

**MINUTES OF HARRISVILLE CITY
CITY COUNCIL MEETING**
Tuesday, November 22, 2016 – 7:00 p.m.
Council Chambers
363 West Independence Blvd
Harrisville, Utah 84404

Present: Mayor Bruce Richins, Council Member Jeff Pearce, Council Member Gary Robinson, Council Member Jennifer Jensen, Council Member Ruth Pearce, Council Member Austin Tracy.

Staff: Bill Morris, City Administrator, Bryan Fife, Recreation Director, Jennie Knight, City Recorder.

Visitors: Nathan Averill.

7:00 P.M. CITY COUNCIL MEETING

1. Call to Order.

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

2. Opening Ceremony.

Mayor Richins led the pledge of allegiance and conducted the opening ceremony.

3. Consent Items.

- a. Approve the minutes of October 25, 2016 as presented.

MOTION: Council Member R. Pearce motioned to approve the minutes of October 25, 2016 as presented. Council Member Robinson seconded the motion. All Council Members voted aye. Motion passed.

4. Business Items.

- a. **Discussion/possible action to approve Harrisville Ordinance 483; Zoning Map Amendment.**

Bill Morris explained this zoning map amendment corrects a parcel (Dusenberry Auto) which is commercial zone. Somehow this was left off of the most recent map amendment. They are running a business from this location and therefore should be zoned commercial.

MOTION: Council Member J. Pearce motioned to approve Harrisville Ordinance 483; Zoning Map Amendment. Council Member R. Pearce seconded the motion. A Roll Call vote was taken.

Council Member Tracy	Yes
Council Member R. Pearce	Yes
Council Member Jensen	Yes
Council Member Robinson	Yes

Council Member J. Pearce Yes

Motion passed 5-0.

b. Discussion/possible action to approve Harrisville Ordinance 484; Land Use Deadlines.

Bill Morris explained this ordinance creates a deadline for the zoning application process. Without a deadline in place, developers can submit last minute plans requesting approval without the city engineer having reviewed them. This ordinance puts a 15 day deadline in place to eliminate this problem. He also pointed out some minor clerical errors that were corrected. Additionally, this ordinance eliminates the 25 day waiting period between Planning Commission and City Council, putting the 15 day requirement in place for both meetings.

Council Member Robinson requested additional language be added to explain the requirement. Bill Morris indicated he feels less is more so individuals do not get confused with too many dates. Mayor Richins pointed out Planning Commission recommended approval and this ordinance is basically to benefit the commission.

MOTION: Council Member R. Pearce motioned to approve Harrisville Ordinance 484; Lane Use Deadlines. Council Member Tracy seconded the motion. A Roll Call vote was taken.

Council Member Tracy	Yes
Council Member R. Pearce	Yes
Council Member Jensen	Yes
Council Member Robinson	No
Council Member J. Pearce	Yes

Motion passed 4-1.

c. Discussion/possible action to approve Harrisville Ordinance 485; Vacant Buildings and Nuisance Premises.

Bill Morris explained North Ogden recently passed a nuisance ordinance. Mayor Richins wanted to consider passing a similar ordinance for the blighted areas in our community. Mayor Richins explained there is currently something out dated in place but this ordinance is much more updated and has more enforcement options. Bill Morris informed Council he added the nuisance premises definition because there may not be buildings on lots that are blighted. Code enforcement is the regulating agency and we may not have the funds to enforce this all of the time. Bill Morris outlined the sections regarding the purpose, intent and definitions. He eliminated unused definitions. The notification period is standard, and maintenance and securing the premise is required. He followed the state code with respect to the cost recovery and the appeal procedures will follow our current appeal process.

