

**MINUTES OF HARRISVILLE CITY  
CITY COUNCIL MEETING**

Tuesday, March 8, 2016 – 7:00 p.m.  
Council Chambers  
363 West Independence Blvd  
Harrisville, Utah 84404

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**Present:** Mayor Bruce Richins, Council Member Jeff Pearce, Council Member Jennifer Jensen, Council Member Michael Murtha, Council Member Ruth Pearce. [Council Member Gary Robinson is excused]

**Staff:** Bill Morris, City Administrator, Gene Bingham, Public Works Director, Keith Wheelwright, Police Lieutenant, Jennie Knight, City Recorder.

**Visitors:** Tyler Price, Landon Price, Cole VanBeekum, Jordan Jones, Darrell Jones, Brandon Wilson, Nathan Averill, Alexis Martinez, Austin Teuscher, Ryan Barker.

**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.**

Landon Price from Troop 617 led the pledge of allegiance and Mayor Richins conducted the opening ceremony.

**3. Consent Items.**

- a. Approve the minutes of February 9, 2016 as presented.

Council Member Jeff Pearce asked for clarification on the street (700 West) for the sewer project on page 2. Gene Bingham confirmed this project was on 700 West.

**MOTION: Council Member Ruth Pearce motioned to approve the February 9, 2016 minutes as presented. Council Member Jensen seconded the motion. All Council Members voted aye. Motion passed.**

**4. Business Items.**

**a. Discussion/possible action to North View Fire Amendment**

Ryan Barker from North View Fire explained they are experiencing an increased amount of inspection requests for business licenses but they lack the man power to conduct them all. There is a data tracking system available that allows businesses to submit their inspection requests and requirements. This software would also track businesses compliance every year. Currently things are falling two to three years out of date. Layton City was the first district to implement this system. They went from 30% to 70% compliance. Salt Lake and most of Weber County are all now implementing this

software. Ryan Barker said this requires a change to the fire code. The cost of this service is passed on to the business owner. Therefore, there is no cost to the fire department or the city.

Council Member Jeff Pearce asked if businesses will get a better rate on insurance. Ryan Barker said they are not requiring this. Bill Morris indicated this change would have to be adopted by ordinance. He will write up an ordinance that will be passed at a later meeting. Ryan Barker said there will be a need to adopt a new fire code shortly. Bill Morris suggested waiting until both are ready, then passing them at the same time.

**b. Discussion/possible action on Harrisville City Ordinance 478; An Ordinance of Harrisville City, adopting the Franchise Agreement with Syringa Networks for Fiber Optic Service; severability; and providing an effective date.**

Bill Morris explained Syringa is a fiber optic company installing cable throughout the city. This franchise agreement governs how they use the city's right of way. He informed Council at the request of Gene Bingham, he's already made a significant amount of changes but final details will still need to be worked out. The wordage of the ordinance gives him the authority to make final changes. Council Member Murtha asked whether Gene Bingham's concerns were addressed in the changes. Bill Morris explained that most concerns were regarding the protection of the right of way; other uses are secondary. He also requested if cell phone towers come into the city, they consider city property first. Gene Bingham said he also requested an annual franchise accounting statement be provided. Bill Morris clarified that equal protection must be given to all parties if competing companies come into the city as well.

Council Member Jeff Pearce asked if this is UTOPIA. Bill Morris explained that is where the city pays for fiber optics; this is not the same. This is not a governmental entity.

Council Member Jeff Pearce expressed his desire for things to be left in the same condition when trenching is involved, returning the right of way to original condition.

Gene Bingham said he requested to not be invasive.

Brandon Wilson from Syringa explained more details about his company. He said they are an Idaho based telecommunication company. They do not provide services to residential areas, nor do they plan to. They are here to install a cell site that is on private property on the west side of Washington Blvd. The only time this would affect private residents is if they had to reach a certain site through a residential property.

Bill Morris explained the taxes are paid directly to the state; the state holds them temporarily and then disperses them to the cities. There will be no direct payment to the city. Although the city should get a monthly statement reporting the tax collected by the state. If Syringa also provides a statement, these could be compared for accuracy. If they were to provide services to residences they would have to change the agreement. The main objective of this agreement is to protect the right of way.

