



HARRISVILLE CITY

363 West Independence • Harrisville, Utah 84404 • (801) 782-4100

CITY COUNCIL AGENDA

363 West Independence Blvd

November 9, 2021

Join Zoom Meeting

<https://us02web.zoom.us/j/82781649892?pwd=QjBVTfZeko4TGV0QlphL2VUNGcvdz09>

Meeting ID: 827 8164 9892

Passcode: 902830

"In accordance with the Americans with Disabilities Act, the City of Harrisville will make reasonable accommodations for participation in the meeting. Request for assistance can be made by contacting the City Recorder at 801-782-4100, providing at least three working days advance notice of the meeting."

MAYOR:

Michelle Tait

COUNCIL MEMBERS:

Grover Wilhelmsen

Steve Weiss

Blair Christensen

Max Jackson

Kenny Loveland

7:00 P.M. CITY COUNCIL MEETING

Presiding: Mayor Michelle Tait

Mayor Pro Tem: Steve Weiss

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE & OPENING CEREMONY [Council Member Wilhelmsen]
3. CONSENT ITEMS
 - a. Approve the minutes of October 12, 2021 as presented.
4. BUSINESS ITEMS
 - a. Discussion/possible action to adopt Harrisville Resolution 21-15; a Resolution appreciating Harrisville Teachers in the month of May. [Weber State Student Liesa-Mari Rodriguez]
 - b. Discussion/possible action to approve the purchase of a Speed Trailer. [Justin Shinsel]
 - c. Discussion/possible action to adopt Harrisville Resolution 21-14; a Resolution amending Harrisville Policies and Procedures to add Public Works On-Call Policy. [Justin Shinsel]
 - d. Storm Water Pollution Prevention Plan Update. [Justin Shinsel]
 - e. Wage Study Discussion. [Jennie Knight]
5. PUBLIC COMMENTS - (3 minute maximum)
6. MAYOR/COUNCIL FOLLOW-UP
7. ADJOURN

DATE POSTED: November 4, 2021

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 MINUTES**

October 12, 2021
363 West Independence Blvd
Harrisville, UT 84404

Present: Mayor Michelle Tait, Council Member Grover Wilhelmsen, Council Member Steve Weiss, Council Member Max Jackson, Council Member Kenny Loveland. (Council Member Blair Christensen was excused)

Staff: Bill Morris, City Administrator, Cynthia Benson, Deputy City Recorder, Justin Shinsel, Public Works, Mark Wilson, Police Chief, Matt Robertson, City Engineer.

Visitors: Arnold Tait, David Schad, John Hansen, Marc J. Hansen, Geneva Blanchard, Hafid Herrera, Annette Loveland, Mike Dalpiaz, Shanna Edwards, Lynn Edwards.

7:00 P.M. CITY COUNCIL MEETING

1. Call to Order.

Mayor Tait called the meeting to order and welcomed all visitors. Excused Jennie Knight for medical reasons. Excused Council Member Blair Christensen.

2. Opening Ceremony.

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

3. Oath of Office.

Oath of Office was administered to Tyler Vincent, Harrisville Police Department, by Jackie VanMeeteren.

4. Consent Items.

- a. Approve the minutes of September 14, 2021 as presented.

MOTION: Council Member Weiss motioned to approve the minutes of September 14, 2021 as presented. Council Member Jackson seconded the motion. All Council Members voted aye. Motion passed.

5. Business Items.

- a. **Discussion/possible action to adopt Harrisville Resolution 21-13; a resolution amending an Interlocal Agreement with North Ogden City relating to sewer services by adding Montgomery Farms Subdivision.**

Bill Morris explained preliminary approval of this subdivision required an agreement to provide sewer service to several homes in the North Ogden phase of this subdivision.

He outlined the highlighted parcels and further explained North Ogden will be servicing the entire sewer line and therefore will collect the sewer utility fees on these homes. Mayor Tait clarified this is an amendment to an existing interlocal agreement. Bill Morris confirmed this agreement has already been in place with Hidden Willows West and will now include the additional eight (8) lots in Montgomery Farms.

