

**MINUTES OF HARRISVILLE CITY  
CITY COUNCIL MEETING**

Tuesday, January 24, 2012 – 7:00 p.m.  
Council Chambers  
363 West Independence Blvd.  
Harrisville, Utah 84404

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**PRESENT:** Mayor Richard Hendrix, Council Member Chad Allen, Council Member Paula Knighton, Council Member Bruce Richins, Council Member Michelle Tait, Council Member Grover Wilhelmsen.

**STAFF:** Gene Bingham, Public Works Director; Bryan Fife, Parks & Recreation; Pamela Crosbie, Finance Director; Jennifer Morrell, City Recorder; Bill Morris, City Administrator.

**VISITORS:** Ruth Pearce, Jeff Pearce, Karen Oates, Fred Oates, Kathy Hohosh, Mike Hohosh, Maddi Jones, Christophor Jones, Christian Miconi, Turner Bitton, Allison black, Bruce Black, Max ?, James Humphreys, Zaundra Carter, John Battisti, Don Byington, Stacey Byington, Amber Weston.

**6:30 P.M. WORK SESSION**

**a. Discuss possible recreation center options.**

Bill Morris, City Administrator, reminded Council Members of the city owned property located at 750 West which was originally designated for a recreation center. He discussed a new opportunity which involves the possibility of Wahlquist Jr. High being gifted to Weber County, Harrisville, and Marriott-Slaterville when the new junior high is built in Plain City. Mr. Morris explained that the cities and county collectively could apply for a Legacy grant to fund the cost of renovating the school into a recreation facility. He said it was something for the Council to consider and added that he and Mayor Hendrix will be meeting tomorrow with the school district to get more details on the proposal.

Mr. Morris also mentioned the possibility of turning the 750 West property into a city cemetery. Council Member Richins said he would rather see a Little League four diamond park adding that it would pay for itself because there is nothing like it in Northern Utah. Council Members felt it was an interesting topic and look forward to future discussion.

Council Member Richins asked about the timeline for construction of the new junior high. Mr. Morris said his understanding is that construction would begin in 2013 if a bond is passed this fall.

**b. Discuss splash pad “on call” policy and hiring additional staff member.**

Gene Bingham, Public Works Director, reminded the Council of the last discussion on the splash pad policy and the pros and cons of hiring an additional staff member. He gave Council Members a memo providing them with more detailed information.

He explained that \$10,000 in wage and benefits needs to be added to the figures he provided. He discussed the benefit to the city of the recreation program and the splash pad but mentioned the loss to Public Works in staff time. He explained the figures given in his memos and explained the increase in man hours now as compared to two years ago. The advantage of Option 1 would be a short term fix with minimum budget increase.

Mr. Bingham is figuring 20 to 25 man hours will be required each week for the splash pad for the 14 week duration it is open. This means some Public Works items may not get done. He said another suggestion is to get an additional temporary part-time worker. He also talked about paying overtime and paying for on-call which may not be the best way to spend the money.

Mr. Bingham suggested that hiring another employee would lessen the loss of man hours and help them stay on top of their work. He suggested there might be some cost savings by doing the janitorial services for the park and Public Works facility in house. He also explained his calculations for forecasting the potential overtime and on-call hours. Mr. Bingham reiterated that if they did not hire a temporary employee for the summer and cleaned the restrooms in house it would help pay for a new employee.

Council Member Knighton asked if he had figured in benefits as well as salary. Mr. Bingham said he included that in his figures but an additional \$10,000 should be added for benefits he was not aware of.

Mr. Bingham cautioned the Council that Option 2 comes down to money saved vs. level of service maintained and said he does not want to see a big drop in the level of service. He explained that he has tried to be creative as the work has increased but available money has not. He also added that Option 3, to hire a temporary employee, is not a highly rated option. He said as far as advantages and disadvantages, Option 2 has the most advantages of the three options.

Council Member Allen asked about the overtime rate vs. the on-call rate. Mr. Bingham said they have figured the splash pad will require five hours a week of overtime. Mayor Hendrix added that the on-call wage would be a straight wage. Mr. Bingham explained the difference between a regular work week and a holiday week which would require additional hours overtime.

Council Member Wilhelmsen asked about the difference in what was paid for recreation before bringing Bryan Fife on to do that job and what is paid now. He also asked how much of Bryan's time for recreation responsibilities has been taken away from Public Works time. He acknowledged that Public Works and Parks and Recreation have worked hard to stretch their budget and make things work and he feels that it might be time to increase what is spent.

