

MINUTES
HARRISVILLE CITY COUNCIL
April 9, 2024
363 West Independence Blvd
Harrisville, UT 84404

Minutes of a regular Harrisville City Council meeting held on April 9th, 2024 at 7:00 P.M. in the Harrisville City Council Chambers, 363 West Independence Blvd., Harrisville, UT.

Present: Mayor Michelle Tait, Council Member Karen Fawcett, Council Member Grover Wilhelmsen, Council Member Blair Christensen, Council Member Max Jackson.

Excused: Council Member Steve Weiss, Bryan Fife, Parks and Recreation Director

Staff: Jennie Knight, City Administrator, Brody Flint, City Attorney, Justin Shinsel, Public Works Director, Jack Fogal, City Recorder, Mark Wilson, Chief of Police, Sergeant Nick Taylor.

Visitors: Jesus Ochoa, Lily Hansen, Glade Mccombs, Angel Ochoa, Lane Monson, Jim Bradshaw, Paul Davis, Jen Fischer, Aaron Thornock, Jeff Humphrey, Tammy Wright, Greg Montgomery, Marvin Farrell, Judy Coulter, Dave Conley, Becky Zumbo.

1. Call to Order.

Mayor Tait called the meeting to order and welcomed all in attendance.

2. Opening Ceremony.

Council Member Wilhelmsen opened with the Pledge of Allegiance.

3. Consent Items

a. Approval of Meeting Minutes for March 12th, 2024 as presented.

Motion: Council Member Wilhelmsen made a motion to approve the meeting minutes for March 12th, 2024 as presented, second by Council Member Fawcett.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Excused
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously

4. Business Items.

a. YCC activities update

Jesus Ochoa presented on the Lincoln Luncheon and the Harrisville City Easter Egg Hunt. The YCC got to meet Representative Blake Moore at the Lincoln Luncheon. The YCC helped to hide eggs for the Easter egg hunt and gave residents directions during the event.

Lily Hansen presented on the Future In Focus Conference at Utah State University. Over two-hundred youth attended the conference. The activities and classes were planned by YCC members around the state. There was a formal banquet with a guest speaker who discussed finding your own purpose. One of the biggest takeaways was that you can use your core values to gain confidence and build habits to help succeed. The YCC is looking forward to attending next year. The YCC invited any member of Council to attend the conference with them next year. The YCC will be holding an election to elect their own Mayor and Council.

b. Public Hearing – to receive input from the public for and/or against the proposed Ordinance, Harrisville Ordinance 553; an ordinance vacating a 10-foot-wide public utility easement on lot 10 within the Cinnamon Park Subdivision.

Jennie Knight clarified this is a formality to relocate an easement on an existing lot. The current easement is in the center of the lot and prevents any future add on. This ordinance will vacate the current easement and relocate it to the edge of the property. All public noticing law was met. There are no utilities currently in the easement. All utility companies were notified and given the chance to provide comment. There was no comment given by any utility company.

Motion: Council Member Christensen made a motion to open the public hearing for Harrisville Ordinance 553; an ordinance vacating a 10-foot-wide public utility easement on lot 10 within the Cinnamon Park Subdivision, second by Council Member Wilhelmsen.

The vote on the motion was as follows:

- Council Member Wilhelmsen, Yes
- Council Member Weiss, Excused
- Council Member Christensen, Yes
- Council Member Jackson, Yes
- Council Member Fawcett, Yes

The motion passed unanimously.

There was not public comment given

Motion: Council Member Jackson made a motion to close the public hearing for Harrisville Ordinance 553; an ordinance vacating a 10-foot-wide public utility easement on lot 10 within the Cinnamon Park Subdivision, second by Council Member Wilhelmsen.

The vote on the motion was as follows:

- Council Member Wilhelmsen, Yes
- Council Member Weiss, Excused
- Council Member Christensen, Yes
- Council Member Jackson, Yes

Council Member Fawcett, Yes

The motion passed unanimously.

c. Discussion/possible action to adopt Harrisville Ordinance 553; an ordinance vacating a 10-foot-wide public utility easement on lot 10 within the Cinnamon Park Subdivision.

