

MINUTES OF HARRISVILLE CITY
CITY COUNCIL MEETING
Tuesday, January 27, 2015 – 7:00p.m.
Council Chambers
363 West Independence Blvd
Harrisville, Utah 84404

Present: Mayor Bruce Richins, Council Member Michelle Tait, Council Member Grover Wilhelmsen, Council Member Jennifer Morrell, Council Member Jeff Pearce, Council Member Jennifer Jensen.

Staff: Bill Morris, City Administrator, Gene Bingham, Public Works Director, Bryan Fife, Recreation Director, Jennie Knight, City Recorder, Matt Hartvigsen, City Engineer (Jones & Associates).

Visitors: Ruth Pearce, Chris Cope, Rick Sorensen, John Perry, Keith Buswell.

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.

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

3. CONSENT ITEMS

- a. Approve the minutes of January 13, 2015 as presented.

MOTION: Council Member Morrell motioned to approve the minutes of January 13, 2015 as presented. Council Member Pearce seconded the motion. All Council Members voted aye. Motion passed.

4. BUSINESS ITEMS

- a. **Washington Boulevard/Larsen Lane widening project information update.**

Gene Bingham explained back in 2011 this project was estimated at a cost of approximately \$210,000. At that time, Mayor and Council agreed to move forward if the city received some grant funding; otherwise we were going to do a temporary solution. The temporary solution included changing the paint striping and changing the traffic signal mast. UDOT wanted us to widen the south and the north sides of Larsen Lane. This defeated the purpose of trying to save money. Additionally, we would have to remove the temporary solution once grant money was received to complete the final project.

Gene Bingham informed Council we received notice of award on the federal grant money last November for the final project. The federal money increased the estimated cost of the project because this includes the requirement to hire a consultant to follow all of the grant rules. Ultimately in the end it would have cost more to do the project. The memo that was included in the Council packet is the conversation with the city engineer regarding this requirement. There are some other complications attached to the project and we don't want to miss anything. Matt Hartvigsen drafted some of the possibilities and the associated costs. The plan now includes applying for a grant in June through Weber County with the hope of possibly being awarded the funds in October. The project would begin in 2017. He reminded Council this is a slow process and we also don't know how much taking of property will be required. His hope is not the homes. Some of this should just be frontage. We are still trying to work out some of these complications.

Matt Hartvigsen said it was disappointing the costs went up when going through UDOT. This included specifically construction management costs that increased. There are actually two projects. UDOT wanted these two projects to match up which requires more work to complete. Council Member Morrell asked if a portion of the funds come from the Wasatch Regional Council, is there a deadline to use these fund? Gene Bingham said he asked about that from the beginning of the project discussion. He asked if they were awarded the money and weren't ready to proceed; they agreed to back burner the funding until the city is ready. This is what was originally agreed upon.

Matt Hartvigsen said UDOT wants this completed more quickly than we can feasibly accommodate. Gene Bingham said sometimes they have a tendency to want to take over the project. They would rather see things go in their direction but the city may have other projects that demand our attention. Council Member Morrell asked if it was supposed to match up with 800 North on the South side of Common Cents like was previously proposed. Gene Bingham said no, that is no longer required. We told them that was way too costly. Estimated costs of over 3 million to move a traffic signal 500 ft. Gene Bingham said things are going well and this is just an update to keep Council informed.

Mayor Richins thanked Gene Bingham and Matt Hartvigsen for this update.

b. Proposed future Development Plan discussion – 750 West Property.

Mayor Richins said we own 13 acres on 750 West and this is a proposal of what could be built in that location in the future. Gene Bingham said this is pure speculation to start brain storming on possibilities of a future city complex. The instigation of this discussion is due to time sensitive funds that need to be addressed. One option to utilize these funds is this long term proposal.