MOTION: Council Member Jackson motioned adopt Harrisville Resolution 21-13; a resolution amending an Interlocal Agreement with North Ogden City relating to sewer services by adding Montgomery Farms Subdivision. Council Member Loveland seconded the motion.

A Roll Call Vote was taken.

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

Motion passed 4-0.

b. Discussion/possible action to grant Final Approval for Montgomery Farms Phase 2; a 19- lot subdivision located at approximately 100 West 2200 North.

Bill Morris reviewed City Engineer's memo dated October 7, 2021; which include obtaining final approval of the plat and survey monuments from Weber County, complete a Storm Water Pollution Prevention Plan, file a NIO, prepare an engineer's estimate for the cost of the public improvements, final set of plans will be stamped, and a pre-construction meeting will be required.

MOTION: Council Member Loveland motioned to grant Final Approval for Montgomery Farms Phase 2; a 19- lot subdivision located at approximately 100 West 2200 North subject to the staff memo of October 5, 2021 and the engineer's memo of October 7, 2021. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

c. Discussion/possible action to grant Final Approval for Ashlar Cove Subdivision; a 23-lot subdivision located at approximately 375 West 1125 North.

Bill Morris reviewed the City Engineer's Memo dated October 7, 2021. He reviewed state requirements when developments impact water rights and associated ditch use with subdivisions. When there are a lot of ditch users, it is impractical to receive permission from all users on ditch agreements. The developer is proposing to relocate the ditch onto the ditch user's property but if they are unable to obtain permission, this will be piped with a fenced trail. The subdivision agreement needs to also include annexation into the Four-Mile Special Service District. Council Member Jackson recognized ditch user Mike Dalpias and asked if the understanding of the ditch use is

clear. Mike Dalpiaz said he met with the developer and understands the proposal and requested that ditch users received the allotment of irrigation and the scheduled times they are currently receiving. He also realizes if the ditch is moved it will no longer be in the subdivision. Bill Morris explained if the ditch requires any maintenance, the ditch users will be responsible for repairs and damage to the pipes. Council Member Loveland asked for clarification on the elevation of the pipe at the connection from Knight Lane (375 West). Justin Shinsel explained the main concern is access to the ditch by the ditch users at the appropriate time. Jeremy Draper with Reeve's and Associates explained the Shurtliff ditch is currently too high for the roadway section and will have to be siphoned to get the flow through the pipe under the roadway. There will be a box for users to access and a drain value to remove water after the watering season. Bill Morris expressed his concern with siphons and explained he has had them fail in other cities but there will be a one-year warranty period on the subdivision.

MOTION: Council Member Loveland motioned to grant Final Approval for Ashlar Cove Subdivision; a 23-lot subdivision located at approximately 375 West 1125 North subject to the Staff Memo of October 5, 2021 and the Engineer's Memo of October 7, 2021. Council Member Jackson seconded the motion. All Council Members voted aye. Motion passed.

d. Discussion/possible action to grant Final Acceptance for Sunset View Estates.

Justin Shinsel explained he made contact with the developer on this subdivision and went over the remaining punch list items. The developer has since corrected the outstanding issues and with this completion, final acceptance can be granted and any remaining escrow be released.

MOTION: Council Member Weiss motioned to grant Final Acceptance for Sunset View Estates. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

e. Discussion/possible action to approve purchase of FORMAX Shredder for Harrisville City Hall.

Cynthia Benson explained there has been issue recently with the current shredding service. They are not fulfilling their pickup requirement and are coming outside of office hours. Rather than continue with onsite shredding services, staff is requesting to purchase a shredder. Les Olson provided a quote for two FORMAX shredders. Additional quotes were not collected.

MOTION: Council Member Jackson motioned to approve purchase of FORMAX Shredder for Harrisville City Hall with the purchase being made under discretion of staff. Council Member Loveland seconded the motion. All Council Members voted aye. Motion passed.

f. Surplus of Speed Trailer.

Chief Wilson explained the issues that have come about with the current speed trailer. It has often had difficulty working properly and has undergone several repairs. Justin Shinsel is looking to purchase a new trailer that will have the capability to conduct traffic surveys as well as other functions.

