



HARRISVILLE CITY

363 W. Independence Blvd · Harrisville, Utah 84404 · 801-782-4100
www.cityofharrisville.com

MAYOR:
Michelle Tait

COUNCIL MEMBERS:
Grover Wilhelmsen
Steve Weiss
Blair Christensen
Max Jackson
Kenny Loveland

CITY COUNCIL AGENDA

February 14th, 2023

[Join Zoom Meeting](#)

Meeting ID: 891 8924 9640

Passcode: 013918

7:00 Pm City Council Meeting

Presiding: Mayor Michelle Tait

Mayor Pro Term: Blair Christensen

1. **Call to Order** [Mayor Tait]
2. **Opening**
 - a. Pledge of Allegiance [Council Member Jackson]
3. **Consent Items**
 - a. Approval of meeting minutes for January 10th, 2023 and January 24th, 2023 as presented.
4. **Oath of Office** - [Clint Carter]
5. **Recognition/Awards**
 - a. Service Awards - Recognition of employees Bryan Fife (Parks & Recreation Dept.) and Randy Douglas (Parks & Recreation Dept.).
[Mayor Michelle Tait]
6. **Business Items**
 - a. Presentation by Youth City Council on attendance at 2023 ULCT Officials Day.
[Presented by Lily Hansen and Tyra Makela]
 - b. Presentation of year 2022 Audit Report [Jessica Hardy]
 - c. Discussion/possible action to grant an extension for Conditional Zoning of the Ben Lomond Views Development. [Jennie Knight]
 - d. Discussion/possible action to grant final acceptance of Plushnest Subdivision. [Justin Shinsel]
 - e. Discussion/possible actions to adopt changes to Court Security. [Chief Wilson]
 - f. Discussion/possible action to approve Storm Water Improvements at Harrisville Main Park. [Justin Shinsel]
 - g. Discussion/possible action to approve Harrisville Ordinance 539; General Plan Amendment; amending the Moderate-Income Housing Elements of the General Plan and including the 2022 Moderate Income Housing Report. [Jennie Knight]
 - h. Discussion/possible action to adopt 2023 Goals.
7. **Public Comments** - (3 Minute Maximum)
8. **Mayor/Council Follow-Up**
9. **Closed Executive Session** – A Closed Executive Session for the purposes described under UCA §52-4-205(1)(c); strategy session to discuss pending or reasonably imminent litigation.
10. **Adjournment**

The foregoing City Council agenda was posted and can be viewed at City Hall, on the City's website www.cityofharrisville.com, and at the Utah Public Notice Website at <http://pmn.utah.gov>. Notice of this meeting has also been duly provided as required by law.

In accordance with the Americans with Disabilities Act, the City of Harrisville will make reasonable accommodations for participation in the meeting. Requests for assistance may be made by contacting the City Recorder at (801) 782-4100, at least three working days before the meeting.

Posted: By: Jennie Knight, City Administrator

**MINUTES
HARRISVILLE CITY COUNCIL
January 10, 2023
363 West Independence Blvd
Harrisville, UT 84404**

Minutes of a regular Harrisville City Council meeting held on January 10, 2023 at 7:00 p.m. in the Harrisville City Council Chambers, 363 West Independence Blvd., Harrisville, UT.

Present: Mayor Tait, Council Member Jackson, Council Member Loveland, Council Member Weiss, and Council Member Wilhelmsen. Council Member Christensen arrived after the meeting started.

Staff: Jennie Knight, City Administrator
Mark Wilson, Police Chief
Justin Shinsel, Public Works Director
Maria Devereux, City Recorder
Jill Hunt, City Treasurer

Excused:

Visitors: Arnold Tait, Carlos Aguilar, Michelle Walters, Craig North, Chris Schofield.

1. Call to Order.

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

2. Opening Ceremony.

Council Member Weiss opened with the Pledge of Allegiance.

3. Consent Items.

Approval of the Meeting Minutes for December 13, 2022 as Presented.

MOTION: Council Member Loveland made a motion to approve the meeting minutes for December 13, 2022 as presented, second by Council Member Wilhelmsen.

The vote on the motion was as follows:

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

The motion passed unanimously.

4. Recognition/Awards.

Mayor Tait noted service awards will be presented at the February Council Meeting.

5. Oath of Office

Mayor Tait noted Oath of Office would not be conducted at this meeting.

6. Business Items

a. Discussion About Action to Approve Ben Lomond Views Phase 2A Final Subdivision.