This ordinance will replace the current Section 4.2 of the municipal code. Bill Morris explained that an attractive nuisance is something that attracts or entices people into an area that may be dangerous. Council Member Robinson asked what the notification

process is. Bill Morris said this is outlined in state code procedure for notification. Council Member Robinson asked if code enforcement has to send registered letters. Bill Morris said the state code outlines the specifics. Council Member Robinson asked if this should be included in this ordinance. Bill Morris explained if we refer to state code we eliminate the need to update all of our ordinances when the state code changes. We would be continually out of compliance if we include the code in each ordinance we pass. The most effective way is to refer to the applicable state code at the time of enforcement. Council Member Robinson said he would like to treat this as if he is reading it for the first time and expressed his opinion that state code is difficult to understand. Bill Morris again explained the process and what is done to reduce repetition. Council Member Robinson asked if cases are appealed to the court, what repercussions may be for those who initiate complaints. Bill Morris briefly explained the appeal process and indicated a party would be responsible for their own attorney fees and the city is covered under the insurance policy provided by Utah Local Governments Trust. Council Member Robinson asked if private citizens feel there is a nuisance on a city owned property what they can do about that. Bill Morris said if there is a nuisance on city property, a private citizen is welcome to file a claim against the city. They can even go to the property Ombudsman which enforces the same regulations. Council Member J. Pearce pointed out due notice must be given and time for correction first. Mayor Richins suggested residents check with neighbors to make sure needs are met and residents are in compliance.

MOTION: Council Member Jensen motioned to approve Harrisville Ordinance 485; Vacant Buildings and Nuisance Premises. Council Member R. Pearce seconded the motion. A Roll Call vote was taken.

Council Member Tracy	Yes
Council Member R. Pearce	Yes
Council Member Jensen	Yes
Council Member Robinson	Yes
Council Member J. Pearce	Yes

Motion passed 5-0.

d. Discussion/possible action to approve Harrisville Ordinance 486; Parking Amendments.

Bill Morris explained the police department would like more definitions on the vehicle parking policy. Equipment and other trailers on the street are not being considered as in violation. This update includes more specific information. Bill Morris said they are actively notifying residents through warning letters for the winter parking requirements. Council Member Robinson expressed his desire for the city to maintain snow removal from sidewalks and drive approaches throughout the city. Council Member R. Pearce pointed out this is the responsibility of property owners. Council Member Jensen said she agrees with the proposed changes in this ordinance.

MOTION: Council Member J. Pearce motioned to approve Harrisville Ordinance 486; Parking Amendments. Council Member Jensen seconded the motion. A Roll Call vote was taken.

Council Member Tracy	Yes
Council Member R. Pearce	Yes
Council Member Jensen	Yes
Council Member Robinson	No
Council Member J. Pearce	Yes

Motion passed. 4-1

e. Discussion/possible action to approve Harrisville Ordinance 487; an ordinance creating an Arts and Culture Council.

Bill Morris explained that the city would like to apply for a RAMP grant for community history which requires an Arts and Culture Council be in place. He will submit an application for a grant if Council approves this ordinance. Mayor Richins pointed out there are not a lot of arts and culture applications through RAMP. They are 90% park related applications. Council Member Jensen asked what the city will be applying for. Bill Morris said he will show a short presentation later on in the meeting to explain the proposed application. He also clarified this will not create more meetings for Council to attend. They will have short meetings when necessary in conjunction with regularly scheduled Council meetings.

MOTION: Council Member R. Pearce motioned to approve Harrisville Ordinance 487; and ordinance creating an Arts and Culture Council. Council Member Jensen seconded the motion. A Roll Call vote was taken.

Council Member Tracy	Yes
Council Member R. Pearce	Yes
Council Member Jensen	Yes
Council Member Robinson	Yes
Council Member J. Pearce	Yes

Motion passed 5-0

f. Discussion/possible action to approve Harrisville Ordinance 488; an ordinance creating a Community Reinvestment Agency.

Bill Morris explained this ordinance is similar to the previous ordinance in the sense that Council will serve as this agency as well. Growth within the city has brought changes where some areas need to be considered for community redevelopment. This was previously referred to as RDAs. He followed the state legislature requirements. With the Council designated as the agency, they hold the powers and are able to authorize community reinvestment development within the city boundaries. This also helps keep property taxes lower.