MOTION: Council Member Weiss motioned to approve surplus of speed trailer. Council Member Loveland seconded the motion.

A Roll Call Vote was taken.

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

Motion passed 4-0.

g. Fall Festival Follow-Up

Cynthia Benson explained the schedule of events and plans for the Fall Festival. She discussed the details of the food, events and other items associated along with answering any questions the council had regarding the event.

6. Public Comments - (3 minute maximum)

Shanna Edwards asked for clarification on the Ashlar Cove Subdivision regarding the fence and maintenance of the proposed trail. Justin Shinsel clarified the easement would be owned by the property owners but fenced on the north side. The city will maintain the asphalt trail and spray for weeds. She asked who would maintain the fence. Justin Shinsel said this will likely be a three rung fence which would be maintained by the property owners.

Shanna Edwards expressed her concern over the ordinance violations on North Harrisville Roads. She said this is a unique road that does not have CC&Rs to protect the properties and therefore they depend on the city's code. She asked if an administrative letter could be sent regarding these violations. She said she has sent letters outlining these violations in the past.

Bill Morris explained the significant staff shortage that has been taking place recently, which has caused the lapse in response. Chief Wilson explained he has had officers working code enforcement when time has allowed but the department is currently short two officers.

Mayor Tait explained the city has faced some unprecedented changes over the last eighteen months, which have included some legal challenges. She is equally concerned about the integrity of the city but has had to value public safety above public nuisance matters for some time. She intends to address these issues in future and asked for the patience of residents while we find solutions to many of these difficult issues. She expressed her appreciation for the input from residents to keep Council informed of what is occurring throughout the city.

Annette Loveland expressed her concern with the code violations that exist in her area. She said she appreciated being informed of the issues the city is facing. She expressed her appreciation for the Council and all they are doing despite the hardships the city is facing. She further explained this is not a neighbor-to-neighbor dispute but there are code violations that exist that need to be addressed.

Council Member Weiss asked residents to continue open communication with Council regarding code enforcement issues to maintain a paper trail. He expressed his desire to address these issues as soon as possible.

Mayor Tait explained she is often asked to turn a blind eye on certain code violations because they may not be deemed as egregious as other violations. She expressed her commitment to address all violations equally and stated she will not tolerate any favoritism.

7. Mayor/Council Follow-Up.

Council Member Wilhelmsen mentioned the flyer for the Fall Festival is a great way for them to meet the candidates.

Council Member Weiss thanked everyone for coming to the employee luncheon that was held on September 24, 2021.

Council Member Jackson thanked Justin Shinsel for allowing Council Member Loveland and himself to test out some equipment.

Mayor Tait mentioned the need for volunteers for the Take Back Meds Campaign event to be held on October 23rd at Walmart. She also mentioned that a decision was reached regarding the Ogden-Weber 50th Anniversary Scholarship Program. The scholarship will be awarded to Jillian Burrup at the Fall Festival.

Bill Morris explained with the staff shortage, Chad Holbrook offered to help out in the offices.

Mayor Tait said Ben Lomond View Developer, Doug Palermo, is looking to setup a presentation regarding the development to answer questions. This will be scheduled in the near future.

8. Adjourn.

MOTION: Council Member Weiss motioned to adjourn the meeting at 8:06p.m. Council Member Wilhelmsen seconded the motioned. All Council Members voted aye. Motion passed.

ATTEST:

MICHELLE TAIT
Mayor

JENNIE KNIGHT

City Recorder

Approved this 9th day of November, 2021

DRAFT

Memo to Mayor and City Council Members

Liesa-Mari Rodriguez
940 N. Marshal Lane
Harrisville UT, 84404

11/02/2021

The Honorable Major Tait
Mayor of the City of Harrisville
363 Independence Blvd
Ogden, UT 84404

Re: Requesting for the Resolution to adopt the Month of May to be dedicated to Teacher Appreciation

Dear Mayor and City Council members,

I am respectfully requesting your consideration to proclaim May to be *Teachers' Appreciation Month*. Teachers are a value to our community here in Harrisville and with these unprecedented times of going back to in person learning while still accommodating the virtual world we have now become more accustomed with, they deserve the utmost support from our community. In the last year and half, teachers have gone beyond to make sure our children can continue forth with their education despite some challenges that have arisen in this transition. Additionally, teachers have continued to find ways to encourage students who may be struggling with learning from home in addition; to doing their best to answer all parental questions regarding their child's online learning process.