Jennie Knight clarified this is the ordinance for the public hearing business item b.

Motion: Council Member Christensen made a motion to approve Harrisville Ordinance 553; an ordinance vacating a 10-foot-wide public utility easement on lot 10 within the Cinnamon Park Subdivision, second by Council Member Fawcett.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Excused
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.

d. Discussion/possible action to adopt Harrisville Ordinance 550; an ordinance approving the Business License Fee Analysis.

Jill Hunt presented on the Business License Fee Analysis conducted by Zions Public Finance. The goal is business licenses should pay for themselves. Residents should not bear the burden. The study broke down how much time administration, police, and staff spend on business license related matters. Council Member Fawcett inquired why some business license fees went down. Jill Hunt explained a lot of the cost was based on police department call outs. If the volume of calls did not warrant the cost it was decreased. Council Member Wilhelmsen inquired how this affects home occupation business licenses. Are we following the law in regards to home occupations. Jill Hunt answered there are some home occupations that require a business license. Conditional uses are an example of home occupations that would require a license. This study and our code comply with state code. Council Member Wilhelmsen inquired about people operating a home business without getting a license. Jennie Knight answered the state code says that we can charge for a business license if it impacts the residents or city. If we receive a complaint about a home occupation impacting the City we would go through the code enforcement process to resolve the issue.

Motion: Council Member Jackson made a motion to approve Harrisville Ordinance 550; an ordinance approving the Business License Fee Analysis, second by Council Member Wilhelmsen.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Excused
Council Member Christensen, Yes
Council Member Jackson, Yes

Council Member Fawcett, Yes

The motion passed unanimously.

e. Discussion/possible action to adopt Harrisville Ordinance 551; an ordinance adopting a clustered development plan for property located at approximately 265 Larsen lane based upon application filed with the City.

Jennie Knight explained in November the City received an application for a mixed-use infill use map amendment. Planning Commission gave a negative recommendation. The developer and his team modified their plan and applied for a clustered development. The Planning Commission gave a positive recommendation condition to the subdivision code. Council Member Jackson inquired about the density points for the subdivision. Jennie Knight explained the developer has two amenities a playground and pickle ball courts for a 25% bonus. All homes will have porches which gives a 5% density bonus. The development will have landscaped entrance with signs for a 10% density bonus. Current zoning allows 22 units, with the bonus density they can have up to 33 lots. The developer is proposing 30 new lots. Council Member Fawcett stated that on page 46 of the MDA it states there is a maximum of 40 units. Jennie Knight explained that is a typo and we can adjust that in the motion. Council Member Jackson inquired about the Love's property in relation to the development. Jennie Knight explained it could be counted as the 31st lot. Council Member Fawcett inquired about the water rights in the development. Jennie Knight explained the Cities responsibility is to make sure that the downstream water users have the same amount of water at the same times during the year. Glade Mccombs explained the project is phased the way it is so they can pipe the ditch when it is not the watering season and there will not be interference with the downstream ditch users. Council Member Jackson inquired about the pickleball courts being too close to an existing house. Jennie Knight explained the courts were placed next to the green space. There will be no lights and they will be private. Council Member Wilhelmsen expressed concern for the noise pickleball makes. Glade Mccombs stated that they would be willing to adjust the location of the pickle ball courts. His team feels like it is a good amenity for the community. He feels the benefit outweighs the negative. Mayor Tait inquired if he has done another development with pickleball courts. Glade Mccombs stated there are some developments in the works with pickleball courts. Council Member Wilhelmsen inquired about the size of the green space. Glade Mccombs stated it is approximately three quarters of an acre. Mayor Tait inquired if some landscaping could be placed to reduce the noise. Glade Mccombs stated his team would be willing to place landscaping around the pickleball courts to reduce noise. Council Member Christensen inquired if the pickleball court could be swapped with the retention pond. Justin Shinsel stated no it could not be changed due to the slope of the lots. Council Member Fawcett inquired how the public would be kept out of private courts. Glade Mccombs stated there is no way to keep the public out completely but they will maintain the courts regardless.