Bill Morris explained there is a potential community development area within the city that is somewhat blighted. Community reinvestment combines property tax from all participating properties for a period of 10-15 years by taxing entities forfeiting the taxable amount. Through the reinvestment of these funds infrastructure is installed. Once the 10-15 year period is up, the county redistributes the higher tax rates between all of the original taxing entities. Taxing entities give up the money for this time period knowing they will benefit once the area has been redeveloped at a higher tax rate. Council Member R. Pearce asked what happens if property owners do not want to sell. Bill Morris said typically parcels that are not willing to participate are left out, unless that area is needed for an infrastructure. In that case the city can use eminent domain to secure the property. Those types of situations would come through the Council at the proposed time. Bill Morris also clarified he would not recommend using eminent domain unless this benefits the entire public. Council Member Robinson asked if an example can be included in the ordinance. Bill Morris said he can include a paragraph about the purpose of the agency to clarify.

MOTION: Council Member J. Pearce motioned to approve Harrisville Ordinance 488; an ordinance creating a Community Reinvestment Agency. Council Member Jensen seconded the motion. A Roll Call vote was taken.

Council Member Tracy	Yes
Council Member R. Pearce	Yes
Council Member Jensen	Yes
Council Member Robinson	Yes
Council Member J. Pearce	Yes

Motion passed 5-0

g. Discussion/possible action to approve Harrisville Resolution 16-13; Holiday Leave Policy.

Bill Morris explained this resolution clarifies the holiday leave policy for city employees. He feels Harrisville City has great employees and this is a way to show respect through giving some benefits. The day after Thanksgiving is typically given to employees as an extra day off. This is always a Friday and a half day. The proposed policy change will include the Friday after Thanksgiving as part of the Thanksgiving holiday. Christmas Eve and New Year's Eve will still be considered "flex days". He suggested Council pass this additional half day as a good will towards city employees. Council Member Jensen initially interpreted this as only a half day, but later realized this is the regular Friday schedule for office hours. Bill Morris explained this will also help employees with planning travel arrangements every year. Council Member Robinson asked about the clause, "Any day designated by the Mayor", does this mean the city can designate a city holiday. He also asked if the city has to recognize state holidays. Bill Morris gave the example of when Mayor Leland Saunders (first Mayor of Harrisville) passed away and out of respect Mayor Richins closed the city office so employees could attend the funeral services.

Council Member Robinson asked about flex days. Bill Morris said the flex days are Christmas Eve and New Year's Eve. On flex days the Mayor along with Department Heads evaluate the work load to determine whether or not to close the office early. Council Member Robinson said he interprets flex days where employees work certain days and receive additional time off. Bill Morris clarified these are not interpreted this way; they are specified as Christmas Eve and New Year's Eve and if work load is light, office may close a few hours early. Council Member Jensen said she is in favor of keeping the flex days. Council Member J. Pearce pointed out this does not affect the overall budget. Council Member Robinson asked if allowing employees to have comp time is written in the policy. Bill Morris said he is unsure whether comp days are included in the policy. This resolution includes flex days and if approved will make this policy.

MOTION: Council Member Jensen motioned to approve Harrisville Resolution 16-13; Holiday Leave Policy. Council Member Tracy seconded the motion. A Roll Call vote was taken.

Council Member Tracy	Yes
Council Member R. Pearce	Yes
Council Member Jensen	Yes
Council Member Robinson	No
Council Member J. Pearce	Yes

Motion passed 4-1

h. Discussion/possible action to approve the notice for full-time hire entry level Land Use & Development Coordinator.

Bill Morris explained this advertisement will be used to fill the position when Shanna Edwards retires. Mayor and Council gave discussion about specific jobs duties included in the notice. The total wage will be \$24,960 + benefits. Mayor Richins pointed out there is flexibility with the wage. Council Member Robinson asked if this position includes a wage scale. Bill Morris explained the wage scale is already in the policy manual; there is a whole series for that. He clarified the position does not require a degree or have any prior city planning experience. Mayor Richins asked to double check the OSHA weight requirement listed as 50 pounds and also a clause about the wage being negotiable. Bill Morris suggested leaving the wage as the hiring rate but consider an increase after a probation period has been met. Council Member Robinson asked if city employees are "at will". Bill Morris explained "at will" employees.

MOTION: Council Member R. Pearce motioned to approve the notice for full-time hire entry level Land Use & Development Coordinator. Council Member Jensen seconded the motion. All Council Members voted aye. Motion passed.

