

**MINUTES OF HARRISVILLE CITY**  
**CITY COUNCIL MEETING**  
Tuesday, June 11, 2013 – 7:00 p.m.  
Council Chambers  
363 West Independence Blvd  
Harrisville, Utah 84404

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Present: Mayor Richard Hendrix, Council Member Bruce Richins, Council Member Paula Knighton, Council Member Michelle Tait, Council Member Grover Wilhelmsen. [Council Member Chad Allen excused]

Staff: Lynn Fortie, Treasurer, Jennie Knight, City Recorder.

Visitors: Ruth Pearce, Jeff Pearce, Patricia Young, Jennifer Morrell, Gary Robinson, Tami Johnson, Seth Johnson, Don Knighton.

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

**1. Call to Order.**

Mayor Hendrix called the meeting to order and welcomed all visitors. Mayor Hendrix excused Council Member Chad Allen.

**2. Opening Ceremony.**

Council Member Tait led the pledge of allegiance and opening ceremony.

**3. Consent Items.**

a. Approve the minutes of May 14, 2013 and May 28, 2013 as presented. Council Member Tait made a correction to the name of the sound system provider on page two of the May 28, 2013 minutes, "Chattelain" was changed to "Chatterton".

**MOTION: Council Member Tait motioned to approve the minutes of May 14, 2013 as presented, and May 28, 2013 with the name correction. Council Member Knighton seconded the motion. All Council Members voted aye. Motion passed.**

**4. Business Items.**

a. June Special Election – Vote by mail process and control. Jennifer Morrell, Weber County Election Director, explained Weber County Clerk Ricky Hatch wanted to make contact with all the cities in Weber County to inform everyone of a few particular points concerning the vote by mail process and controls. She said all ballots for the June Special Election were sent to active registered voters by mail. Over 200,000 ballots were sent out, and so far 14,000 have come back. The postage is prepaid by Weber County for easy return by the residents. There are also several drop box locations throughout the county for residents who do not want to use the mail system. These same locations will be vote centers on Election Day. The county recognizes some individuals are not comfortable with the vote by mail method. The first process and control is ballot security. Ballots received are always under lock and key, with no one person alone with the ballots at any time. If there are not two people with the ballots, they are locked in a ballot cage, in the ballot room. This ensures no ballots are ever misplaced or lost, and also not added to the system.

Secondly, every voter signature is checked manually. This is an extremely large process but the envelope signature is checked against the voter registration signature. The envelope was designed to allow the county to verify signatures before the ballot is fully opened. This process is completed before Election Day and that way when ballots are calculated they are not worried about the signatures.

The computer system is in a locked secure room, and not connected to the internet. This allows a completely safe environment to tally the ballots.

Council Member Knighton asked about how ballots are sent to registered voters. Jennifer Morrell said active registered voters are sent ballots; inactive voters will receive a post card, asking if they would like a ballot sent to them. She said voters are not removed from the voter rolls, they are made inactive. Council Member Knighton pointed out individuals will have to register to vote as they come of age.

Council Member Tait asked about the timing of the ballot tally process. Jennifer Morrell said ballot tallying will be conducted on election night. She explained they have quite a process in place to allow for the ballots to be counted on Election Night.

Jennifer Morrell pointed out voter turnout is significantly increased through the vote by mail process. She said if they receive 20% that would be fantastic; their goal is 30%. They have received 15% already.

Council Member Wilhelmsen asked about the purpose of the hole in the envelope. Jennifer Morrell said this purpose is to ensure no ballots are left in envelopes. Mayor Hendrix pointed out this is the first time Weber County is conducting a vote by mail election and asked if this will happen in the future. Jennifer Morrell explained this might be a stopping point to the next platform of voting services. The machines are aging, requiring a lot of measures to check. She indicated this will be a middle ground for awhile until the technology will be in place to allow for voting online through the internet. She commented the states that conduct vote by mail elections, bring the ballots into the voter's home to be filled out at their convenience. She said there are strong feelings on both sides. She recently found out the Davis County cities have backed out of conducting their election by mail. Riverdale City will be conducting their election by mail. A lot of people will be watching to see the outcome of this election process.

Mayor Hendrix thanked Jennifer Morrell for her presentation.

**b. PUBLIC HEARING: Discussion and/or possible action of Resolution 2013-04, a resolution adopting the FY 2012-13 amended budget for the fiscal year ending June 30, 2013.**

Lynn Fortie gave a brief summary of the year end totals. He indicated several of the accounts are off balance. He began to research these items to find the answers to why their off, but ran out of time. He gave Council a brief outline of which accounts are off balance. Council Member Knighton speculated the police maintenance and repair account may be one line item that was cut last budget session to balance the budget. Lynn Fortie said he could not clarify this as he did not have appropriate time to research. Council Member Knighton said she didn't think the total amount in this line item was out of the normal range from the past budgets. Mayor Hendrix indicated there have been a few unusual repairs necessary.

