

**MINUTES OF THE CITY OF HARRISVILLE
CITY COUNCIL MEETING**

Tuesday, December 28, 2010
7:00 p.m.
Council Chambers
363 West Independence Blvd.
Harrisville, Utah 84404

PRESENT: Mayor Richard Hendrix, Council Member Chad Allen, Council Member Bruce Richins, Council Member Grover Wilhelmsen.

STAFF: Chief Maxwell Jackson, Police Chief; Jennifer Morrell, City Recorder; Bill Morris, City Administrator; Lt. Keith Wheelwright, Police Department.

VISITORS: Jeff Pearce, Ruth Pearce, Sean Kosobud, Cheryl Kosobud.

7:00 P.M. CITY COUNCIL MEETING

1. Mayor Richard Hendrix called the meeting to order and welcomed all visitors.
2. Council Member Wilhelmsen led the Pledge of Allegiance and offered the opening ceremony.

3. CONSENT ITEMS

- a. **Approve the minutes of November 9 and November 23, 2010 as presented.**

MOTION: Council Member Allen moved to approve the minutes of November 9, 2010 and November 23, 2010 as presented. Council Member Wilhelmsen seconded the motion. All Council Members present voted aye. Motion passed.

Council Member Fowers and Council Member Crowther were excused.

4. BUSINESS ITEMS

- a. **Discussion and possible action on lowering the speed limit from 40 mph to 35 mph on Larson Lane and West Harrisville Road.**

Lt. Keith Wheelwright referred to the recent traffic surveys that were performed on Larson Lane and West Harrisville Road. He indicated the survey does not support lowering the speed limit on either road but rather determined the speed limit should be raised. He said the recommendation was to leave the speed the same. He reviewed the statistics of accidents and traffic citations on West Harrisville Road and Larsen Lane and pointed out that over a two year period the speeding tickets on West Harrisville Road averaged out to one ticket a month. He said the majority of traffic citations on Larson Lane are non-moving violations and that very few speeding tickets are given on that road. He said as a Police Department they endorse the traffic study recommendation to leave the speed limits as they are. Lt. Wheelwright also mentioned there could be a problem with enforcement if the speed limit is lowered stating individuals could come in and subpoena the traffic survey showing the reasonable and prudent speed is a higher speed.

Council Member Allen asked Chief Jackson about a comment made in the previous meeting stating the Chief was in support of lowering the speed limits. Chief Jackson said he does not recall making a statement recommending a lower speed limit. He said it was something they looked at several years ago after a fatality but their investigation determined that speed was not an issue in the accident. He stressed

that the majority of the crashes involve failing to yield not speed. Chief Jackson also discussed the problem with enforcing a lower speed limit when the traffic survey indicates the current speed limit is reasonable and prudent.

Council Member Wilhelmsen said he has heard from a resident who lives at the corner of North Harrisville Road and West Harrisville Road that there is a concern about the speed as people are trying to cross the road. Lt. Wheelwright said the real concern is that there is no sidewalk on the south side which is why there are people trying to cross the road at that intersection. Chief Jackson said one thing that could be looked at is putting up an advisory sign that warns of the turn coming up. It is not enforceable but it is something that would warn people to slow down. Council Member Wilhelmsen asked about striping a crosswalk and putting up a sign to warn that there is a crosswalk ahead. Chief Jackson pointed out that the two individuals who had accidents in that area where they hit the fence and trees at the church both involved a medical event and were not related to speed.

Mayor Hendrix suggested posting a reduced speed limit sign 100 yards before the corner. Council Member Allen said he thinks the speed limit should be lowered because people will always drive faster than what is posted. Lt. Wheelwright reiterated that there were individuals ticketed in Ogden City who subpoenaed the traffic study and had their ticket dismissed.

Bill Morris referred to Gene Bingham's memo regarding use of the words "may" or "should" which indicate a recommendation but not a requirement. Chief Jackson said that they have a hard time issuing tickets on Larsen Lane because it is so narrow and the traffic is so heavy. Council Member Allen said that decreasing the speed is the best possible option for Larson Lane. Chief Jackson suggested if they are going to choose to lower the speed limit he would recommend Larson Lane over West Harrisville Road. Council Members discussed how this would benefit the residents living on these roads.

MOTION: Council Member Allen motioned to lower the speed limit on Larson Lane to 35 mph. Council Member Wilhelmsen seconded the motion. All Council Members present voted aye. Motion passed.

MOTION: Council Member Wilhelmsen motioned to leave the speed limit on West Harrisville Road at 40 mph. Council Member Wilhelmsen amended his motion to lower the speed limit on West Harrisville Road to 35 mph east of the tracks to Hwy 89 and leave it at 40 mph west of the tracks. Council Member Allen seconded the motion. All Council Members present voted aye. Motion passed.

The speed trailer will be put out and something will be put in the newsletter. Staff will write an ordinance and put up new signs.

b. Discussion and possible action on Ordinance No. 431, Financial and Property Administration Revised.

Mr. Morris pointed out that this ordinance came about because of the audit and explained how it will bring the bidding procedures in line with state law. He discussed the difference between formal and informal bids. He also discussed the use of purchase orders and the duties of the Finance Officer. He said the ordinance defines the role of the Treasurer and the City Recorder as the ex officio auditor.