Now, aside from the technological world we have adopted recently, teachers have taken on the additional roles such as the counselor, surrogate parent, inspirer, and even the salesperson. Personally, the salesperson role is truly an important role especially in middle school and high school, since now teachers are inspiring students to want to become more like educators, researchers, inventors, etc., by the course curriculum they teach and the passion they bring to their jobs. Teachers are continuously selling the idea of learning to their students every time they stand in front of their class and this idea allows for students to one day flourish in the world. Therefore, by having an appreciation month dedicated to teachers that is celebrated in the community will show just how grateful we are for them. The hope for this celebration is to lead to more donations given to teachers, more community support, and hopefully one day an increase in pay. Furthermore, having the appreciation month in May allows the community to give one big "Thank You" for educating our children throughout the year and preparing them for their future education. Even though Harrisville is small, a big impact can be made which is why we should celebrate our teachers who work in the elementary and middle school since they make a huge impact on our lives and our children's.

Respectfully,

Liesa-Mari Rodriguez

**HARRISVILLE CITY
RESOLUTION 21-15
A RESOLUTION CELEBRATING THE APPRECIATION OF HARRISVILLE CITY
TEACHERS IN THE MONTH OF MAY.**

WHEREAS, teachers frame children through both guidance and education;

WHEREAS, teachers work vigorously to open the minds of children to vast knowledge, ideas, and aspirations;

WHEREAS, teachers encounter students from a diverse set of backgrounds, ethnicities, religions, economic statuses while working altruistically to provide a safe environment;

WHEREAS, teachers are more than educators for they take on the roles as listeners, mentors, and motivators;

WHEREAS, teachers prepare our future leaders, employers, mentors, and parents, etc.;

WHEREAS, teachers impart students with the skills needed to thrive in adult life;

WHEREAS, we support appropriate compensation for our teachers;

WHEREAS, teachers have adapted to unprecedented challenges to provide instruction while keeping students on the path to success;

WHEREAS, teachers spend hours and resources both inside and outside the classroom preparing lessons, evaluating progress, coaching students, and even performing service to our community here in Harrisville;

NOW, THEREFORE, be it resolved that the Harrisville City Council proclaims May to be TEACHER APPRECIATION MONTH; and

BE IT FURTHER RESOLVED that the Harrisville City Council strongly encourages all members of our community to join in personally expressing appreciation to our teachers both in the elementary and junior high for their dedication and devotion to their work.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 2021.

MICHELLE TAIT,

Mayor

ATTEST:

JENNIE KNIGHT, City Recorder

Roll Call Vote Tally:

Council Member Wilhelmsen	Yes	No
Council Member Weiss	Yes	No
Council Member Christensen	Yes	No
Council Member Jackson	Yes	No
Council Member Loveland	Yes	No



CITY *of* HARRISVILLE

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Mayor and Council,

Memo to procure a new speed sign, message board, and traffic study equipment. Attached are photos and a quote that falls under the state purchasing agreement so 3 bids will not be necessary at this time. This Equipment will better service the residents with Information and will help with public safety. Any further questions or concerns please reach out

Justin Shinsel

8016033220



Traffic Logix Corporation
 3 Harriett Lane
 Spring Valley, NY 10977 USA
Tel: (866) 915-6449
Fax: (844) 405-6449
www.trafficlogix.com

Quote Number QUO-18674-JOZOW6
 Created Date 10/19/2021
 Expiration Date 12/22/2021
 Prepared by Nate Hill

QUOTATION

Contact: Glenn Gammell
 Phone: (801) 430-3505
 Email: ggammell@cityofharrisville.com

City of Harrisville, UT
 363 W Independence Blvd
 Harrisville, Utah 84404
 United States