Gene Bingham outlined where the current property line exists and a narrow strip of land along the highway that would match up with the north corner of the city property to allow proper access onto Highway 89. This could be master planned as a public right of way from Highway 89 through to 750 West. There would also be a potential frontage road running down the east side for access to future commercial property. When discussing

this plan, this existing property does not work alone as it sits; if the property owner is willing to donate this small portion, the city would petition UDOT for the required shared access for a frontage road. Property owners have said they are willing to listen.

The overall plan includes a new city office building, police department, public works facility, recreation center, and new ball fields. Again, this is just a conceptual plan. Gene Bingham stated he tracks the storm drain impact fees, when they are received and when they must be spent. One potential project is the storm drain that runs through this property. If we use the impact fees to fund this project we are covered; but if we don't use this idea we must have a plan in place now for the future.

Gene Bingham pointed out this area is conducive for future commercial property projects; not for residential. The access to line up on the proposed road works well with providing a frontage road on the highway. There are still some issues to work out with pressurized secondary water in this area. Mayor Richins pointed out these are proposed full size ball fields. Bryan Fife explained the recreation portion would be similar to the Farr West complex. He said this is also just a preliminary concept of ideas. He touched on the benefits of having our own recreation facility; promoting exercise, providing indoor space for recreation and storage. The gym size is conducive for large practices, allowing for us to reduce the amount of practice times. We would also be able to house our own volleyball program; that we are beginning soon. Also included are a weightlifting room, in-house daycare, dance class room, and a drop down batting cage. There is a customized system to accommodate winter sporting activities. Restrooms and locker rooms, with office space and storage included. The adult size fields would accommodate the 8th-9th grade teams. Council Member Morrell asked what the drainage situation is on this property. Bryan Fife said this needs attention. There are areas that can be addressed such as; pickle ball courts, outdoor basketball courts, etc. to fill in that area. These items are just to give an idea on what options are available.

Gene Bingham passed out a handout showing the impact fees collected and future impact fees that will be collected. When putting together this conceptual plan he broke down the structures values and added the additional funding mechanisms that may be available to show the balances. The sewer is a utility fund that has a healthy balance. There are monies collected on the storm water end that must be spent by 2017. The required spending would take place within the required spending time frame. This will continue to grow as building grows. Ideally this would meet our spending requirements through 2021.

Several items do not have funding sources; culinary and secondary water for example. Class C road funds are also available for the public right of way. The storm water utility fund will cover curb and gutter for the majority of the proposed project. These funds are also available if xeriscaping is used for landscaping. Bill Morris pointed out a transportation impact fee can also be used to fund this road.

Gene Bingham said the cost for the current public works facility was around \$300,000; hope is that it has increased in value. He was using a conservative value of \$400,000

on the city office building. There may be public safety impact fees available to help pay for the new police station.

The recreation building would still need funding. Park impact fees can be used for the baseball and softball fields. He is projecting the increase in park impact fees from future development to include in these projections.

The total estimated project cost is \$9,137,256. The available funding summary total is \$2,730,350. The balance in the capital projects fund is close to one million; this money is available right now. There are other possible funding sources such as RAMP, private funding, enterprise funds, and bonding. Enterprise funding is a little different than capital projects funds. These may be interest bearing accounts. There is an outstanding balance of approximately \$6.4 million to consider.

Gene Bingham suggested approaching UDOT to address the access onto Highway 89. Farr West opted to have an additional access through the neighbor with the main access on West Harrisville Road. We would do something similar. The current property owner has shown some interest. An additional step is to secure a professional appraisal to know the worth of our current buildings. If there is a need to bond, a professional feasibility study will need to be conducted to show confidence to our citizens if this goes to a vote. The last thing to consider is the time frame of the overall project. When this needs to be completed and what additional funding can be secured.

Gene Bingham said this project would allow the use of the storm drain impact fees that have been collected; what other kind of time frame attached to these plans would be determined by Council. He just needed a plan for the storm drain impact fees. He prepared this proposal just to get everyone thinking.

Council Member Wilhelmsen mentioned initiating a conversation with North View Fire Department. They have considered adding a substation for the fire department. There may be funds available through an option such as this.