Mayor Richins asked about the history of Syringa. Brandon Wilson explained a group of ranchers created their own telecommunication businesses years ago. Syringa is the collaborative effort of about 12 of these companies. They have been in Utah for five years. They service 322 individual locations; most are wireless networks. Sprint is their largest customer with Verizon being the next largest.

Mayor Richins asked if this needs to be tabled until the agreement is finalized. Bill Morris reviewed the red line changes. He recommended Council approve the ordinance adopting the agreement allowing any final adjustments to be made.

**MOTION: Council Member Ruth Pearce motioned to adopt Harrisville City Ordinance 478; An Ordinance of Harrisville City, adopting the Franchise Agreement with Syringa Networks for Fiber Optic Service; severability; and providing an effective date with the authorization from Bill Morris to finalize the agreement for compliance. Council Member Jensen seconded the motion. A Roll Call vote was taken.**

<b>Council Member Ruth Pearce</b>	<b>Yes</b>
<b>Council Member Murtha</b>	<b>Yes</b>
<b>Council Member Jensen</b>	<b>Yes</b>
<b>Council Member Jeff Pearce</b>	<b>Yes</b>

**Motion passed 4-0.**

**c. Discussion/possible action to approve 2016 Crack Seal Projects**

Gene Bingham explained this is an annual maintenance project and although he was slightly rushed to receive these bids on time he received six bids from reputable companies. Most of these companies have done work for the city in the past. Each year he surveys the streets and accompanies that with our specifications to put this out to bid. Sometimes the bids come in all over the board. After reviewing the bids, Aspen paving is once again the low bid. This is the time of year to do the crack seal projects because there is little moisture in the cracks.

Council Member Jeff Pearce asked how much distance city this covers. Gene Bingham clarified this is a year to year process and includes half of the city this time around. He said we have good success with this maintenance process. Mayor Richins commented he is glad we maintain the roads in this fashion.

Council Member Murtha asked if this is done before they resurface. Gene Bingham said if there is a good surface they apply the crack seal before any other process is done; thereby solidifying the road surface. Council Member Jeff Pearce said especially with the clay base we have in Harrisville. Gene Bingham said they have tried to separate this process with new roadways; trying to keep the moisture out of the road. Council Member Murtha said this is a good price to cover half of the city; compared to the previous years. Gene Bingham explained by soliciting multiple bids he is able to keep the bids reasonable. This also gives you an understanding on the contractors.

Technically under our ordinance this does not have to be put out to bid; he has discovered it helps keep the costs low. Council Member Murtha thanked Gene Bingham for his efforts. Mayor Richins commented that getting the bids out early helps keep costs down and the work done early.

**MOTION: Council Member Jensen motioned to approve the 2016 Crack Seal Projects and award the project to Aspen Paving for \$16,400. Council Member Murtha seconded the motion. A Roll Call vote was taken.**

**Council Member Ruth Pearce**    **Yes**  
**Council Member Murtha**        **Yes**  
**Council Member Jensen**        **Yes**  
**Council Member Jeff Pearce**    **Yes**

**Motion passed 4-0.**

**d. Discussion/possible action to approve Harrisville City Resolution 16-01; A Resolution of Harrisville City, adopting the Weber County Pre-Disaster Mitigation Plan; and providing an effective date.**

Keith Wheelwright explained this plan has been prepared through Weber County as a county wide collaboration with each city giving input. Part of our input was our assessment of our city, the emergency plan. Items such as a failure with the sump pump which would fill the basement of the city building affecting the electronics that are stored downstairs. Also included in the plan is the potential relocation of the city office buildings on 750 West.

This plan has now been approved through FEMA and each city is adopting the final draft to maintain eligibility for federal funding in case of a real emergency. There were very minimal changes made to the previous draft. The city will be required to update this plan every 5 years on our own. Mayor Richins asked why the responsibility will be shifting to the city level. Keith Wheelwright said the State deferred this responsibility to the counties for this plan and they will be deferring future plans to the city.

Bill Morris gave a brief history of the implementation of this program. Council Member Murtha pointed out coordination efforts would be difficult on city levels. Keith Wheelwright clarified we have a very good county wide emergency program. They keep tabs on what is available between all cities as resources. Bill Morris explained the county representative, Lance Peterson, has talked to FEMA about the difficulties moving this program to a city effort.