Mr. Bingham said the park is a valuable asset and amenity to the city and they want to keep it that way.

### **7:00 P.M. CITY COUNCIL MEETING**

1. Mayor Richard Hendrix called the meeting to order and welcomed all visitors.
2. Chad Allen led the Pledge of Allegiance and Mayor Hendrix recognized the work of outgoing Planning Commission Members Kathleen Hohosh and Paula Knighton. He also recognized the work and efforts of Karen Oates who was the Senior Citizen Coordinator for many years. He thanked all of them for their service to the city and to the community.
3. **CONSENT ITEMS**
  - a. **Approve the minutes of January 10, 2012 as presented.**

No comments.

**MOTION: Council Member Knighton motioned to approve the minutes of January 10, 2012 as presented. Council Member Tait seconded the motion. All Council Members voted aye. Motion passed.**

- b. **Discussion and/or possible action to approve Resolution 2012-01, Law Enforcement Honored.**

Mayor Hendrix talked about the officers of the Weber-Morgan Narcotics Strike Force who were involved in a fatal shooting on January 4<sup>th</sup>, 2012. He said this resolution honors them and the sacrifice they made. Council Member Tait said she is pleased to see this and thinks it is wonderful.

**MOTION: Council Member Allen motioned to approve Resolution 2012-01, Law Enforcement Honored. Council Member Wilhelmsen seconded the motion.**

**A roll call vote was taken.**

**Council Member Allen**            **Yes**  
**Council Member Knighton**    **Yes**  
**Council Member Richins**       **Yes**  
**Council Member Tait**           **Yes**  
**Council Member Wilhelmsen** **Yes**

**The motion passed 5-0.**

Mayor Hendrix expressed his appreciation for the officers in Harrisville and the risks they face each day in keeping the city safe.

**4. BUSINESS ITEMS**

**a. Discussion and/or possible action to approve Ordinance No. 448, Employment and Housing Non-Discrimination.**

Pamela Crosbie, Finance Director, read the staff report given to Council Members. Council Member Tait referred to the statement in the staff report that indicated Equality Utah would assist with enforcement and training and asked what type of training they would offer. Bill Morris said it would be the sensitivity training required if there was a complaint.

Council Member Knighton asked why the city needs this ordinance. Mr. Morris explained that it would cover those types of discrimination not covered by state law. Council Member Knighton asked why the state is not covering this type of discrimination. Mr. Morris said they are making efforts towards this type of legislation but sometimes the cities have to take the lead in these types of things. He added that if the state passes something then our ordinance would become mute.

Bill Morris explained that he and Ms. Crosbie will handle this together. Mayor Hendrix said if a complaint came to the city then a fine could be imposed to offset the costs of mediating the complaint. Mayor Hendrix said it is a well worded ordinance.

**MOTION: Council Member Richins motioned to approve Ordinance No. 448, Employment and Housing Non-Discrimination. Council Member Tait seconded the motion.**

**A roll call vote was taken.**

**Council Member Allen**            **Yes**  
**Council Member Knighton**    **Yes**  
**Council Member Richins**       **Yes**  
**Council Member Tait**           **Yes**  
**Council Member Wilhelmsen** **Yes**

**The motion passed 5-0.**

**b. Discussion and/or possible action to approve Ordinance No. 449, Alcoholic Beverage Control.**

Pamela Crosbie said this ordinance will bring the city in line with state changes and is much easier to read and understand than the previous ordinance on alcoholic beverage control. She said the main change is there are now six classes and the rate will go from \$200 to \$300. This will take effect in 2013 as most licenses have already been renewed. She emphasized this is just for a beer license and said a separate liquor license will need to be maintained where appropriate.

Council Member Richins asked how many licenses the city has. Ms. Crosbie said there are currently 10 alcohol licenses. Council Member Allen asked who will enforce alcohol not being sold from 1:00 a.m. to 6:00 a.m. Mr. Morris said the Police Department will enforce this and Ms. Crosbie said she will deliver the

ordinance to the businesses that sell beer, adding that most of the establishments are closed during those hours.

