

**MINUTES OF HARRISVILLE CITY
CITY COUNCIL
March 8, 2022
363 West Independence Blvd
Harrisville, UT 84404**

Present: Mayor Michelle Tait, Council Member Blair Christensen, Council Member Max Jackson, Council Member Kenny Loveland Council Member Steve Weiss, Council Member Wilhelmsen.

Staff: Jennie Knight, City Administrator, Cynthia Benson, Deputy Recorder, Justin Shinsel, Public Works Director, Jessica Hardy, Finance Director.

Visitors: Arnold Tait, Michael Knight, Blaine Burrow, John Newhall, Markus Keller, Carlos Aguilar, Steve Hempel, James Ordi, James Maher.

7:00 P.M. CITY COUNCIL MEETING

1. CALL TO ORDER

Mayor Tait called the meeting to order and welcomed all visitors.

2. PLEDGE OF ALLEGIANCE & OPENING CEREMONY

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

3. CONSENT ITEMS

- a. Approve the minutes of February 8, 2022 as presented.

MOTION: Council Member Weiss motioned to approve the minutes of February 8, 2022 as presented. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

- b. Advice and consent of Mayor's appointment of City Administrator.

MOTION: Council Member Wilhelmsen motioned to ratify the Mayor's appointment of Jennie Knight as the City Administrator. Council Member Loveland seconded the motion. All Council Members voted aye. Motion passed.

4. OATH OF OFFICE

Cynthia Benson administered the oath of office to Jennie Knight, City Administrator.

5. BUSINESS ITEMS

- a. Discussion/possible action on Local Government Bonding options for 750 West Municipal Complex.

Marcus Keller, Zion's Bank, was asked by Mayor Tait to address the council on the bonding options for the 750 West Municipal Complex. Mr. Keller presented several methods of financing for public projects such as saving up, pay as you go, grant financing or debt financing. Mr. Keller said there are many pros and cons for bonding. One such

con is having to pay back an interest. However, those that qualify as a municipality can obtain Municipal Bonds which are long-term, tax-exempt bonds with lower rates. With government bonds the process is more intricate than with a traditional home loan such as noticing, public hearings, finding an underwriter, etc. The various types of bonds available to the city are General Obligation (pledging a property tax; most secure; requires an election), Utility Revenue (utility revenues), Excise Tax Revenue (sales tax, franchise tax, etc.), Lease Revenue/Capital Lease (municipal building authority), Special Assessment, Tax Increment, and Tax Anticipation. Mr. Keller added with a GEO bond the city has potential of generating revenue through property taxes. With a Lease Revenue bond, the generation of new revenue is not available. The parties involved with bonding are the Municipal/Financial Advisor, Underwriter's Counsel, Issuer, Underwriter, Trustee/Paying Agent, Bond Counsel, and Buyers. Mr. Keller picked three potential projects the city has upcoming to present how the bonding would appear. The projects given for him to choose from were; The Municipal Complex, Police Station, Recreation/Community Center, Public Works Facility, Park Facilities and Landscaping, and Site Work/Utilities. Mr. Keller presented how realistic paying off a 25-year bond of approximately \$10.58 million would appear. He also presented the Historical Debt Service Coverage for Sales Tax Revenue, Franchise Tax Revenues and Combined Revenues. In order to come up with the numbers presented he used revenues minus expenses with depreciation items added at the end. Mr. Keller suggested doing a rate study or a truth and taxation to help generate revenue. Mr. Keller ended with saying the city can afford bonding, but recommended a way to increase the revenue for the city before going into bonding.

Mayor Tait asked how long the time frame would be if the council decided to move forward with bonding. Mr. Keller said it would take about 60 days to go through the process. It would begin with a resolution, noticing, public hearings, bids for the interest rate, ending with the Bond Counsel final decisions.

Mayor Tait asked Jessica Hardy to address any council questions. There were no questions from the council. Ms. Hardy asked Mr. Keller if there is a penalty for early pay-off. Mr. Keller said penalties can be addressed in the negotiation process with the purchaser since they vary with each one. Mr. Keller suggested to the council to work towards the next meeting before making a decision. He would begin putting the documentations together. Ms. Knight addressed the council by saying the numbers given to Zions Bank were of a worst-case scenario. She suggested waiting on any decisions until the staff have a chance to align numbers with projects. She mentioned there are other items to consider before deciding. For instance, the sale of the Public Works building, additional Storm Water/Sewer Funds, and the revenues from the upcoming new developments.

