

**MINUTES OF HARRISVILLE CITY
CITY COUNCIL MEETING
December 10, 2019 – 7:00 p.m.
363 West Independence Blvd
Harrisville, UT 84404**

Present: Mayor Michelle Tait, Council Member Grover Wilhelmsen, Council Member Gary Robinson, Council Member Ruth Pearce, Council Member Clark Beecher, Council Member Steve Weiss.

Staff: Bill Morris, City Administrator, Jennie Knight, City Recorder, Rick Hill, Bailiff.

Visitors: Nathan Averill, Richard Hendrix, Trent Nelson, William Smith, Chad Holbrook, John Barker, Jessica Prestwich, Sky Hazelhurst, Doug Palermo.

7:00 P.M. CITY COUNCIL MEETING

1. Call to Order.

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

2. Opening Ceremony.

Mayor Tait led the pledge of allegiance and conducted the opening ceremony.

3. Consent Items.

- a. Approve the minutes of November 12, 2019 and November 19, 2019 as presented.

MOTION: Council Member Pearce motioned to approve the minutes of November 12, 2019 and November 19, 2019 as presented. Council Member Wilhelmsen seconded the motion. All Council Members voted aye. Motion passed.

- b. Discussion/possible action on advice and consent to Mayor's Appointments for:
 - i. Harrisville Justice Court Judge
 - ii. Planning Commissioner

Mayor Tait explained Judge Renstrom was appointed to the District Court which left a vacancy in our Justice Court. She introduced her appointment, Judge Trent Nelson, as the new Harrisville Justice Court Judge. Judge Nelson gave a brief background about himself.

Council Member Robinson asked about the selection process. Judge Nelson explained the application process and Mayor Tait said she reviewed hours of information for four applicants during the selection process before she made her decision, which was overwhelming. She attended court this last week and feels good about her decision. Council Member Robinson asked how long Judge Nelson has been an attorney. Judge Nelson responded over 21 years.

MOTION: Council member Weiss motioned to approve the appointment of Judge Trent Nelson as Harrisville Justice Court Judge. Council Member Pearce seconded the motion. All Council Members voted aye. Motion passed.

Mayor Tait introduced Bill Smith to Council as her appointment to Planning Commission. Bill Smith explained he previously served on Planning Commission before he and his wife left to serve an LDS service mission. He has lived in Harrisville all of his life.

MOTION: Council Member Beecher motioned to ratify Mayor Tait's appointment of Bill Smith as Harrisville Planning Commissioner. Council Member Weiss seconded the motion. All Council Members voted aye. Motion passed.

4. Public Comments - (3 minute maximum)

Rick Hendrix expressed his appreciation for Planning Commission and their efforts working on Ordinance 503. There was concern with having 4 story buildings and he hopes they do not consider buildings of that size.

Sky Hazelhurst said he is a commercial real estate broker and advisor and works with developers like the golf course. He commented on the section of the mixed-use ordinance requiring the first level be commercial and a fourth level requirement if there is residential. He does not feel there is a market for this to get the results Council is wanting. Every development will want to change this. There is so much commercial area already with vacancy. He said although roof top amenities sound good and modern, there is nothing with amenities on the fourth floor with residential on the same floor. In his opinion, this is a stumbling block.

Jessica Prestwich said she is with Sierra Homes and has an issue with the ordinance requiring the first level of all buildings must be commercial. In her opinion, this is not going to work with development. She thinks this needs more clarifications. She understands putting commercial on the ground floor, but to make the frontage commercial, this may sit empty for a long time. She would like Council to clarify how much commercial needs to be on the property and not required the fourth floor. She does not think Harrisville wants the fourth story.

Doug Palermo said he is the managing partner for the golf course development. They do not have plans to build any four-story buildings at all.

5. Business Items.

a. Presentation by Waste Management

Mayor Tait explained due to a personal emergency Blake Lionelli was unable to attend the meeting and give his presentation. He will present at the January 14, 2020 meeting.

b. Discussion/possible action to adopt Harrisville Ordinance 503; Mixed-Use and In-Fill Development.

Bill Morris explained Chad Holbrook and Nathan Averill from planning commission are here to explain the process of where the direction comes from on this ordinance. Chad Holbrook, Planning Commission Chair, explained this process has been rather extensive. The initial rendering of the ordinance was ten pages long and unwieldy. They, in turn, decided to use a different strategy. By using development agreements, we can specify and clarify what happens in certain areas. The second draft of the mixed-use ordinance will fit Harrisville more specifically and give more input throughout the process as the terms are negotiated. This has been his concern, that the city will not have enough input in what is being developed. This plan gives greater input in what is being developed. One of the challenges with the previous draft, it was so detailed and as they reviewed, they found more and more they could add. It felt like the city was telling them everything to do. Then have little to say after the approval. He likes the new draft and feel this will have more impact on development.