Council Member Jensen said she likes this vision. She commented economic development is stimulated through other cities with similar areas.

Gene Bingham pointed out the small strip of land on Highway 89 would not have much use without a plan such as this. Council Member Wilhelmsen asked if there has been any discussion about the sale of the golf course. Bill Morris said we haven't had any communication since the recession. Gene Bingham pointed out the golf course has been zoned as open space.

Council Member Morrell thanked staff for their presentation saying they have done a good job. She recommended involving Laura Lewis, who is a consultant on large projects such as this. Mayor Richins said he remembered having past discussion on involving a consultant. Council Member Morrell said a consultant could talk with the city about moving toward the next step. Gene Bingham explained the city is feeling the effects of growing pains. Recently with the growth during court sessions, parking is

becoming an issue. This will help by having a discussion towards a five or ten year plan. Gene Bingham pointed out Matt Hartvigsen and Bryan Fife also helped put this together.

Council Member Tait asked for clarification on the definition of the time line. Gene Bingham said just like the Larsen Lane project they start with small plans that lead to the larger plan; using a five year plan to begin with. Projects on this level require several years of planning and engineering.

Gene Bingham thanked Council for their time and encouraged Council to consider where they would like to go with this. Mayor Richins said he doesn't remember any plans for this property since it was purchased. There were some basic concepts on what the city hall might look like. This plan would blend in with commercial growth on the highway. Gene Bingham said phasing some of the projects is a possibility if necessary. Begin with the storm water improvements and possibly the road infrastructure. These require a long term plan to make sure things are in the appropriate place.

c. Discussion/possible action to release escrow on Golf View Townhomes Phase Two Development.

Keith Buswell introduced himself to Council. He is the Vice President over corporate development for Wadman Homes. He is from Pleasant View. He expressed he has been working with staff on the remaining escrow balance on the Golf View Townhomes Phase Two Development. This bond was put up to ensure improvements were in place. In the beginning some of these townhouses were built quickly and purchased quickly. Unfortunately they did not complete this development. They started in phases which left about \$255,000 in escrow. They now have some interest in purchasing the leftover property. The improvements required by the city are completed. They would like to be released from the bond to clean things up if they sell this property. He is here for the opportunity to discuss this and see if this is an option. The current improvements have been in longer than 2 years without issue.

Mayor Richins asked how much property is left to develop. Mr. Buswell said two duplexes, several triplexes and several fourplexes are left.

Council Member Jensen asked if they are selling this property how are they going to keep things consistent. Mr. Buswell explained the additional buildings would be built like the current building. This area is governed by an HOA and they would require that consistency. Keith Buswell said he is proposing the release of this escrow and asking what requirements the city may impose.

Council Member Morrell asked what is left. Gene Bingham said there were some public improvements that tie into 2000 North and they are already in. The background on this development goes back 14-15 years. For some reason the person that handled the city's planning at that time wanted to hold escrow on these types of developments. He remembers being concerned about requiring escrow on private property. This required

inspections that are not included in regular subdivision development. This being said, if the HOA didn't pan out, the city would be taking over the public improvements. But the interior street improvements are not up to city standards; therefore, this area will always have to remain private. There are other areas in the city like this, we would not setup escrow for those. Again, he said the things the city is concerned about, the road on 2000 North and the detention basins are complete.

Bill Morris said we have agreements in a SAP zone. They would have to draft an amendment and the city would impose a consumer detention requirement to maintain the same original concept. He would like to include in the amendment how they will address maintaining the concept with the consumer. This happened during the recession. If the city gives up the escrow there is not money to put in this development. Mr. Buswell said the city would have some control through the issuing of building permits.

Council Member Jensen asked who is running the HOA. Mr. Buswell said Wadman is not involved with the HOA; it is private.

Council Member Pearce asked if there is a phase three of this development. Mr. Buswell clarified there is a sister development next to this one that sometimes gets lumped in as the same.