Jennie Knight gave an overview of Ben Lomond Views phase 2A. She said that the developer was present if they needed to ask questions. She explained UDOT wanted extra studies done that were prepared by the development team. The development has received a grant of easement for storm water drainage down the West side of the highway. The proposed development includes 101 single family lots and 52 town homes. She explained staff recommends granting final subdivision approval for Ben Lomond Views phase 2A subject to engineer's memo dated January 10th 2023 and staff memo dated January 4th, 2023.

Council Member Wilhelmsen asked about the irrigation ditch which runs through the development. Justin Shinsel explained it is a continuing conversation and they are working on an agreement to get head gate replaced. Council Member Wilhelmsen asked about the ditch and water going to Millennial Park. Justin Shinsel explained it is part of another phase, but they will be updating pipes so this will no longer need the extra overflow from 6 Mile creek.

MOTION: Council Member Weiss made a motion to grant final approval of Ben Lomond Views phase 2A subject to the City Engineer's memo dated January 10th, 2023 and Staff memo dated January 4th, 2023, second by Council Member Wilhelmsen.

The vote on the motion was as follows:

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

The motion passed unanimously.

b. Discussion/possible action to approve the Ben Lomond Views Phase 2D Preliminary Subdivision.

Jennie Knight explained this is preliminary approval. This is the North East corner of the Ben Lomond Views project. She explained this phase includes twin homes and single-family homes; proposed 122 units. This plan is consistent with master development agreement. Plan will need to be reviewed again by Weber County Surveyor Office. Engineer has memo dated January 9th, 2023 with notes for storm water, site plan, culinary water requirements, general requirements, secondary water requirements, sanitary sewer. This plan is contingent on approval of phase 2A. Mayor Tait

asked if this preliminary will need to go back to planning commission, then come back to staff for final approval. Jennie Knight confirmed that Mayor Tait was correct.

MOTION: Council Member Loveland motioned to grant preliminary approval of Ben Lomond Views Phase 2D subject to the City Engineer's memo dated January 9th, 2023, second by Council Member Weiss.

The vote on the motion was as follows:

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

The motion passed unanimously.

c. Discussion/possible action to approve the Harrisville Fields Preliminary Subdivision.

Jennie Knight explained the proposed development includes 54 lots which is consistent with A-1 zoning. The Development will need Ogden City to agree to the road connection lining up with Century Dr. They will also need a will serve letter from Central Weber Sewer. She explained recommendation for preliminary approval per the City Engineer's memo dated January 5th, 2023 and Staff memo dated January 5th, 2023. Council Member Jackson asked about initial issues facing the subdivision. Jennie Knight explained the land is a flood plain but will meet required building codes. They will also not have any basements to due to being in a flood plain. They are required to leave open space and are proposing building energy efficient homes. They will meet R-1-10 regulations and have ninety (90)-foot frontage. Mayor Tait stated that the developer was in attendance if they had any specific questions that staff could not answer.

MOTION: Council Member Weiss motioned to grant preliminary approval of Harrisville Fields Subdivision subject to the City Engineer's memo dated January 5th, 2023 and Staff memo dated January 5th, 2023, second by Council Member Jackson.

The vote on the motion was as follows:

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

The motion passed unanimously.

d. Discussion/Possible Action to Adopt Harrisville Resolution 23-01; Interlocal Agreement with Weber Metro for CRASH Services.

Chief Mark Wilson explained Weber County was putting together a team to investigate major crashes. They would no longer be reliant on highway patrol to assist in these types of investigations. He explained the only costs would be to update crash computer and putting one

person on the team per the agreement with CRASH. Mayor Tait asked how often the services would be used. Chief Wilson said it would be used on major crashes involving deaths or severe injuries. He then explained Roy, Riverdale, Ogden, Weber County, North Ogden are all looking at joining as well. Council Member Wilhelmsen asked does this only apply to us when it is in city limits or would the person go help when it is in another city. Chief Wilson explained that if there is a major crash in the county, they would have four to five CRASH investigators on scene from different jurisdictions.

MOTION: Council Member Wilhelmsen made a motion to adopt Harrisville Resolution 23-01; Interlocal Agreement with Weber Metro for CRASH Services, second by Council Member Weiss.

The vote on the motion was as follows:

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

The motion passed unanimously.

e. Discussion/Possible Action to Authorize Allocation of Approximately \$32,000 of Capital Funds to Replace the Playground Equipment at Harrisville Main Park by Matching Weber County RAMP Grant Funds.

