They are asking to be able to levy five mills. That equates to half of one percent. On a \$500,000 primary residential unit with a \$275,000 taxable value would be approximately \$1375 a year or \$114 a month in additional property tax. This tax would not affect any current residents, it would only apply to new residents in the district. Putting an assigned amount that can be levied stops the amount from ever increasing. They are asking for authorization to bond for \$15,000,000. The city has no obligation to ever pay back these bonds. It can only be used on items that can be dedicated back to the city or public infrastructure. There is a lot of off-site infrastructure needed for this project and it can help the developer get the funding to complete the infrastructure. His team feels this project could benefit from a PID. Sam Elder with D.A. Davidson stated there would be some changes to the governing document like referencing the new MDA. If a PID gets created it would take roughly 90 days to get bonds. They would like to move quickly. Mayor Tait inquired would this PID be a line item on new resident's property tax. Sam Elder stated yes it would. Mayor Tait inquired how you notify buyers of the PID. Sam Elder explained it's in the title, on purchasing forms in different colors, and stated six to seven times in the purchasing paperwork. When you get 664 homes paying taxes it allows the mil levy to be lowered by refinancing and decreasing the mil levy.

f. Discussion/possible action to approve letter of support for Rural Communities Opportunity Grant Through Governor's Office of Economic Opportunities.

Jennie Knight explained this is related to grant money for the 750 N. municipal complex road. This is asking the grant board for additional funding for the road. Council Member Wilhelmsen inquired how much the grant is for. Jennie Knight explained it is for the max amount of \$600,000. Mayor Tait stated staff has been working on this for a year and this is the last step before submission.

Motion: Council Member Christensen motioned to approve letter of support for Rural Communities Opportunity Grant through Governor's Office of Economic Opportunities, second by Council Member Wilhelmsen.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Yes
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.


6. Public Comment

Mayor Tait opened the public comment period.

Steve Hood inquired if anyone lives on a 3000 sq ft lot or has a house less than 3000 sq ft.

Chris Cope stated \$500,000 is not affordable housing especially on a lot that is only slightly bigger than her house.

Mayor Tait closed the public comment period.



Jack Fogal
City Recorder
Approved this 12th day of November, 2024

7. Mayor/Council Follow-up

Chief Wilson explained there have been a few vehicle burglaries in the area. Sgt. Taylor has posted about how to prevent it and about winter snow parking ordinances. The department is preparing for Shop with a Hero. We are excited to have Officer Fowers start next month.

Justin Shinsel explained snow is starting to fall. They are prepping for snow season. The salt and sand storage will be completed at the new facility soon. They are working diligently to get the construction finalized. The move in date is anticipated to be in February. The quiet zone for the train tracks is almost completed. The infrastructure is in, they are just waiting on signs. Once completed they will get the Federal Railways Inspector to come out. Public Works has been helping with the rural community grant.

Bryan Fife explained the Fall Festival just wrapped up. It was a success. He was extremely happy with it. Santa at the Cabin is December 13. They will do a parade with Santa before he is at the cabin. They are winterizing the parks and restrooms.

Jennie Knight thanked all those that participated in the Fall Festival. The feedback from community was very positive. The City Christmas party will be Tuesday December 3rd. Staff is preparing the Giving Tree. It will go up at Walmart and city offices. They will be up around Thanksgiving.

Council Member Wiess stated he was with some kids at the Fall Festival and they had a blast. They were so excited for the fireworks. The parents said it was one of the best firework shows around and they will be back next year.

Mayor Tait thanked all who participated during the Fall Festival and made it a positive night.

8. Adjournment

Council Member Weiss motioned to adjourn the meeting, second by Council Member Fawcett.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Yes
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.

The meeting adjourned at 8:01 P.M.

ATTEST:




MICHELLE TAIT
Mayor