Mayor Tait asked Mr. Shinsel for his opinion. Mr. Shinsel agreed the other developments would help with the numbers along with several items coming up on the next month's agenda such as the Storm Water and Sewer Impact fees.

MOTION: Council Member Jackson motioned to authorize staff to lay the groundwork with obtaining the information for bonding with the 750 West Municipal Complex. Council Member Weiss seconded the motion.

A Roll Call Vote was taken.

Council Member Wilhelmsen	Yes
Council Member Weiss	Yes
Council Member Christensen	Yes
Council Member Jackson	Yes
Council Member Loveland	Yes

Motion passed 5-0.

b. Discussion/possible action to adopt Harrisville Ordinance 531; Land Use Amendments. [Jennie Knight]

Mayor Tait asked Jennie Knight to address this. Ms. Knight began by saying as the staff reviewed this municipal code, we found the ordinance contradicts itself in many places. Some revamping was completed with the Planning Commission section as well. The changes were to §11.02.020, §11.02.030, §11.02.040 & §11.02.050 with the Planning Commission appointments and removals. The Planning Commission can now be composed of three (3) to five (5) members, and alternates as needed. Each member of the Planning Commission shall serve a term of four (4) years, which is a reduction to the prior five (5) year term and may be staggered from other members. Any vacancy in the Planning Commission is filled for the remainder of the unexpired term by appointment of the Mayor subject to the advice and consent of the City Council. A change the planning commissioners requested is removal of a member by the same process and subject to the advice and consent of the City Council. The new ordinance also goes through the establishment of a presiding officer, quorum, rules and compensation with the Planning Commissioners. Under the new ordinance, the Planning Commission would not be acting as the appeal authority. The individual/alternates as need be would be appointed by the Mayor subject to the advice and consent of the council. It outlines the qualifications, compensation, and what the appeal authority can do. The last item revamped is §11.18.100 Revocation. This section deals with the conditional use revocation process.

Mayor Tait explained to the council the ordinance has been given a lot of thought as the city has been dealing with some issues which have required this process.

Council Member Jackson asked what kind of qualifications are there for assignment of a Planning Commission. Ms. Knight read the qualification of a Planning Commissioner is the individual appointed should have qualified experience in land use as a professional surveyor, attorney, civil engineer, educator, or other land use related field. Mayor Tait added the process also requires application.

MOTION: Council Member Loveland motioned to adopt Harrisville Ordinance 531; Land Use Amendments. Council Member Weiss seconded the motion.

A Point of Order was called out by a member of the audience interrupting the meeting. Ms. Knight explained to the council someone was asking to address the council. Mayor Tait addressed and asked him to come forward to the podium. Mr. James Ordi stood and asked if this topic was to be opened for public comment. Ms. Knight said the public hearing was held at the Planning Commission level. Public hearings are not held at the City Council. The public hearing was held in February. He claimed to have not received notice. Mr. Ordi then asked what the public comment was. Ms. Knight said there was no public comment. Mr. Ordi asked if this was coming to the City Council with a recommendation from the Planning Commission. Ms. Knight answered in the affirmative. Mr. Ordi thanked the council for the information and retook his seat disposing of the Point of Order. Mayor Tait continued the meeting.

A Roll Call Vote was taken.

Council Member Wilhelmsen	Yes
Council Member Weiss	Yes
Council Member Christensen	Yes
Council Member Jackson	Yes
Council Member Loveland	Yes

Motion passed 5-0.

- c. Discussion/possible action to adopt Harrisville Resolution #22-04; PTIF user update.

Mayor asked Ms. Knight to update the city council on why this resolution is being presented. She replied the resolution is a formality requirement in order for the city to add the new treasurer to the Utah Public Treasurers' Investment Fund. Authorized users are the only ones able to access and/or transact with the accounts and execute the necessary forms on behalf of the city. This action adds Jill Hunt, Harrisville City Treasurer, as a PTIF authorized user.

MOTION: Council Member Weiss motioned to Resolution #22-04; PTIF user update. Council Member Wilhelmsen seconded the motion.

A Roll Call Vote was taken.

Council Member Wilhelmsen	Yes
Council Member Weiss	Yes
Council Member Christensen	Yes
Council Member Jackson	Yes
Council Member Loveland	Yes

Motion passed 5-0.