Mayor Richins explained the office rotation. Jennie Knight gave a brief explanation on what job duties have been realigned.

i. Discussion/possible action to approve a Severance Agreement.

Bill Morris explained that staff contacted URS and the city is allowed to buy out the last 5 years as a severance package for retiring employees. He is proposing this as severance package in addition to cashing out vacation and a percentage of sick leave. Mayor Richins pointed out this retirement was not anticipated during the budget discussion so we will address this during the end of the budget amendments. Council Member Robinson asked if the city has a policy on severance packages. Bill Morris explained that Shanna Edwards has worked many years at a lower than average wage. Mayor Richins said this is done on a case by case basis. Council Member Robinson suggested including a policy in the manual. Council Member Jensen agreed there should be something in the policy based on health and longevity of the employee. Bill Morris said this might already be included, he does not know the specifics.

MOTION: Council Member Jensen motioned to approve the severance agreement, including cashing out vacation and a portion of sick leave. Council Member R. Pearce seconded the motion. All Council Members voted aye. Motion passed.

j. City History Discussion

Bill Morris gave a short presentation on the value of continuing city history. He said Weber State University has a program to scan and upload city history to the Stewart Library, including oral histories of residents over 80 years old. He suggested we apply for a RAMP grant including a city match to have 55 years worth of history digitized on the Weber State University library. Shanna Edwards is also going to include the digital museum because the city website cannot handle these large files. We would be the first city to have a virtual museum. Council Member Robinson asked if there is a way to include their hand writing. Bill Morris said he can check into that option.

k. Discussion/possible action to approve staff coordinated effort for City Community Events.

Bill Morris passed out the salary study which includes a break out for comparable parks and recreation personnel and special events coordinators. Bryan Fife compiled this study by researching comparable cities with similar population. Bill Morris pointed out that Bryan Fife's current salary is under average. Santaquin city is doing this same coordinating effort. He encouraged Council to review the study which shows where the parks and recreation salary should be and this proposal would add the community events element. Council can review this item during the next meeting. This would actually be more of an increase than originally proposed.

5. Public Comments - (3 minute maximum)

Nathan Averill, 1292 Georgia Ave, asked about the parking ordinance and whether temporary living is allowed in a trailer on the street. He has a neighbor whose family stays in their RV on the street and questioned whether they are in compliance. Bill Morris said that becomes a health department issue because the city ordinance requires trailers used as living quarters to be connected to a public sewer. This would not be in compliance with the municipal code.

6. Mayor/Council Follow-up:

Council Member Jensen said she distributed booklets to the schools for the ULCT essay contest. The ULCT invites the student winners to participate in front of an audience to award them with a cash prize. The school also receives a cash award.

Bill Morris explained the RAMP grant application for Millennial Park has been submitted. If awarded, this will be received in March. The committee will do a walk through sometime after the first of the year. He thinks this project is a good candidate. Bill Morris also said the RAMP committee likes advertisement. Bryan Fife will have a sign made up in advance advertising funding in part provided by RAMP. Mayor Richins pointed out this will open up the park. Bill Morris explained the plan includes 73 stalls for parking on the south side of 2000 North. He recommended Bryan Fife prepare a schedule of the activity at the park.

Council Member Robinson asked if the parking will be out of the capital projects fund and whether they have included contingency in the budget to address maintenance. Bill Morris said there is a contingency for overage but not a maintenance schedule so residents know how much the project will cost. Council Member Robinson said this should be included in the proposed cost of the project. Bill Morris said this is already being done because any excess budgetary funds are put into the capital facilities fund but things are not ear marked.

Mayor and Council gave a brief discussion on the 2550 North sidewalk. Local residents are asking questions on how this project is being run by Pleasant View and how this will affect them. Construction should commence soon.

Council Member Robinson asked if anyone has been approached about a Ben Lomond Cemetery district. Mayor and Council have not been approached.

7. Adjourn.

Mayor Richins declared the meeting adjourned at 8:53p.m.

ATTEST:

BRUCE RICHINS
Mayor

JENNIE KNIGHT

City Recorder

Approved this 13th day of December, 2016