Bill Morris said there are three different developments with three different developers. He suggested having an amendment drawn up, restating the development and escrow agreements to include with a new purchaser. Mr. Buswell asked where he might get a copy of the original agreement. Jennie Knight has copies of the original development and escrow agreement. Bill Morris suggested a restatement of what is required including city requirements.

Mayor and Council agreed to hold a motion at a later meeting.

d. Vote by Mail Presentation

Council Member Morrell explained that as the City Recorder, Jennie Knight is the city election official. She, herself, is the elections director at Weber County and is here to give an explanation of what they would like to see in the future with regard to holding elections; particularly by mail. The main concern is the age of equipment. The machines are aging and the technology is old. They cannot purchase new machines, and the replacement parts are expensive. Just to replace the batteries in the machines is \$50,000. The machines were originally purchased with grant money that is no longer available. This is a five year plan they are proposing.

Bill Morris asked if online voting will be available. Council Member Morrell said Lt. Governor Cox put together a committee to address this possibility. The technology is not available yet. The security is available, but the secrecy is not or vice versa, the secrecy is available but not the security.

The aging machines are really the issue. The elections office would like to lessen the use of the machines; therefore, they are suggesting a hybrid election. The majority would be held vote by mail with limited polling locations.

Poll workers are also an issue. They are not paid much but we expect more from them. We are asking individuals that are accustomed to paper ballots to use new technologies. There is a struggle with the polling locations. They would like to stay away from holding elections in churches. It is important to keep these separated. But they are obligated to have the appropriate parking and ADA compliance. Also, depending on the election year, the location varies. They would like to create consistency as much as possible having continuity between the years by having the same voting experience. The ADA requirement has been discussed recently with the city building improvements. The vote by mail option is the direction the state is leaning. They are encouraging this in the future and feel it is something to consider in the next election.

One of the pros to holding a vote by mail election is consistency. As a voter, they would expect to have the same experience voting regardless of where they live throughout the county and their city. With vote by mail, this can be met, but not with polling locations. Sometimes they are given the wrong ballot or turned away from polling locations. Additionally, vote by mail sometimes increases turn out temporarily. It does help, but what is on the ballot typically drives the turn out. People vote based on how they feel about the issues on the ballot.

They saw an increase in areas that conducted their election by mail. They agree voting should require some interest but sometimes the convenience cannot be met. There are individuals that struggle to get to the polls. With vote by mail, they do not have to rely on a family member or neighbor. Vote by mail makes this available for everyone. They also saw an increase with young moms. Studies in Oregon show young mothers were able to participate.

Another factor is the voters have time to study the ballot. Ballots are mailed 30 days in advance of Election Day. This gives time to look over the ballot especially when there is a large issue such as a proposition. Some polling locations had long lines and part of the reason was people were taking a long time to read through the ballot; particularly the constitutional amendments. Vote by mail makes better informed voters. Lastly, the results come back quickly.

Campaigning becomes slightly more difficult because people can decide their vote 30 days before Election Day. Other concerns are that people like the feel of having a traditional election. The biggest complaint they received feedback from voters was the fact they didn't get stickers. They are working with the print vendors to hopefully include stickers in the printing cost. There are those that are concerned with bringing a sense of community to Election Day. Now Election Day is going to become an election period. There is always a perceived sense of fraud. When they moved to the machines, there was also fear that people were going to hack into the system. They have not seen this in the states that conduct vote by mail elections.

The cost to go to vote by mail for Harrisville will increase election costs. The cost per vote will actually go down. In 2013, Ogden city spent \$8 per vote cast; they are now considering a \$1.40 per vote cost. They are looking for ways to decrease these costs. Council Member Morrell said they have been working very hard to decrease costs. Bill Morris pointed out costs would increase if equipment has to be replaced. The mailing rates would not be as drastic of an increase. This is something to consider. Council Member Morrell said they do qualify as a non-profit. As long as there is another option to voters on Election Day, we are not forcing them to purchase stamps; we are not required to pay return postage. Otherwise the individual can pay postage and mail back the ballot.