Mayor Hendrix said Wal-Mart is the only business with a beer license that is open 24 hours a day. Ms. Crosbie said she will make sure Chief Jackson is aware of the ordinance. Mr. Morris said the legislature is amending the state statute on alcoholic beverage control this year so this ordinance may need to be reviewed in May, adding that they wanted to have something in place now if Boccia's reopens and wants a beer license. Mr. Morris said that Ms. Crosbie would be the licensing authority for this.

**MOTION: Council Member Wilhelmsen motioned to approve Ordinance No. 449, Alcoholic Beverage Control. Council Member Allen seconded the motion.**

**A roll call vote was taken.**

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|----------------------------------|------------|
| <b>Council Member Allen</b>      | <b>Yes</b> |
| <b>Council Member Knighton</b>   | <b>Yes</b> |
| <b>Council Member Richins</b>    | <b>Yes</b> |
| <b>Council Member Tait</b>       | <b>Yes</b> |
| <b>Council Member Wilhelmsen</b> | <b>Yes</b> |

**The motion passed 5-0.**

**c. Discussion and/or possible action to approve Ordinance No. 450, 7-Eleven Amendment to the Zoning Map.**

Bill Morris said the Planning Commission approved this ordinance which will rezone two parcels from RE-15 residential to CP-2 commercial to facilitate the proposed 7-Eleven. Mayor Hendrix explained that the parcels are located at the corner of Hwy 89/North Harrisville Road and North Street.

Mr. Morris said both houses would be demolished and the parcels combined into one. He mentioned that North Street is owned by Ogden City and there is concern from some of the neighbors about the traffic on North Street. He said Ogden City has discussed widening the road but would like Harrisville to contribute \$50,000. He also added that the Planning Commission included a recommendation, when they approved this ordinance, that the road widening project takes place.

Mr. Morris suggested that the Larson Lane widening be delayed and those funds contributed to the widening of North Street. He also mentioned that Ogden City may want to consider moving the border to the center of the road rather than the current boundary north of the road. He said this ordinance will effectuate the zoning change from residential to commercial but will revert back if the development does not go forward.

Council Member Allen conveyed the concerns of residents who attended the Planning Commission, that the street was a hazard and needed to be widened. They have experienced a higher volume of pedestrian and auto traffic from the liquor store and the Deseret Industries and anticipate more from the proposed 7-Eleven. Mayor Hendrix said the Planning Commission was not aware of the Ogden City plans to widen the street so that was not conveyed to residents at the meeting. Council Members agreed the street is a hazard and Council Member Tait asked if widening the road and putting in sidewalks would alleviate the residents concern. Council Member Allen said they are concerned that it is being developed altogether.

Mr. Morris said UDOT may require medians be put in at the stop light. Council Members expressed frustration with this as medians seem to be a hazard when they are put in. Mr. Morris explained that UDOT puts them in because they are a requirement in the federal manual for traffic standards. Council Member Tait asked if UDOT would implement that before the 7-Eleven comes in. Mr. Morris said UDOT will probably make 7-Eleven pay for them as a condition of getting access onto the road.

Council Member Allen talked about the problems of dividing a roads jurisdiction as far as police support is concerned and suggests that one city or the other takes over jurisdiction for the whole road. Council

Member Richins asked about the two homes involved and if the homes are occupied. Mr. Morris said one home is occupied and one home is vacant.

Council Member Wilhelmsen expressed concerns about passing the ordinance and the impact it will have on residents. Mr. Morris indicated that the Council will likely have to pass it because it is consistent with the General Plan but said the Council could table it until they get more information on the potential road widening from Ogden City. Mr. Morris explained that this is only approving the zoning change and the Planning Commission will still need to approve the site plan. He talked about all of the items that are included in a site plan approval. He also mentioned that the frontages of all the lots are in Ogden City and said a boundary line adjustment will need to be done.

Mr. Morris reiterated that the Council is only approving the zoning tonight and not the change of boundaries or the road alignment or the site plan. He said that would all be addressed in the site plan approval process. Council Member Wilhelmsen asked what would change if this was tabled. Mr. Morris said nothing would change if it were tabled.