Motion: Council Member Wilhelmsen made a motion to approve Harrisville Ordinance 551; an ordinance adopting a clustered development plan for property located at approximately 265 Larsen lane with the inclusion of shrubbery or trees to provide a sound barrier and the clarification of the 30 lots on page 46, second by Council Member Christensen.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Excused
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.

f. Discussion/possible action to adopt Harrisville Ordinance 552; Summit View Zoning Map Amendment and Master Development Agreement.

Jennie Knight advised this ordinance is based on application received in February of 2023. A public hearing was held by the Planning Commission in 2023. The mixed-use subcommittee has met to negotiate the MDA. All exhibits have been provided for this development. This is a combination of townhomes and patio homes. After receiving public comment, the developer has adjusted the location of the patio homes to the east side of the project. Council Member Fawcett inquired if this would be an HOA. Jennie Knight clarified this would be an HOA and the proposed HOA documents are included in the packet. Council Member Wilhelmsen asked how long the developer has been working on this project. Glade McCombs stated a little over a year. Council Member Christensen inquired who was on the committee. Jennie Knight answered Council Member Loveland, Council Member Weiss, Nathan Averill from the Planning Commission, and City staff. Council Member Wilhelmsen inquired about the future plans with Greenwood Charter School. Jennie Knight explained the western connection point is adjacent to Greenwood Charter School. Council Member Wilhelmsen asked about water rights. Jennie Knight explained this project is eligible for Pineview Water. Council Member Wilhelmsen asked about the streams in the project. Glade McCombs stated there are two streams. Jennie Knight clarified it will be worked out in the development process and they will need to get stream alteration permits from the state.

Motion: Council Member Wilhelmsen made a motion to approve Harrisville Ordinance 552; Summit View Zoning Map Amendment and Master Development Agreement, second by Council Member Jackson.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Excused
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.

g. Garbage Services Update

Jennie Knight explained staff has identified some impacts that need to be considered before deciding on adjusting the prices with the budget later this year. Employee time needs to factor into the cost. It has been two years since the audit of garbage cans. Staff is prepared to conduct another audit. Waste Management is anticipating a small increase in cost for services. Staff is hoping to receive final numbers for the increase before July. Staff recommends increasing the second garbage can price to match the first can. There is no motion on this item tonight. Staff is

trying to provide Council with information. Council asked staff to complete an audit of trash cans.

h. Discussion/possible action to adopt Public Works Standards.

Justin Shinsel explained Public Works goes through their standards every five years. They are updating standards to meet state code. The biggest changes were to street width and light poles. They are going away from wood poles and getting nicer light poles that will handle conditions better. This has been a work in process for six months. Glen Gammell and Matt Robertson have been working on this diligently.

Motion: Council Member Christensen made a motion to adopt Public Works Standards, second by Council Member Fawcett.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Excused
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.

i. Discussion/possible action to adopt the Harrisville City Website Privacy Policy.

Jennie Knight explained new state code requires we have a privacy policy posted on our website. It has to explain how we retain the information gathered on our City website.

Motion: Council Member Wilhelmsen made a motion to adopt the Harrisville City Website Privacy Policy, second by Council Member Fawcett.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Excused
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.

j. Discussion/possible action to adopt Harrisville Ordinance 554; an ordinance amending the Harrisville Municipal Code Section 6.13.030 Transportation Code for Parking.

Jennie Knight explained we have received feedback from the community about parking on Highway 89 by Greenwood Charter School. The proposed ordinance includes an update to the parking ordinance restricting parking on state roads where designated by traffic markers. Traffic markers can include signs stating no parking or painted curbs. If we identify any curbs or markings this ordinance allows enforcement. Council Member Wilhelmsen inquired if this will

affect the parking on Highway 89 during events like the Fall Festival. Jennie Knight explained this can be used to post no parking signs on Highway 89. Council Member Jackson inquired about the cement island by Greenwood Charter School. Mayor Tait informed Council during the UDOT quarterly meetings UDOT stated they would be willing to help the City meet its needs. The last meeting UDOT stated they would be removing some of the median. Justin Shinsel clarified from North Harrisville Road they will remove one hundred thirty-eight feet of the median. They will also be fixing a lot of potholes on Highway 89.