Council Member Richins asked about the administrative benefits account that was off balance. Lynn Fortie speculated this may be related to overtime wages that were not going to the right account. He said this may be as simple as a clerical error in the spreadsheet. He will check into this and correct the numbers, if they are incorrect.

**MOTION: Council Member Richins motioned to open public hearing on Resolution 2013-04. Council Member Wilhelmson seconded the motion. All Council Members voted aye. Motion passed.**

Gary Robinson, 234 W Independence Blvd, expressed his concern with Council approving the budget amendment in good faith without the questions answered, regarding the account overages. He inquired if the Council had authority to do this. Mayor Hendrix confirmed Council has authority to vote on the budget amendment. Council Member Knighton asked Mr. Robinson to clarify his concern. Mr. Robinson posed the question to Council whether they would be able to vote in good conscience without these answers. He expressed his opinion that he would have a hard time voting based on the questions asked, and not having the answers, knowing this is the end of the budget year.

**MOTION: Council Member Knighton motioned to close the public hearing. Council Member Tait seconded the motion. All Council Members voted aye. Motion passed.**

Council Member Richins commented on the need to keep up on vehicle maintenance, keeping the fleet working is important. Mayor Hendrix pointed out that Council Member Knighton may be correct in the lowering of this line item to cut costs last budget session. Mayor and Council gave discussion on the account overages and how budget cuts from last budget session may have affected these overages. Lynn Fortie expressed this is likely a discrepancy in the spreadsheet. He again informed Council he will research the answers to these questions and deferred to Council on whether they wanted to pass this amendment, so as not to be in violation.

Mayor and Council continued discussion on these overages speculating the benefit increase may have been caused by hiring a 9<sup>th</sup> police officer, when previously there was an 8 man force. Lynn Fortie clarified this overage is in the administrative department, not public safety. Discussion continued on the idea that vehicle maintenance was cut from the recommended amount, and this overage was caused by the additional expenses with vehicle maintenance problems. Council Member Knighton pointed out this is about 50% of the overage.

Mayor Hendrix urged Council to consider passing this resolution to amend the budget and this can be revisited in two weeks at the next meeting with the explanation of where these expenditures occurred. Council Member Tait commented she has implicit trust in Lynn Fortie to discover the cause of these expenditures and correct any clerical error. She said in her opinion these answers can wait. Council Member Knighton agreed stating that over 50% of the expenditure was explained with the police maintenance and repair costs. Lynn Fortie assured Council he always researches discrepancies and corrects any problems that arise in the budget.

Council Member Richins asked what the ramifications of not passing the budget might be. Mayor Hendrix pointed out this has not happened in his experience. Bill Morris said the city will receive a letter of noncompliance. Council Member Richins asked if notification to the state is necessary. Lynn Fortie clarified this information about budget amendment is not submitted to the state.

Mayor and Council gave discussion on whether to table this item. Council Member Knighton said in her opinion most of the deficit has been addressed.

**MOTION: Council Member Tait motioned to approve Resolution 2013-04, a resolution adopting the FY 2012-13 amended budget for the fiscal year ending**

**June 30, 2013. Council Member Knighton seconded the motion. A Roll Call vote was taken.**

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

**Motion passed 3-1.**

- c. PUBLIC HEARING: Resolution 2013-05, a resolution adoption the FY 2013-14 final budget for the fiscal year ending June 30, 2013 will be continued until August 2013, date to be determined by Weber County.

Mayor Hendrix explained there will not be a public hearing on this item during this Council Meeting. The public hearing will take place in August. The date will be determined by Weber County.

**MOTION: Council Member Wilhelmsen motioned to continue the discussion on the FY 2013-14 final budget and set a public hearing in line with Truth in Taxation with the date to be determined by Weber County. Council Member Richins seconded the motion. All Council Members voted aye. Motion passed.**

#### **5. Public Comments.**

Ruth Pearce, 295 E. 1150 N., posed a question to Council regarding the \$50.00 increase based on years of service. She asked if this is for consecutive years of service or total years of service. She gave several examples of individuals who have served in positions multiple times but not consecutively.

She urged Council to appoint an alternate to the Planning Commission. She said tomorrow's meeting will be a close call, if any member of the commission is ill or are unavailable, they will have to cancel the meeting.

Mayor Hendrix said there are names being considered.

Don Knighton, 171 W. 1100 N., expressed his concern with the lack of a guard rail over at the splash pad. He said there are no grab bars that go down the stairs. He said he has witnessed kids walking around the fence and walking on the retaining wall. He said this is a liability for the city. Mayor Hendrix asked for clarification on which guard rail. Mr. Knighton said the main railing going up by the restrooms.

Patricia Young, 140 W. 2025 N., thanked the public works department for their efficiency when snow plowing. She thanked the City Recorder, Jennie Knight, for being helpful and friendly. She expressed her appreciation for the many details throughout the city; even cutting the grass, and the attention given to the parks.