Jennie Knight explained the need for up to \$32,000 in capital funds to match RAMP funds to replace playground equipment at Harrisville Park. The city has received a private donation to help with some cost. She explained the city has to come up with a matching portion to meet the RAMP grant requirements this fiscal year. The city has already gotten the needed bids for the project. She explained they will be informed in April if we received the RAMP funding. Mayor Tait said she has been in RAMP meetings. She explained showing we already have money approved for the project and the cost of labor will help increase our chances of getting approved for the grant. The more we can do to show how this will benefit the community and are prepared to match funds the better our chances are of receiving the grant. This is playground equipment for early childhood development.

MOTION: Council Member Loveland made a motion to authorize allocation of approximately \$32,000 in capital funds to replace playground equipment at Harrisville Park by matching Weber County RAMP grant funds, second by Council Member Wilhelmsen.

The vote on the motion was as follows:

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

The motion passed unanimously.

7. Public Comment

Chris Schofield expressed concern that the detention pond east of his home is full to capacity, if the city is capable, it should be drained. He wanted to bring awareness to the water level of detention pond. He had to call the city to have public works employee come out to take a look at the gate and lower the water level. He suggests the city take a more proactive approach to check detention ponds.

Michelle Walters expressed concern about Dixon creek which is in the back of her property. She was curious if the creek will still flow the way it is or will it be changed with the Harrisville Fields subdivision. She asked what will happen with Dixon creek. She is concerned about who will maintain the road connected to North Street, the city or the subdivision. She asked if the subdivision will put up a fence around the perimeter of the subdivision.

Mayor Tait closed public comment.

8. Mayor/Council Follow-Up

Justin Shinsel said Dixon creek channel will still be in effect, they will pipe it under the road and maintain through the subdivision. He explained part of the open space will become a regional detention basin, which will give the city more opportunity to hold water back to protect from washing out homes. Public Works does try to mitigate issues as they arise, such as releasing water without flooding the city. There are three streams in the city and only two places that leave the city, which are undersized when they go under the railroad. Public works does try to be responsive and reactive.

Jennie Knight explained If the section leading to the development is dedicated to the city, they will maintain it. She explained fencing is up to private property owners to put up because they are in the same zone, because the zone is not changing there is not a city requirement to put up fencing. If there is an existing agricultural fence there and the development causes an opening, they would need to fix it.

Mayor Tait asked Justin Shinsel to explain some of the mitigation efforts the public works department had been working on. Justin Shinsel explained he talked to North Ogden Public Works Director; they had two feet of snow at 3100 N yesterday. Today there is no snow. North Ogden snow melt plus rain inundated the three major storm basins. Public works was working frantically this morning to get water flowing out but not so much that it would cause flooding in the city. This summer they will have a big project to increase culverts under railroad tracks which is the cities choke point. There have been some homes flooded. They have been working with three separate companies to help clean out culverts but are struggling with roots that have been built up. We have not seen these kinds of storms in January in a long time. Justin explained there are sand bags available at the park free to all residents, some are ready to go with more sand, shovels and bags to help if more are needed.

Chief Wilson talked about the police departments new hire Clint Carter. He explained his credential and previous work experience including working with North Ogden PD and as an officer in Alaska. Council Member Jackson asked if he was going to do a full FTO. Chief Wilson said he won't do a full FTO that a new officer would need.

Jennie Knight stated there will be a work session held on January 24th, 2023 from 5:30-9PM to discuss Moderate Income Housing, Economic Development, and budget items. The City Council, Planning Commission, and Weber County Economic Development will all participate. She asked if

anyone has goals to bring them to the meeting for discussion. She said this meeting will be addressed at the City Council meeting in February.

Mayor Tait excused the public.

9. Closed Executive Session

Closed Executive Session for the purposes described under UCA §52-4-205(1)(c); strategy session to discuss pending or reasonably imminent litigation.

MOTION: Council Member Weiss made a motion to enter into a Closed Executive Session for the purposes described under UCA 52-4-205(1)(c), second by Council Member Wilhelmsen.

The vote on the motion was as follows:

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

The motion passed unanimously.

The Mayor and Council convened into a Closed Executive Session.

MOTION: Council Member Wilhelmsen made a motion to close the Closed Executive Session, second by Council Member Wiess.

The vote on the motion was as follows:

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

The motion passed unanimously.

10. Adjournment

The meeting was adjourned at 8:20PM.

MICHELLE TAIT
Mayor

ATTEST:

Jack Fogal

City Staff

Approved this 14th day of February, 2023

DRAFT



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MINUTES OF CITY COUNCIL/PLANNING COMMISSION RETREAT/WORK SESSION

January 24, 2023
725 West Independence Blvd
Harrisville, UT 84404

Minutes of a City Council/Planning Commission retreat and work session held on January 24, 2023 at 5:30 p.m. in the Harrisville City Cabin, 725 W Independence Blvd, Harrisville, UT.