Motion: Council Member Wilhelmsen made a motion to adopt Harrisville Ordinance 554; an ordinance amending the Harrisville Municipal Code 6.13.030 Transportation Code for Parking, second by Council Member Jackson.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Excused
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.

k. Discussion/possible action to surplus Police Vehicles.

Mark Wilson explained the department is asking to surplus two police vehicles. They are looking at an auction agency or selling them out of state to another department that wants already outfitted vehicles. If sent to auction we have to strip them of equipment. Council Member Jackson inquired about stripping the vehicles. Mark Wilson explained its costs approximately \$500 to strip the vehicles.

Motion: Council Member Christensen made a motion to surplus Police Vehicles, second by Council Member Fawcett.

The vote on the motion was as follows:

Council Member Wilhelmsen, Yes
Council Member Weiss, Excused
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.

5. Public Comment

Mayor Tait opened the public comment period.

Paul Davis inquired about business item e. He was concerned about the parking and upkeep of the pickleball courts.

David Conley lives at 275 E. Larsen Lane. He is against the development; it will not improve the neighborhood.

Judy Coulter lives at 269 Larsen Lane. Her husband is sick and needs rest. The pickleball court is right by her bedroom. She won't hesitate to take legal action if her husband is affected by the pickleball court. She is asking why they have to be right by her house and cannot be in another spot. It could go somewhere else in the development and not impact residents.

Greg Montgomery explained this process has shown the need to define the cluster subdivision ordinance. In a cluster subdivision they get benefits that other subdivisions will not. He does not understand why the Love lot was not counted as part of the project. Why does it count towards the acreage but not towards the amenities. The motion did not cover that. Under Roberts's rules you can always consider a motion to address issues raised by the public

Mayor Tait closed the public comment period.

6. Mayor/Council Follow-up

Mark Wilson updated Council about a new hire that will be starting at the end of May. He will replace Officer Clark. The Jason Reed Foundation is presenting the department with a grant. They will use it to mount orange grips on shotguns to designate them as less than lethal. The new cars are here and will be outfitted soon.

Justin Shinsel explained there are footings and foundations on the new Public Works Building. He has received an update from Representative Moore's office. We have received \$2,000,000 from the federal appropriations funding to build the new road connecting the complex to Highway 89. Harrisville was selected by the WFRC to receive \$1,500,000 for the upgrades for 750 W., the funding will not be available until 2030. Public Works is sending in a letter of intent to WACOG for funding for curb, gutter, and sidewalk for 750 West. They are watching the runoff to make sure we are proactive about flooding. He thanked Council Member Christensen for helping remove a nuisance rodent from a stream.

Jennie Knight updated Council on the Ribbon Cutting Ceremony for the new Harrisville Park playground equipment. The lender for Ben Lomond Views has been in contact with the City. The lender is willing to move forward with the current MDA. They are preparing to start on phase 1 which is Milenium Park.

Council Member Wilhelmsen stated that next month the senior luncheon will be planned around Cinco De Mayo. He thanked the YCC for their wonderful presentation.

Council Member Fawcett inquired about getting the packets out earlier in an email group.

Mayor Tait thanked all those who helped with the Easter Egg Hunt and the Ribbon Cutting Ceremony.

7. Adjournment

Council Member Jackson motioned to adjourn the meeting, second by Council Member Wilhelmsen.

The vote on the motion was as follows:


Council Member Wilhelmsen, Yes

Council Member Weiss, Excused
Council Member Christensen, Yes
Council Member Jackson, Yes
Council Member Fawcett, Yes

The motion passed unanimously.

The meeting adjourned at 8:27 P.M.

ATTEST:



Jack Fogal
City Recorder
Approved this 14th day of May, 2024





MICHELLE TAIT
Mayor