**MOTION: Council Member Allen motioned to approve Ordinance No. 450, 7-Eleven Amendment to the Zoning Map. Council Member Richins seconded the motion.**

**A roll call vote was taken.**

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|----------------------------------|------------|
| <b>Council Member Allen</b>      | <b>Yes</b> |
| <b>Council Member Knighton</b>   | <b>Yes</b> |
| <b>Council Member Richins</b>    | <b>Yes</b> |
| <b>Council Member Tait</b>       | <b>Yes</b> |
| <b>Council Member Wilhelmsen</b> | <b>No</b>  |

**The motion passed 4-1.**

**d. Discussion and/or possible action to approve Ordinance No. 451, Repeal Ordinance No. 342.**

Mr. Morris said Ordinance No. 342 was being repealed because the city no longer needs to impose an impact fee for North View Fire District. They have gone through the process to allow them to collect impact fees on their own behalf. Council Member Wilhelmsen said the progress has been great and things are moving forward.

**MOTION: Council Member Tait motioned to approve Ordinance No. 451, Repeal Ordinance No. 342. Council Member Wilhelmsen seconded the motion.**

**A roll call vote was taken.**

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|----------------------------------|------------|
| <b>Council Member Allen</b>      | <b>Yes</b> |
| <b>Council Member Knighton</b>   | <b>Yes</b> |
| <b>Council Member Richins</b>    | <b>Yes</b> |
| <b>Council Member Tait</b>       | <b>Yes</b> |
| <b>Council Member Wilhelmsen</b> | <b>Yes</b> |

**The motion passed 5-0.**

**e. Discussion and/or possible action to designate the 2012 Mayor Pro Tem.**

Mayor Hendrix thanked Council Member Wilhelmsen for serving for the last year and a half as the mayor pro tem and recommends that Council Member Richins serve for 2012.

**MOTION: Council Member Tait motioned to approve the Mayor's recommendation. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.**

## **5. PUBLIC COMMENTS**

Ruth Pearce, 295 E. 1150 N., commented on the splash pad. She suggested getting an intern from the college if a new employee is not hired.

Turner Bitton, Ogden City, thanked the Council Members for passing the non-discrimination ordinance and the maturity with which they passed it.

Sandra Carter, 448 N. Harrisville Road, lives on the North East corner across from 7-Eleven and asked the Council not to let things get out of control like Wal-Mart. She suggested some type of fencing to control the foot traffic. She said they have people cutting through their property. Also, she has experienced problems with dispatch in reporting accidents as far as police jurisdiction.

Allison Black, Pleasant View City, thanked the Council for passing the non-discrimination ordinance. She has two gay sons and is the founder of Ogden PFLAG. She discussed how Utah has the highest teen suicide rate in the nation. She talked about the importance of this ordinance and how it will impact individuals in a positive way stating that these kids need to know they are equal to others.

Kathy Hohosh, 1149 N. 100 E., expressed her gratitude for serving on the Planning Commission for the last 10 years. She said she is thankful for the city's patience when she was missing meetings. She discussed some of the challenges in her life and said she will enjoy the break.

## **6. MAYOR/COUNCIL FOLLOW UP**

Mayor Hendrix said the retreat will now be on January 31<sup>st</sup> at 6:00 p.m. at the cabin. This will include the annual training as well as discussion on Heritage Days.

Mayor Hendrix mentioned the discussion from the last meeting regarding the Larsen Lane widening and restriping. He said UDOT was originally willing to fund the moving of traffic lights but has now asked the city to include some of the costs in the grant application. This may end up costing the city more money than was anticipated. Mayor Hendrix is concerned because Larsen Lane is used primarily by other cities. He would like to take the money that would have been spent on Larsen Lane and put it into North Street.

Council Member Tait asked if we would still apply for the grant. Bill Morris said that will be decided after May when the Legislature decides if they will fund the grant. Council Member Richins asked for clarifications on UDOT's change. Mayor Hendrix said UDOT is still willing to participate but they want some additional things done by the city including moving a traffic light which would be included in the grant application. The additional items UDOT is requesting could cost the city \$20,000 to \$60,000 more. Council Member Richins asked if the restriping was still going to be done. Mayor Hendrix said that might be put on hold and added that Gene Bingham would come to a future Council meeting and discuss what will happen next with Larsen Lane.

Council Member Richins reminded everyone of the upcoming "Meet the Legislature Day" taking place tomorrow and said 10 Youth City Council members are going. Council Member Tait talked about combining Heritage Days with the grand opening of the splash pad and putting the Heritage Days money into hiring a new employee for the splash pad.

## **7. ADJOURN**

Mayor Hendrix moved to adjourn at 8:10 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.*

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**RICHARD HENDRIX**  
Mayor

**ATTEST:**

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**JENNIE KNIGHT**  
City Recorder  
Approved this 24<sup>th</sup> day of January, 2012