In the past, a good percentage of the ballots were dropped off on Election Day which means the results could change when all ballots are counted. With smaller elections there is a propensity for outcomes to change. It is important to consider giving voters options. We will not be saying there is only one way to vote. Anything the city can do to inform the public, most voters don't realize they have the option to vote by mail already. We are a no excuse state, so they do not have to provide an affidavit saying they are unavailable on Election Day to receive a ballot in the mail.

Even if we stick with the polling locations, they are struggling with how to best educate voters. They are trying to find out how voters like to get their information. They are continually trying to address issues with voters.

Council Member Jensen said she would like to give people options. She asked what happens if the ballot gets lost. Mayor Richins pointed out they have the option to drop off their ballot if they are worried about it getting lost. Council Member Morrell said they can also log into the state office to see if their ballot has been counted. Bill Morris asked if they can drop off their ballot to other cities. Council Member Morrell said no, they must drop them off within their city.

Council Member Wilhelmsen asked about the costs. Council Member Morrell said she was simply using Ogden as an example. She indicated Harrisville is a few cents more per ballot. The more cities come on board with vote by mail, the more affordable they can make the costs.

Council Member Tait asked if there is an option to use the same envelope. Council Member Morrell showed an example of the ballot that is mailed. She showed the handout that is included with instructions on how to vote. The voter must sign the affidavit portion that shows the actual voter is the registered voter. After they receive this, the bar code is tied to the voter history. This keeps people from voting twice. The ballot is still secure, there is still secrecy involved. All ballots are checked. Then the ballot is sorted by precinct and the ballots are opened and counted. They must be checked to see if there is any issue with the ballot. The same system is used as the voting machines to tally the ballots.

Mayor Richins asked if there are cost examples from Riverdale. Council Member Morrell said she doesn't have those figure available.

Council Member Tait asked about the total cost of running the vote by mail. Jennie Knight responded that we received a discount with our last contract with Weber County but the vote by mail costs will be consistent with what we have paid in the past.

Mayor Richins questioned if there is a large election, would voters be willing to wait in inclement weather. Council Member Morrell said Ogden is considering three vote locations as vote centers. She said when they held the special election the number of in person voting turnout was in the single digits. Most ballots were returned by mail or dropped off. There were six vote centers on election night, but only a handful of people at the most came to vote.

Mayor and Council discussed voter turnout in the past and how it is related to what was on the ballot. Council Member Wilhelmsen asked about the sticker availability. Jennie Knight suggested having them available at the city for those who would like one. Mayor Richins thanked Council Member Morrell for her presentation.

5. Public Comments - (3 minute maximum)

John Perry, 244 W. 1600 N., I want to expressed my concerns about the city's need to infringe on personal property rights. My personal property rights are very important to me. They are a basic right similar to freedom that our fore fathers fought for. I feel the same today; that my personal property rights are as important to me as my life itself. I have several instances of dealing with the city over this issue. And once again the city is harassing my family and I. Approximately 30 days after my daughter wrecked my truck I got a letter from the city saying I was out of compliance with the city code and I was deemed a nuisance. No specific information was provided as to what was the specific issue or why so I can only assume that it's the fact that I brought the wrecked vehicle that my daughter wrecked home so I could repair it. In the past, incidents with the city, I've paid fees and increased parking on my property. And at that last time in 2012 I understood we had an agreement with the city. And I have no more vehicles on my property now than I had then. And I have ample supply of parking for my vehicles off the road and yet I'm being harassed again. When the government infringes upon my personal property rights it places not only my life in jeopardy but it also places the lives of government employees and elected officials and their families in jeopardy. Because I feel so strongly about this, I've lost many nights of sleep. The problem with the city code is that you are guilty without essentially doing anything, in my opinion. Because the city code does not allow me to have a wrecked vehicle on my property for even one month. If I want to fix something I cannot, legally. Because of "health and safety of the public". I cannot have an unregistered vehicle on my property for the same reason. And I don't believe it's the city's right or the state or any other agency's right to tell me I have to register all my vehicles. If I choose not to that is my choice. And that's all I have to say.