Shipping Address:
 363 W Independence Blvd
 Harrisville, Utah 84404
 United States

Standard Features (Included) – SafePace VMS30

- The **SafePace VMS30** comes with 1 year of unlimited cloud access. At the end of this 12 month period the customer has the option to renew the cloud at a cost of \$500 per sign
- Sign powers down when no traffic present
- Programmable Speed Violator Flashing Strobe Light
- Ambient Light Sensor and Automatic Brightness adjustment

Special Notes

Sourcewell ID #93410

Sourcewell Contract #070821-LGX

Quote Line Items – All Prices shown are in \$USD

Product	Product Code	Quantity	Sales Price	Total Price
Cloud Fee - VMS - 60mo	Cloud Fee - VMS - 60mo	1.00000	\$2,500.00	\$2,500.00
VMS with Trailer - Solar powered - Includes 1 year of Cloud	VMS-TRAILER-SOL	1.00000	\$12,898.00	\$12,500.00

Totals

Subtotal	\$15,000.00
Freight	Included
Sales Tax (if applicable)	\$1,087.43
Grand Total	\$15,000.00



Traffic Logix Corporation
3 Harriett Lane
Spring Valley, NY 10977 USA
Tel: (866) 915-6449
Fax: (844) 405-6449
www.trafficlogix.com

Quote Number QUO-18674-JOZOW6
Created Date 10/19/2021
Expiration Date 12/22/2021
Prepared by Nate Hill

Terms: 1% - 10 Days - Net 30 We also accept: MC - VISA - AMEX
IF TAX EXEMPT: Please Provide Tax Exempt Certificate with Order

Delivery Requirements

Please Indicate the availability of the following as this determines the freight costs:

1. Do You have a Loading Dock? - Yes/No
2. Do you have a Fork Lift and Pallet Jack to unload? - Yes/No
3. Can access be gained by a 53 foot truck for delivery? - Yes/No
4. Is the delivery address a Construction site? - Yes/No
5. Is the delivery address a Military site? - Yes/No
6. If shipping to Military site, is a U.S. Driver required? - Yes/No

Quote Acceptance Information

Signature _____
Name _____
Title _____
Date _____

Thank you for choosing Traffic Logix. Please sign and return to:

nhill@trafficlogix.com
Nate Hill
Sales

Please complete to set up new account: <https://trafficlogix.com/business-application-form/>





CITY *of* HARRISVILLE

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Mayor and Council,

I am proposing a change to the employee Personnel Policy in regards to On Call for the public works. I find it necessary at this time that we implement a rotating full time on call schedule to better provide service to the residents the details are lined out in the resolution if you have any further questions or recommendation's feel free to let me know.

Justin Shinsel

8016033220

**HARRISVILLE CITY
RESOLUTION 21-14**

POLICY AND PROCEDURES UPDATES

**A RESOLUTION OF HARRISVILLE CITY, UTAH, ADOPTING SECTION C-24 TO ADD
PUBLIC WORKS ON-CALL POLICY; AND PROVIDING AN EFFECTIVE DATE.**

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

WHEREAS, the City Council is authorized to adopt personnel policies and procedures for the effective and efficient administration of municipal government;

WHEREAS, the City Council adopted its current *Personnel Policies and Procedures Manual* on April 28, 2009, and has made various amendments to the same;

WHEREAS, the City is of sufficient size to necessitate a twenty-four (24) hour response to emergencies and/or utility or weather-related problems;

NOW, THEREFORE, be it resolved by the City Council of Harrisville City, Utah, that the Policies and Procedures Manual sections C-24 is hereby adopted to read as follows:

C-24 Public Works Department On-call Policy

C-24-1 Responsibilities of On-Call Employees

1. A City vehicle will be provided when a public works department employee is on-call, and employee is authorized to park said City vehicle at their place of residence to increase response time. The on-call employee may only use the City vehicle when responding to calls and conducting the business of the City. Persons other than City employees may not accompany employees in City vehicles, except when authorized by the Department Head or City Administrator.
2. After-hours calls will be initially directed to an “On-call” number from the main City phone line.
3. The on-call employee will respond appropriately, within thirty (30) minutes to any situation the employee is called out on.