She expressed her concern about the tree, approximately located at 2150 N. 225 W., that was removed. Her first impression was that the tree was not going to be removed, and was surprised to find that in fact the tree was removed. She said her family has enjoyed picnics at that tree. She suggested two things the city may have done in retrospect. She suggested possibly notifying the public that the tree was going to be removed, even including this in the newsletter. She also urged Council to start thinking about the loss of trees throughout the city, suggesting adding a requirement that builders leave a space in the subdivisions being proposed to plant trees for the environment.

Bill Morris addressed Mrs. Young's concerns. He expressed his concern with trees and informed Mrs. Young and Council that he helped put together the community forestry ordinance. He said other residents had raised this concern, expressing this was a community tree. The developer and the adjoining property owner used some provisions in the ordinance to allow for the removal of the tree. The ordinance was also established to protect the oak tree on West Harrisville Road. The other local residents were notified that the tree was being removed. He said three saplings were cut and given to these residents. He acknowledged some of these small things are big things to our resident's. The timeline for tree removal was restricted and did not allow for this notice to be included in the newsletter. He said in his opinion this was a beautiful tree. He informed Mrs. Young there will be a public hearing held the following evening during Planning Commission and urged her to attend and voice her concerns to the developer at that time.

Mayor Hendrix said there is a retention basin required in this development, and possibly trees could be included in that open space. Mayor Hendrix pointed out the new homeowners would have had the ability to remove the tree as well. He thanked Mrs. Young for her concerns and comments and said the City will be more aware of these needs in the future.

Gary Robinson, 234 W Independence Blvd, asked if the city has a tree replacement program and suggested Council consider planting new trees. Council Member Richins responded that several years ago a lot of trees were planted as part of the park renovation program. Mr. Robinson suggested planting tall hard wood trees. Mayor Hendrix said all of the trees up in the main ball park are hard wood trees that were planted to replace the cottonwood trees. Mr. Robinson expressed his concern with removing the cottonwood trees since they attract bats and help keep the mosquitoes down.

Mr. Robinson asked if individual records are kept on each city vehicle to determine its retirement. Mayor Hendrix responded yes. Mr. Robinson commented on the property tax increase proposal and it's relation to sales tax revenue. He asked if sales tax revenue increases, would the property tax be eliminated. He commented the franchise tax that was put into place years ago was intended to do exactly that. He said in his opinion residents can control their spending through sales tax but property tax in mandated.

#### **6. Mayor/Council Follow-Up.**

Mayor Hendrix gave Council an update about the candidacy declaration period held the previous week. Four candidates were received for the Mayoral election; Roger Shuman, Bruce Richins, Chad Allen, and Fred Oates. Six candidates were received for the City Council election; Bill Smith, Jeff Lemberes, Gary Robinson, Jeff Pearce, Clarissa Eatchel, and Jennifer Jensen. The primary election will be held August 13, 2013.

Council Member Richins reported he made contact with Chad Titensor and he expressed his willingness to help with social media. Council Member Richins asked for a social media discussion to be included on the next agenda. He also has some items to include. He encouraged Council to consider whether they want a policy in place for the social media regulations. Mayor Hendrix asked if there are other cities that have these types of policies in place. Council Member Richins said yes, he will get copies of their policies to include for this discussion.

#### **7. Adjourn.**

Mayor Hendrix motioned to adjourn at 8:06pm.

**8. Heritage Days Work Session.**

Mayor Hendrix called the work session to order and turned the time over to Council Member Knighton for discussion. Council Member Wilhelmsen relayed his information regarding evening entertainment. His research discovered "Blue Sage" is unavailable for that date and the cost is \$200 per person, per hour, plus additional expenses. He said originally he thought the director would give a discount for Heritage Days, but they are not available.

Mayor and Council gave discussion on the evening entertainment, other musical groups that may be available and associated costs. Council Member Tait reported she contacted an individual who was willing to do the entertainment for a reasonable cost. Council Member Richins inquired as to how much Council was considering paying out for evening entertainment. Council Member Wilhelmsen said he anticipated about \$400-\$500. Mayor Hendrix said he anticipated about \$1000. Council Member Richins offered to contact Saddle Strings, who have performed for Heritage Days in the past. He will check their availability and associated costs.

Mayor and Council continued discussion about evening entertainment. They agreed Country Music is well received by the public. Council Member Tait informed Council the individual she contacted is James King. He play guitar and sings, he would be inexpensive and is willing to do the show.

Mayor and Council discussed the evening program timeline. Mayor Hendrix asked if Council Member Richins has contact information for Saddle Strings. Council Member Richins clarified he does and will report to Council once he has contacted them.

Jennie Knight informed Council she sent out emails to all the past Vendor Booths. She also included Heritage Days in the Newsletter, and asked for a report on the parade information.

Mayor and Council briefly discussed the lack of volunteers. Council Member Knighton will put together a list of action items that need to be accomplished by the next meeting. The next Heritage Days Work Session will be held after the regularly schedule Council Meeting on June 25, 2013.

Mayor Hendrix motioned to adjourn at 8:40pm.

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**RICHARD HENDRIX**

Mayor

**ATTEST:**

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**JENNIE KNIGHT**

City Recorder

Approved this 25<sup>th</sup> day of June, 2013