6. Mayor/Council Follow-Up.

Council Member Tait explained there are four kids attending the Local Officials Day in Salt Lake on Wednesday. Council Member Morrell, Jennie Knight and herself are attending.

Mayor Richins informed Council of the league training April 8-10. Mayor and Council agreed to make reservations for everyone and they will cancel if they are not going to attend.

7. Adjourn.

Mayor Richins motioned to adjourn at 8:43pm.

8. Heritage Days Work Session.

Council Member Jensen explained she would like to get opinions on how to run Heritage Days with a branding idea. She thinks a Farmer's market would be a good brand for us. She would like to turn Heritage Days into a kickoff for a summer Farmer's Market. They could have regular booths and some for Farmer's market ideas. The theme will be "Homegrown Harvest".

She would also like to include Harrisville's Got Talent and the 5K the night before. She would like to have an article in the standard examiner and also advertise in the city newsletter.

Council Member Tait said her son is trying to get an internship through Weber State to help implement this Farmer's Market. They would also assist with advertisements and other things. He will know shortly whether this will be approved.

Council Member Pearce asked if there is enough produce this time of year. Mayor Richins said the early garden stuff will be available. Council Member Tait said items like lettuce, peas, and beans will all be available. As the weeks progress, there will be more items available. The items can be homemade in addition to homegrown. Mayor and Council gave discussion on what is available at the Ogden Farmer's Market. Council Member Tait said she would like to implement entertainment each week as well. Some of the people who participate in the Harrisville's Got Talent contest could be invited back for a spot light. Council Member Wilhelmsen said there are a lot of things that could be involved during this time.

Council Member Tait said Greenwood Charter School is talking about becoming involved. Utilizing their parking and activities may make a difference. Council Member Tait suggested starting with an evening from 5-7pm. Mayor and Council gave discussion about who will attend and when. Council Member Jensen suggested having the market on a weeknight and see how many people will attend. Moving the discussion back to Heritage Days, Council Member Jensen asked about other activities to include throughout the day. Council Member Tait suggested the saw dust scramble and other such activities throughout the day.

Council Member Jensen asked each member of Council to contact 4 food vendors each. Mayor and Council gave discussion on the restaurants in the city that may be interested.

Council Member Jensen suggested cutting out the dance. Mayor Richins asked what they should do instead. Council Member Morrell reminded Council last year there was a conflict with a concert in Ogden that drew away the youth crowd.

Council Member Jensen said they would have to end the dance on time for the fireworks show. Council Member Wilhelmsen asked how long to run the talent show. Mayor and Council agreed to set the talent show from 5-7:30pm. Council Member Morrell with email contact information for the sound system person to Council Member Jensen.

Mayor and Council gave discussion on the 3 on 3 tournament, disc golf tournament, and car show. Council Member Jensen said she is in contact with someone local who is interested in helping with the car show.

Council Member Morrell asked about the spending budget. Council Member Jensen said she anticipates spending about the same amount as last year's celebration. She suggested contacting Lee's Marketplace as they are calendaring for this next year. Mayor Richins asked about having the Pinewood Grand Prix because he has been approached by some who would like to participate. Council Member Jensen said she thought this took up too much time and room. Mayor Richins said people are looking forward to this event. Mayor and Council gave discussion on whether to have the Pinewood Grand Prix. They also discussed the lack of food vendors. Council Member Jensen asked for each member of Council to think of three activities to have. Mayor Richins suggested the frozen t-shirt contest.

Mayor and Council gave discussion on where to hold a chalk art contest. Council Member Jensen asked for help finding activities to keep things going throughout the day. Mayor Richins suggested emailing any commitments they may make. Mayor Richins motioned to adjourn at 9:15pm.

ATTEST:

BRUCE RICHINS
Mayor

JENNIE KNIGHT
City Recorder
Approved this 24th day of February, 2015