**MOTION: Council Member Jeff Pearce motioned to approve Harrisville City Resolution 16-01; A Resolution of Harrisville City, adopting the Weber County Pre-Disaster Mitigation Plan; and providing an effective date. Council Member Ruth Pearce seconded the motion. A Roll Call vote was taken.**

**Council Member Ruth Pearce**    **Yes**  
**Council Member Murtha**        **Yes**  
**Council Member Jensen**        **Yes**  
**Council Member Jeff Pearce**    **Yes**

**Motion passed 4-0.**

**e. Discussion/possible action disproportionate Law Enforcement Business License fee data.**

Keith Wheelwright gave a brief introduction on the history of the disproportionate fee. He said he was asked to go through the study to answer some questions. The city

asked for this study to be done to establish a good landlord program. A lot of this falls on the police department because they respond to calls for service. Basic requirements to implement a good landlord program are contained in state code. The disproportionate fee study must be conducted first; Zion's bank conducted this study. They collect the information from the city by using data including calls for service and administrative costs. The disproportionate cost is strictly police because we do not have a fire department. We also do not have enhanced costs such as snow removal or private security. The base cost of the administrative services is having the police chief sign off on business licenses. For purposes of this study they averaged out two year's worth of data.

Lt. Wheelwright gave an overview of the number of residences, businesses, and home occupations. This provided a base of what the cost is to each resident or business. He explained the cost per call on average based on the costs that have decreased as they have become more efficient. They absorbed the increase in activity without increasing man power.

The study also breaks each business down based on category. Lt. Wheelwright clarified staff is not recommending any change to the current business license fees for any businesses in the city. To implement the good landlord program they would take the base business license fee and add the cost to manage the good landlord program. One thing to note; a landlord is only required to have one business license, even if they own multiple properties within the city. Also the business license fee may be reduced or waived if the landlord participates in a compliance program.

Mayor Richins asked if this is specifically in the PUD zones. Council Member Jensen asked if this is specifically the older resident area. Lt. Wheelwright said most of the calls to those areas are medical calls. The good landlord program is mostly for rentals in multiple family housing areas but not exclusively. Bill Morris explained the business license fee study reflected the highest fee allowed. Council has the authority to adjust these fees. Council Member Murtha said the study reflects we are out of compliance on a few classifications. Bill Morris said there were several that would actually go down, and some we are not collecting on at all. He clarified Council is welcome to leave the current fees in place.

Council Member Jensen suggested Council consider what is going to be coming in. Bill Morris said this just sets the classification for the licensing. Council Member Jensen expressed her desire to maintain fairness with businesses. Bill Morris said the study also reflects the portion the city is subsidizing. He reminded Council of the requirement to conduct this study every five years if they implement the good landlord program. Council Member Jeff Pearce asked what the legislature is doing with regard to the good landlord program. Bill Morris said he is not aware of any changes yet. Lt. Wheelwright said his understanding is they were proposing a lighter requirement with regard to felons ability to rent. Part of the rehabilitation of felons is related to the type of community they are living in. He explained if the city is tracking the landlords, they will be held accountable for the renters. Council Member Murtha asked about those businesses who make it difficult due to bad behavior. He said the city cannot charge them differently if they are in the same classification. He asked what the city is doing to hold them accountable. Lt. Wheelwright explained in the case of Walmart, they are not necessarily held responsible for retail thefts that occur because they participate in an

asset protection program. Our police department works with them regularly to help keep the disproportionate fee as low as possible. He also pointed out due to the man power of our current police department, they are only responding to calls. They do not have enough man power to actively police these areas unless they are responding to a call. Bill Morris suggested having a good business program. The city is allowed to offer a workshop where businesses can receive a discount on licensing fees for attendance. Council Member Murtha asked what has been done to reduce variable costs on the city's end. Lt. Wheelwright said they control the amount of overtime allowed. He did clarify that some of the "variable costs" are actually more fixed. They must replace broken or old equipment. One example is Tasers. They must be serviced regularly as well as regular maintenance on vehicles. As far as man power goes, they do their best to control this.

Council Member Jensen expressed her interest in starting a good business program. This would give control back to the business owners to bring themselves into compliance with city regulations. Bill Morris said this would be a proactive model for businesses.