6. PUBLIC COMMENTS - (3 minute maximum)

Carlos Angular lives on 2150 North. He addressed the council by asking them to take under consideration the recent truck traffic on 2150 North. There is a lot of pedestrian traffic for school on 2150 North and it is a very narrow road. The trucks come through in 25-minute intervals causing back-up. Mayor Tait asked Mr. Shinsel which development is utilizing the trucks. Mr. Shinsel rose to address the council. He replied the development is the new Copperwoods development. They broke ground this week. He further stated the developer was asked to use 2150 North so they would not impede 2000 North traffic. Mr. Shinsel added 2000 North is one of our more congested roads, 2150 North has lighter traffic. This will also allow the trucks to utilize the light at the HWY 89 intersection. Mayor Tait said this will be further discussed in a staff meeting. Mr. Angular thanked the council for all they did.

7. CONVENE AS BOARD OF FOUR MILE SPECIAL SERVICE DISTRICT

Mayor Tait declared the City Council will now convene as the Board of the Four Mile Special Service District.

- a. Discussion/possible action to adopt Harrisville Resolution #22-05; accepting a petition for annexation of property into the Four Mile Special Service District. [Jennie Knight]

Mayor Tait asked Ms. Knight to address the city council on the matter. Ms. Knight explained a little over a year ago the city created the Four Mile Special Service District with the intent to provide secondary water when secondary water was not available through Pineview. During the recording of the Warren Hollow Subdivision the city learned the county is requiring we go through the formal process of annexation. The city received a petition by the developer, Patrick Burns, to annex Warren Hollows Subdivision into the Four Mile Special Service District. The petition meets the requirements outlined in state law for this action. The process will include public noticing, public hearing and a 45-day waiting period for appeals. She explained this is the same process the city completed with a prior development a few months ago. Part of the agreement with the developer is for them to build the secondary system throughout the whole development and then the city will take over the maintenance after the final acceptance to the subdivision.

MOTION: Council Member Weiss motioned to adopt Harrisville Resolution #22-05; accepting a petition for annexation of property into the Four Mile Special Service District. Council Member Loveland seconded the motion. A Roll Call Vote was taken.

A Roll Call Vote was taken.

Council Member Wilhelmsen	Yes
Council Member Weiss	Yes
Council Member Christensen	Yes
Council Member Jackson	Yes
Council Member Loveland	Yes

Motion passed 5-0.

Mayor Tait declared the City Council is now reconvening as the City Council for Harrisville City.

8. MAYOR/COUNCIL FOLLOW-UP

- a. Open Meeting Acts and Non-Discrimination Training – Ms. Knight gave the Open Meetings Acts and Non-Discrimination Training for the City Council to cover the annual training requirement.
- b. ULCT Conference April 20-22 in St. George – Ms. Knight will be making the reservations if any of the council would like to attend.
- c. CJC Funding discussion – Mayor Tait said some of the cities in the county have voted not to give funding to the CJC because their council could not get behind the idea of giving over the money to the county for them to give the building over to a private entity. Mayor Tait asked for direction from the council. Council Member Weiss stated he did not like the idea of the building being given away to a private entity. He feels if the state is making this a mandate, then they need to kick in the financing. Council Member Wilhelmsen said he feels the same way. Council Member Loveland feels as if the CJC are holding the city hostage in the matter. Council Member Jackson said he felt bullied by the CJC to give over the money. He also stated since we do not have the investigative resources to do the investigations with the children the services are needed. He feels we are in between a rock and hard place. He does not like how it is being approached. However, he does not wish to strap our Police Department either. Mayor Tait said the other mayors feel the same. She feels it is like a shell game with the finances. The general consensus from the council was there is something not quite right about the whole process and they need to put the brakes on to find out what it is before granting anything. Ms. Knight said there is no question of the need. The general feeling throughout the cities is the county is pitting the cities against each other. The council agrees this is an unfortunate position everyone has been placed in. Mayor Tait is going forward with the recommendation by the council for Harrisville to not proceed with funding for the CJC Project.
- d. Mayor Tait thanked city staff for the additional monitor. The rest of the council also expressed their appreciation of the new monitor and the ability to see the items presented on the whiteboard.
- e. Council Member Wilhelmsen thanked the staff for opening the lines of communication with the residents. He is beginning to see the staff's efforts throughout the community.
- f. Council Member Jackson said we lost a good man last week, Mr. Tyler MalmRose. He had worked on several community boards including the Terikee Chief Monument. A plaque will be added to the monument in remembrance of his service.

9. ADJOURN

Mayor asked for a motion to adjourn.

MOTION: Council Member Loveland motioned to adjourn the meeting. Council Member Weiss seconded. All voted aye.

Meeting adjourned at 8:32 p.m.

ATTEST:

MICHELLE TAIT
Mayor

JENNIE KNIGHT

City Recorder

Approved this 12th day of April, 2022