C-24-2 Policies relating to On-Call Employees

1. An employee will be on-call from 8:00 a.m. on Wednesday until 7:59 a.m. the following Wednesday. This constitutes a one (1) week period of being on-call.
2. Trading of on-call responsibilities with other employees may be allowed upon approval of the Department Head.

C-24-3 Compensation for On-Call Employees

1. Employees will be compensated for being on-call at the following rates:
 - a. Weekday rate of one (1) hour of regular pay for every twelve (12) hours of on-call status.
 - b. Weekends and/or Holiday rate of two (2) hours of regular pay for every twelve (12) hours of on-call status.
2. An employee activated while on-call shall be paid at a rate of one (1) hour of regular pay for any required response, even if the response is less than one (1) hour to complete. Each subsequent hour an employee is activated for a required response said employee shall be paid their regular rate, plus any overtime that may be required.

Effective Date. This Resolution shall be effective immediately upon passage and adoption.

PASSED AND ADOPTED this ____ day of _____, 2021.

HARRISVILLE CITY:

City Council
Roll Call Vote Tally: Yes No

MICHELLE TAIT, Mayor

ATTEST:

Mr. Wilhelmsen	___	___
Mr. Weiss	___	___
Mr. Christensen	___	___
Mr. Jackson	___	___
Mr. Loveland	___	___

JENNIE KNIGHT, City Recorder



CITY *of* HARRISVILLE

363 West Independence Blvd · Harrisville, Utah 84404 · (801) 782-4100 · Fax (801) 782-1600

Mayor and Council,

Memo:

Due to State Storm Water Regulations any new development that is privately owned and maintained needs to have a long-term storm water management agreement with owners and needs to be kept on file through the city. Attached is a copy of the agreement and terms.

Justin Shinsel

8016033220

When recorded, mail to:

Harrisville City Recorder
363 West Independence BLVD
Harrisville Ut, 84404

Affects Parcel No(s): _____

Long Term Stormwater Management Agreement

THIS LONG TERM STORMWATER MANAGEMENT AGREEMENT (this “*Agreement*”) is made and entered into effective _____, 20_____, by and

between **Harrisville City**, a Utah municipal corporation (the “*City*”), and

_____, a _____
_____(the “*Owner*”).

RECITALS:

A. The City is authorized and required to regulate and control the disposition of storm and surface waters within the City, as set forth in the City's Code of Ordinances, including Title 17 of that code (the “*Ordinance*”), adopted pursuant to the Utah Water Quality Act, UTAH CODE ANN. §§ 19-5-101, *et seq.*, as amended (the “*Act*”).

B. The Owner hereby represents and acknowledges that it is the owner in fee simple of certain real property more particularly described on the exhibit attached hereto and incorporated herein by this reference (the “*Property*”).

C. The Owner desires to build or develop the Property and/or to conduct certain regulated construction activities on the Property which will alter existing storm and surface water conditions on the Property and/or adjacent lands.

D. In order to accommodate and regulate these anticipated changes in existing storm and surface water flow conditions, the Owner is required to build and maintain at Owner's expense a storm and surface water management facility or improvements on the Property (the “*Stormwater Facilities*”).

E. The Stormwater Facilities are more particularly described and shown in the final site plan or subdivision approved for the Property and related engineering drawings and specifications, and any amendments thereto, which are on file with the City and are hereby incorporated herein by this reference (the “*Development Plan*”).

F. A summary description (as amended from time to time, the “*Long Term Stormwater Management Plan*” or the “*LTSMP*”) of all Stormwater Facilities, details and all appurtenance draining to and affecting the Stormwater Facilities, establishing the standard operation and routine maintenance procedures for the Stormwater Facilities, and specifying the control measures installed on the Property, is on file with the City's Recorder.

G. As a condition of the City's approval of the Development Plan, and as required by the City's Small MS4 UPDES General Permit from the State of Utah, the Owner is required to enter into this Agreement to documenting the Owner's agreement to impose the requirements of the LTSMP against the Property.