He said the petty cash fund right now is \$100 but the ordinance allows for \$500 noting this will mainly be utilized during Heritage Days. He reviewed the acquisition and disposal of property and why that has been included and added that this is the current code as set up by the state legislature. He said it does not apply to easements it applies only to fee property. He said this will outline the procedure if we are selling City property. He also noted that the ordinance gives the Mayor power to withhold allotments in the City budget if there is a financial emergency. He also reviewed some of the other issues with bids and expenditure of public funds only when approved for a public purpose.

Mr. Morris discussed the changes to the policy manual. The section on purchasing has been deleted and replaced by the purchasing policy in this ordinance. Also, the regulation regarding the use of City

vehicles has been changed to allow the Police Department to wash their vehicles at City expense. Council Member Allen discussed how the Weber County policy works for car washes.

MOTION: Council Member Allen moved to approve Ordinance No 431, Financial and Property Administration Revised. Council Member Richins seconded the motion. Roll call vote. All Council Members present voted yes. Motion passed.

c. Discussion and possible action on Ordinance No. 432, Temporary Solicitor Certificate Repealed.

Mr. Morris said a recommendation was made to do away with the temporary solicitor's license and make the license valid for the whole year as a way to simplify the process. Mayor Hendrix explained that the requirement for a background check remains the same. Council Member Richins had a question on the acronym BCI. Mr. Morris stated it was the Bureau of Criminal Investigation and will be spelled out in the ordinance. Council Members discussed some of the problems with door to door solicitors and their experiences dealing with them. There was also discussion on how to handle unlicensed solicitors as far as involving the Police Department.

MOTION: Council Member Wilhelmsen moved to approve Ordinance No. 432, Temporary Solicitor Certificate Repealed. Council Member Allen seconded the motion. Roll call vote. All Council Members present voted yes. Motion passed.

d. Confirm the date, time, and place of Harrisville City Council meetings for 2011.

Council Members reviewed the list of dates for the 2011 meetings which sets the date, time, and place for City Council meetings as the second and fourth Tuesday of each month at 7:00 p.m. to be held at the Harrisville City Offices unless otherwise announced.

Council Member Allen asked why the Public Comments are at the end of the agenda instead of at the beginning. He feels it would allow the public to express their opinion before the council votes on something. Mayor Hendrix said it would be taken into consideration.

MOTION: Council Member Richins moved to approve the date, time, and place of Harrisville City Council meetings as the second and fourth Tuesday of each month at 7:00 p.m. to be held at the Harrisville City Offices unless otherwise announced. Council Member Allen seconded the motion. All Council Members present voted aye. Motion passed.

e. Discussion and possible action on appointment of Planning Commission members.

Mayor Hendrix informed the Council that he has received seven applications for the Planning Commission and is recommending that they replace Mike Norseth with David Eckersley. He said the Council needs to ratify this appointment.

Mayor Hendrix reviewed Mr. Eckersley's application and why he is recommending him. Council Member Richins asked if the Mayor had met him and recommended a personal interview in the future. Council Member Allen if anyone had looked into his background. Mayor Hendrix indicated he has not personally met with Mr. Eckersley but is something he will do for future appointments.

Mayor Hendrix asked for approval on his recommendation to appoint David Eckersley.

MOTION: Council Member Richins moved to ratify the appointment of David Eckersley as a member of the Planning Commission. Council Member Allen seconded the motion. All Council Members present voted aye. Motion passed.

5. Public Comments

No public comments were made.

- f. **Closed executive session to discuss strategy regarding pending or reasonably imminent litigation.**

MOTION: Council Member Richins moved to close the regular session and go into the closed executive session. Council Member Wilhelmsen seconded the motion. All Council Members present voted aye. Motion passed.

MOTION: Council Member Allen moved to close the executive session and go back into the regular session. Council Member Wilhelmsen seconded the motion. All Council Members present voted aye. Motion passed.

6. Mayor/ Council follow up

Mayor Hendrix mentioned that new information has been received regarding the FEMA LOMR and stated that the case will be reopened without a new fee. FEMA has given Kent Jones office three items that need to be completed.

Chad Allen asked where we were at with the LWCF grant. Mr. Morris said we are proceeding forward with the park reconstruction assuming we will not be getting the grant. Mr. Morris presented the possibility of baseball being postponed this spring because the park renovation will be under way. Council Member Allen suggested having Bryan Fife look for other locations and be involved in that decision.

Council Member Allen discussed the information he received for the salary compensation survey in regards to a paid service the City has used before. Mr. Morris recommends that we pay the fee and use this service again. Mayor Hendrix and Council Member Wilhelmsen both agreed that we sign up for this service and use it for the salary survey. Mayor Hendrix said one of the things they are waiting for is the job descriptions from the Police Department.

Council Member Richins asked if there was anything else that needed to be done with the easement for Bona Vista. Mr. Morris said there will be an ordinance coming at the next meeting to approve this.

Council Member Richins said that he, Council Member Allen, and Jennifer Morrell will be taking the Youth City Council down to the Local Officials Day at the state capital. Council Member Wilhelmsen asked about plans for Heritage Days. Mayor Hendrix said a retreat is being planned to facilitate discussion on goals and plans for 2011 as well as assigned duties.

Mayor Hendrix asked Council Member Richins about the Bona Vista rate increase. Council Member Richins said it will be a flat amount, just over \$2 increase. He said it was the first increase to their rates in seven years.

7. ADJOURN

Mayor Hendrix moved to adjourn at 8:37 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.

RICHARD HENDRIX
Mayor

ATTEST:

JENNIFER MORRELL
City Recorder

Approved this 11th day of January 2010