Nathan Averill said reading through the new version, in comparison to the previous version, there are less specifics. The mandates for commercial in the mixed-use were difficult. The current version allows for infill development and the option for redevelopment. This can be either/or, not just mixed-use.

Council Member Robinson asked how they are dealing with the question of four-story buildings and how are they going to solve the fire issue; other cities do not have fire equipment to service that. Nathan Averill responded the fire department will address the issue of protecting the buildings. Council Member Robinson said we have to protect future citizens and be proactive in this protection. Nathan Averill pointed out there are three- and four-story buildings already.

Council Member Robinson said in his opinion we should not be telling people they have to build things. He feels Farmington putting in all these buildings is a disservice.

Nathan Averill explained they did not want to restrict people with only allowing two story buildings. Chad Holbrook pointed out when developers come in with plans, they will require approval on every level. Those involved in the approval process will meet the needs of the development. Council Member Robinson said he feels this will require a higher tax. Chad Holbrook said we should not be unwilling to have building that high. This type of commercial would only be allowed on Highway 89 or Washington Blvd. Nathan Averill confirmed this would not be on every development. This can be a mix and the new proposal includes the variety.

Council Member Wilhelmsen asked how much of our business district is currently unoccupied. Sky Hazelhurst said he does retail leasing. From his opinion, Harrisville has 20-25% vacancy. Chad Holbrook pointed out there is not a lot of retail to attract people to Harrisville. Through this commercial development, we are not suggesting all commercial be retail either. Other commercial can include professional office space as well. Nathan Averill said allowing for redevelopment will better suit the needs of each property.

Council Member Wilhelmsen asked who decides the guidelines for development. Mayor Tait explained first Project Management staff, then Planning Commission, and finally Council. There are plenty of opportunities to give feedback. Chad Holbrook said this is a great opportunity with the development of the golf course. The city has one chance to make this work. Council Member Wilhelmsen said some residents are concerned about modern development and how are we going to address these issues. Residents are

looking for specific guidelines to be in place. He is not opposed to this; he is concerned with the future. Chad Holbrook said the development agreement process will allow for a lot of filtering options. Nathan Averill pointed out in order to do a mixed-use development, a zoning change must take place first, that will trigger a process of input. Council Member Wilhelmsen said we are trying to make adjustment to each so this is not looked at as a rubber stamp government process. He feels these options might slow down the process and he said Harrisville has been known to exhaust developers in the past. He is concerned with them losing interest in working with Harrisville. He appreciates all of the suggestions and is concerned with making the right choice at the right time.

Mayor Tait asked if this comes from Planning Commission with a unanimous recommendation. Chad Holbrook confirmed this was unanimous.

Council Member Pearce asked how much research has taken place to affect this ordinance. Bill Morris pointed out the entire general plan process was researched with the adoption of the new plan. Council Member Pearce expressed concern with the lack of guidelines. She would like more specifications included. Bill Morris explained any plans can be turned down during the legislative process. Council Member Pearce asked how many times developers will have to come back. Bill Morris said that is part of the negotiation process. If the site plan comes in that the city likes, the city can stream line the approval process. If they meet the standards of an ordinance, the city must approve it. Council Member Pearce said she feels the fourth level should be optional, not mandatory. Bill Morris said planning commission felt this was important. Council Member Pearce said adequate landscaping needs to be outlined as well.

Council Member Weiss pointed out the city does not know what we are looking for yet. We are trying to bring in things that will benefit the city. These developers are going to sit down with planning commission to outline the guidelines. Once they have this, which is the job of the planning commission, all of these questions can be negotiated and come together and make a development agreement. He feels the previous development could not be negotiated under the current ordinance. He would like the developers to do their job and negotiate the guidelines. Council Member Robinson said he feels the fourth floor will hurt the citizens of Harrisville. With the tax issue coming in January, this is an issue. Council Member Weiss pointed out the tax issue is with the state, not our city. Council Member Robinson said he is adamant this will impact property taxes. Council Member Wilhelmsen asked how long the planning commission studies this format. Chad Holbrook said they have been working on this for a few months. Council Member Wilhelmsen admitted he has not been involved until this was recommended at the last meeting and this is the first time he has read over this. He is having to digest this from their work and wants to feel good about begin educated on making a proper decision. He said negotiations will be important in making these decisions. Bill Morris pointed out the mixed-use ordinance has been discussed the past year; with the golf course being the largest development the city will face. He pointed out planning commission tried to set guidelines and standards; then rolled everything back to allow this to be zoning based. Chad Holbrook made clear the reference for this model has used similar processes down south that have been successful.