NOW, THEREFORE, in consideration of the benefits received and to be received by the Owner, its successors and assigns, as a result of the City's approval of the Development Plan and the LTSMP, and the mutual covenants contained herein, the parties agree as follows:

Section 1. **Construction of Stormwater Facilities**. The Owner shall, at its sole cost and expense, construct the Stormwater Facilities in accordance with the Development Plan as approved by the City.

Section 2. **Maintenance of Stormwater Facilities**. The Owner shall, at its sole cost and expense, adequately maintain the Stormwater Facilities. Owner's maintenance obligations shall include all systems and appurtenances built to convey stormwater, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance, for purposes of this Agreement, is defined as good working condition so that the Stormwater Facilities are performing their design functions. The Owner shall, at its sole cost and expense, perform all work and provide all materials necessary to keep the Stormwater Facilities adequately maintained and in good working condition.

Section 3. **Annual Maintenance Report of Stormwater Facilities**. The Owner shall, at its sole cost and expense, inspect the Stormwater Facilities and submit an inspection report and certification to the City annually. The purpose of the inspection and certification is to assure safe and proper functioning of the Stormwater Facilities. The annual inspection shall cover all aspects of the Stormwater Facilities, including, but not limited to, the parking lots, structural improvements, berms, channels, outlet structure, pond areas, treatment systems, access roads, vegetation, landscaping, etc. Deficiencies shall be noted in the inspection report. The report shall also contain a certification as to whether adequate maintenance has been performed and whether the structural controls are operating as designed to protect water quality. The annual inspection report and certification shall be due by June 30th of each year and shall be on forms acceptable to the City.

Section 4. **City Oversight Inspection Authority**. The Owner hereby grants permission to the City, its authorized agents and employees, to enter upon the Property to inspect the Stormwater Facilities upon at least three days' prior notice to the Owner. Such inspections shall be conducted in a reasonable manner and at reasonable times, as determined appropriate by the City. The purpose of the inspection shall be to determine and ensure that the Stormwater Facilities are being adequately maintained, are continuing to perform in an adequate manner, and are in compliance with the Act, the Ordinance, and the LTSMP.

Section 5. **Notice of Deficiencies**. If the City finds that the Stormwater Facilities contain any defects or are not being maintained adequately, the City shall send Owner written notice of the defects or deficiencies and provide Owner with a reasonable time (typically at least 60 days) to cure such defects or deficiencies. Such notice shall be confirmed hand-delivery to the Owner or sent certified mail to the Owner at the address then listed on the Salt Lake County Assessor's tax assessment records.

Section 6. **Owner to Make Repairs.** Within the required cure period, the Owner shall, at its sole cost and expense, make such repairs, changes or modifications to the Stormwater Facilities as the City may deem reasonably necessary to ensure that the Stormwater Facilities are adequately maintained and will continue to operate as designed and approved.

Section 7. **City's Corrective Action Authority.** If the Owner fails to cure the deficiencies noted in a notice of deficiencies from the City within the required cure period, then the City may give a follow-up notice of deficiencies to the Owner. If the Owner fails to cure the deficiencies within an additional 30 days from that second notice, then the City may (a) issue a citation punishable as a Class B misdemeanor in addition to any EPA fine; and (b) give written notice that the Stormwater Facilities will be disconnected from the City's stormwater drainage system; and (c) pursue any and all other available remedies. The City has no obligation to maintain or repair the Stormwater Facilities, and in no event shall this Agreement be construed to impose any such obligation on the City. The actions described in this Section are in addition to and not in lieu of any and all remedies available to the City as provided by law or equity for Owner's failure to remedy deficiencies or any other failure to perform under this Agreement.

Section 8. **Reimbursement of Costs.** If pursuant to this Agreement the City incurs any costs or expends any funds resulting from enforcement or cost for labor, use of equipment, supplies, materials, and the like related to storm drain disconnection from the City's system, the Owner shall reimburse the City within 30 days after City's written demand. After said 30 days, such amount shall be deemed delinquent and shall be subject to interest at the rate of ten percent per annum. Owner shall also be liable for any collection costs, including attorneys' fees and court costs, incurred by the City in collection of delinquent payments.