**f. 2016 Moderate Income Housing Update Report.**

Bill Morris explained every two years we are required to adopt this report, relating to housing throughout the city. Each time the state code is reviewed, demographic information is outlined and income levels are obtained from HUD. We then review all new development in the city. The county assessor's office provides the data to determine a moderate income housing level based on the standard 30 year mortgage rate. Our report shows 90% of housing is available to moderate income housing. Additionally we are still building moderate income housing. This report is sent to the state along with our surrounding cities. Council Member Jeff Pearce asked if this report includes new developments. Bill Morris clarified the data is within the last month. Once this report is in place, we become eligible for CDBG grants.

**MOTION: Council Member Jeff Pearce motioned to approve the 2016 Moderate Income Housing Update Report. Council Member Jensen seconded the motion. All Council Members voted aye. Motion passed.**

**g. Discussion/update on General Plan & Economic Development and proposal from Better City.**

Bill Morris explained that he and Council Member Murtha met with Matt Godfrey about a proposal to review the general plan and economic development. Matt Godfrey is here with a proposal as the city is looking to redo general plan; specifically the economic development element. Bill Morris said we would bifurcate these elements with Gene Bingham working on the public works elements and Matt Godfrey working on the economic development.

Matt Godfrey said after they met on economic development he felt uncomfortable making a proposal to Harrisville because this is his home town. He worked in the maintenance department. He believes the correct approach is to do a general plan that focuses on economic development, keeping the end in mind. He suggested the city hire a consulting company that can draw a plan and also implement the plan.

At this time he is here to offer a volunteer service until he is no longer available in June. During this time he is willing to offer his services to develop a revenue and expense strategic plan using current budgets and trend lines looking towards future projections and where the gaps are occurring. Ultimately trying to determine when the expenses will exceed revenue; then the city can develop a plan to overcome this. Additionally he would like to meet with stake holders throughout the city and reach out to the public to see what input is received on the future look of Harrisville City. This creates a road map to make this possible by developing frame work and making meaningful decisions. Bill Morris pointed out with the approval of the Moderate Income Housing plan, which shows the majority of Harrisville City accommodating moderate to low income housing, a redevelopment plan may be necessary as well. As older homes become rentals, we would have a plan in place before issues develop. He suggested Council utilize Matt Godfrey as a volunteer and when he becomes unavailable look towards whether or not they want to pay for additional services. Mayor Richins thanked Matt Godfrey for his willingness to volunteer.

#### **5. Public Comments - (3 minute maximum)**

Jordon Jones, 266 W. 2275 N. wanted to say he's noticed speeding in his area. Council Member Jensen asked which road specifically. He said particularly on 300 West.

Landon Price, 558 W 2300 N, suggested having speed bumps and other things would slow down the speeding in that area.

Cole VanBeekum, noticed speeding off of 2300 North. He suggested more patrol might help in this area.

Tyler Price, 558 W. 2300 N, suggested Council look into automatic speeding notice signs, and wondered whether these are a good deterrent. This seems to be working on Shady Lane in Pleasant View City. Lt Wheelwright said each sign is approximately \$3,000 but is definitely something to consider. Mr. Price suggested increased patrol with more police visibility; or installing speed bumps. Gene Bingham said they are not allowed to install asphalt bumps on public right of way. Mayor Richins said they recognized the speeding in our park area was reduced with the implementation of the removable speed bumps.

Mayor Richins expressed his appreciation the scout troop stayed to listen for so long.

#### **6. Mayor/Council Follow-up:**

Mayor Richins informed Council the next scheduled council meeting is on caucus night. He recommended cancelling this meeting so everyone is available to attend the caucuses. The next regularly scheduled meeting is April 12<sup>th</sup> with a budget work session. Mayor and Council agreed to hold the budget work session before the meeting.

Mayor and Council agreed a Heritage Days work session is needed. Council Member Jensen asked about a meeting schedule. Mayor Richins suggested the sooner the better.

Council Member Ruth Pearce said she has a volunteer opportunity who may be able to help with the Farmer's Market.

Council Member Jensen said there is racing going on each night by her stop sign. Lt. Wheelwright asked for details. Council Member Jensen gave details and the police department will review this area.

**7. Adjourn.**

Mayor Richins motioned to adjourn at 8:40pm.

**ATTEST:**

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**BRUCE RICHINS**  
Mayor

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**JENNIE KNIGHT**  
City Recorder  
Approved this 12<sup>th</sup> day of April, 2016