Council Member Beecher asked how this process is affecting developers. Doug Palermo explained they are dealing with other issues they need to work through during this process. He reiterated they have no interest in building four story buildings. Jessica Prestwich asked how Council will deal with proposed developments or is this ordinance at a standstill. Mayor Tait confirmed developments will be on hold. Jessica Prestwich said other cities include more specifications and also work through development agreements.

Sky Hazelhurst said he has done some development agreements recently in South Ogden, this template may be floating around other municipalities. Developments agreements are common to make things right, but with the four-story requirement, they will be limited trying to build three stories.

Mayor and Council agreed to table the ordinance until the January 14, 2020 meeting.

MOTION: Council Member Weiss motioned to table Harrisville Ordinance 503; Mixed-Use and In-Fill Development. Council Member Pearce seconded the motion. All Council Members voted aye. Motion passed.

c. Discussion/possible action to adopt Harrisville Ordinance 505; Animal Boarding Establishments.

Bill Morris explained this amendment removes animal shelters from the code and includes animal boarding instead, which was the intent of the ordinance from the beginning. Council Member Pearce asked why the ordinance prohibits roosters in R5-6 zones. Bill Morris pointed out the R5-6 zones in the city the currently exist. Council agreed to modify the ordinance to only allow rooster in R-1-20 and A-1 zones.

MOTION: Council Member Weiss motioned to adopt Harrisville Ordinance 505; Animal Boarding Establishments as amended. Council Member Wilhelmsen seconded the motion. A Roll Call Vote was taken.

Council Member Weiss	Yes
Council Member Beecher	Yes
Council Member Pearce	Yes
Council Member Robinson	Yes
Council Member Wilhelmsen	Yes

Motion passed 5-0.

- 6. CLOSED EXECUTIVE SESSION:** Utah State Code §52-4-205(1)(d): The Council may consider a motion to enter into Closed Executive Session for the purpose of discussion of the purchase, exchange, or lease of real property, including any form of a water right or water shares.

MOTION: Council Member Wilhelmsen motioned to close the public meeting and enter a Closed Executive Session. Council Member Beecher seconded the motion. A Roll Call vote was taken.

Council Member Weiss	Yes
Council Member Beecher	Yes
Council Member Pearce	Yes
Council Member Robinson	Yes
Council Member Wilhelmsen	Yes

Motion passed 5-0.

Mayor and Council convened into a Closed Executive Session.

MOTION: Council Member Beecher motioned to close the Closed Executive Session and reopen the public meeting. Council Member Weiss seconded the motion. A Roll Call vote was taken.

Council Member Weiss	Yes
Council Member Beecher	Yes
Council Member Pearce	Yes
Council Member Robinson	Yes
Council Member Wilhelmsen	Yes

Motion passed 5-0.

7. Business Items Cont.

d. Discussion/possible action to authorize staff to enter into an agreement to purchase, exchange, or lease real property.

Mayor and Council discussed the option of purchasing property for the fair market value listed in the appraisal to expand the Harrisville Main Park, staff will address the excess dirt on the property.

MOTION: Council Member Weiss motioned to authorize staff to enter into an agreement to purchase property to expand the Harrisville Main Park for the amount set forth in the appraisal and have staff address the excess dirt on the property. Council Member Wilhelmsen seconded the motion. A Roll Call vote was taken.

Council Member Weiss	Yes
Council Member Beecher	Yes
Council Member Pearce	Yes
Council Member Robinson	Yes
Council Member Wilhelmsen	Yes

Motion passed 5-0.

8. Mayor/Council Follow-Up:

a. Status of upgrade to audio system in Council Room

Jennie Knight explained she has received a bid for upgrading the audio system in the Council Room. The provider suggested upgrading all of the equipment because previous upgrades have only included single elements creating a miscellaneous grouping of equipment. Council requested two more bids be submitted.

Mayor Tait thanked Council Member Gary Robinson and Council Member Ruth Pearce for their service on the Council the last four years. We have new Council Members coming on next year.

9. Adjourn.

Mayor Tait declared the meeting adjourned at 8:14pm.

ATTEST:

MICHELLE TAIT
Mayor

JENNIE KNIGHT

City Recorder

Approved this 14th day of January, 2020