Section 9. **Successor and Assigns.** This Agreement shall be recorded in the Salt Lake County Recorder's Office and the covenants and agreements contained herein shall run with the land and whenever the Property shall be held, sold, conveyed or otherwise transferred, it shall be subject to the covenants, stipulations, agreements and provisions of this Agreement which shall apply to, bind and be obligatory upon the Owner hereto, its successors and assigns, and shall bind all present and subsequent owners of the Property described herein.

Section 10. **Severability Clause.** The provisions of this Agreement are severable, and if any phrase, clause, sentence or provision is declared unconstitutional, or the applicability thereof to the parties or their successors and assigns is held invalid, the remainder of this Agreement shall not be affected thereby.

Section 11. **Utah Law and Venue.** This Agreement shall be interpreted under the laws of the State of Utah. Any and all suits for any claims or for any and every breach or dispute arising out of this Agreement shall be maintained in the appropriate court of competent jurisdiction in Salt Lake County, Utah.

Section 12. **Indemnification.** This Agreement imposes no liability of any kind whatsoever on the City, and the Owner agrees to hold the City harmless from any liability in the event the Stormwater Facilities fail to operate properly. The Owner shall indemnify and hold the City harmless for any and all damages, accidents, casualties, occurrences, or claims which might

CITY:

Harrisville City, a Utah municipality

ATTEST:

By: _____

Jennie Knight, Recorder

By: _____

Michelle Tait, Mayor

STATE OF UTAH)
 :SS.
COUNTY OF WEBER)

The above instrument was acknowledged before me on _____, 20_____,
by **Michelle Tait** and **Jennie Knight**, as the mayor and the recorder, respectively, of **Harrisville
city** , a Utah municipality.

Notary Public

Exhibit to
Long Term Stormwater Management Agreement

(Attach Plat and Legal Description of the Property)



HARRISVILLE CITY

363 West Independence • Harrisville, Utah 84404 • (801) 782-4100

MAYOR:

Michelle N. Tait

COUNCIL MEMBERS:

Grover Wilhelmsen
Steve Weiss
Blair Christensen
Max Jackson
Kenny Loveland

MEMORANDUM

TO: Harrisville Mayor and City Council

FROM: Jennie Knight, City Recorder

RE: Harrisville Wage Study

Date: November 4, 2021

Over the course of the last few years, the city has experienced a high turnover rate in personnel, specifically in the police department but also inclusive of all other departments due to several factors. The main leading factor has been the significant wage disparity between Harrisville personnel and other comparable cities. With the loss of these employees, Harrisville has also suffered the loss of the investment in training and the institutional knowledge of seasoned employees.

In September, Mayor Tait created a committee of four staff members and two Council Members who have since conducted a wage comparison study for Harrisville City employees. Part of this process includes the city's participation in a database which includes various cities across the state and their employee wages. Each job position was compared against cities of comparable geographical size and population to determine an "average wage". The Harrisville employee's current wage was then compared against the "average wage" to determine the disparity, if any, of each position. Mayor Tait then met with each department head to determine the overall job responsibilities of each employee and the wage disparity, if one exists.

A spreadsheet was compiled with employees' current wages and the increase to those wages needed to close the gap.

Lynn Fortie prepared the proposed increase to the General Fund and Storm Water Fund as follows: *(Please note, these numbers also include wage and benefit changes due to the turnover of personnel the city has experienced since the new fiscal year began in July 2021.)*

General Fund Changes:

Wage Changes for the entire year: \$141,679

Benefit Changes for the entire year: \$49,261

The sum of those numbers is \$190,940.

Storm Water Fund Changes:

Wage Changes for the entire year: \$3,809
Benefit Changes for the entire year: \$4,214

The sum of those numbers is \$8,023

To change the current year budget for 1/2 year would result in budget changes of \$99,481.50 between the General Fund and the Storm Water Fund.

Mayor Tait and the Wage Study Committee are seeking approval to move forward in this process by scheduling a public hearing for a budget amendment to implement the wage increase and address the significant wage disparity, aid in retention, incentivize current Harrisville staff and retain the institutional knowledge of these valued employees.