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

Planning Commission: Chad Holbrook, Brenda Nelson, Bill Smith, Kevin Shakespeare, Nathan Averill. (Brad Elmer was excused)

Staff: Jennie Knight, City Administrator
Justin Shinsel, Public Works Director
Mark Wilson, Police Chief
Bryan Fife, Parks and Recreations Director
Jessica Hardy, Finance Director
Jack Fogal, Emergency Manager

Visitors: Stephanie Russell, Weber County Economic Development Director, Melissa Freigang, Center of Excellence Director.

1. Call to Order.

Mayor Michelle Tait opened the meeting and welcomed all in attendance.

2. Economic and Community Development Discussion.

Stephanie Russell gave a presentation on the City's demographics and using a bottom-up approach to the City's economy. Council Member Wilhelmsen asked about the impact of the epidemic and rising housing costs driving young families from purchasing homes in the city. Stephanie Russell stated she does not have the current data for the impact the epidemic caused to city demographics. She talked about the best way to help with housing is being able to look at the best use of space for housing, industry, and quality of life, she then discussed changing mindset to looking at the whole picture of the city and identifying issues with the whole demographic

Melissa Freigang gave a presentation about Weber County being able to use data such as SHARP data from high schools to determine which are the biggest issues facing children and teens in the community. Commissioner Averill asked how SHARP data

would affect kids in our city because there are three different high schools that kids are sent to. He also expressed concern on how that data would look once the new high school in West Haven is built and kids would be moving to new schools. Melissa Freigang explained that SHARP data is collected about schools and not by city so we would need to look at the data from all three. She also explained that SHARP is conducted every other year and that it might change the data when a new school is built. She talked about how SHARP data shows Weber County schools face similar issues regardless of the school.

Stephanie Russell had all participants discuss social, economic, and community issues that the city faces, she then led discussions on brainstorming potential ways to handle different issues in the community.

Mayor Tait thanked Stephanie Russell and Melissa Freigang for their time and presentations.

3. Goals and Priorities.

Jennie Knight gave a presentation on the 2022 goals of the city and a status of what goals have been completed and the status of future goals.

4. Budget Items 2023.

4a. Public Works Budget Presentation.

Justin Shinsel presented his budget and explained grants the city received and what projects they were being applied to. He then presented what projects public works completed this year without needing to contract out the work.

4b. Police Department Budget Presentation.

Mark Wilson gave a presentation on his budget, he asked for an increase in budget for a second detective. He presented data for the number of cases the current detective was working on compared to neighboring cities. Council Member Jackson asked how many sworn officers the department would have if a second detective was added. Mark Wilson said it would make 12 sworn officers. Council Member Wilhelmsen asked if adding a second detective would decrease the thefts in the city. Mark Wilson replied that he did not think it would lower the theft cases the city had but it would allow the current detective to share the workload and complete cases quicker. He also expressed concern with burnout in the detective position, he stated that in the last fifteen years no detective has lasted longer than three years before leaving the position.

4c. Parks and Recreation Budget Presentation.

Bryan Fife gave his presentation on the budget for Parks and Recreation. He presented options for purchasing equipment for movies in the park and increasing fire work show time during the Fall Festival. Council Member Weiss asked to discuss an increase in firework show. He explained that members of the community he has spoken to love the show and claimed it was the best part of the Fall Festival. Council Member Loveland suggested exploring options to increase the show by three to five minutes and gauging the community reaction.

4d. City Administration Budget Presentation.

Jennie Knight gave her presentation about the city budget asking for increases due to inflation, training, and wages.

5. Adjournment.

Mayor Tait adjourned the meeting and thanked everyone for their time and participation.
Meeting was adjourned at 9:17

Attest:

Michelle Tait
Mayor

Jack Fogal
City Staff



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Staff Report

Ordinance 515 – Ben Lomond Views Zoning Map Amendment
Conditional Zoning Extension
February 9, 2023

To: Harrisville Mayor and City Council
From: Jennie Knight, City Administrator
RE: Ordinance 515 – Ben Lomond Views Zoning Map Amendment

A. Summary.

On June 22, 2021, the City Council adopted Ordinance 515 – Ben Lomond Views Zoning Map Amendment which changed the zoning from Open Space (o-1) and Agricultural (A-1) Zone to Mixed-Use Large Project Ben Lomond Zone (MU-LP Ben Lomond Zone). On January 31, 2023, a request for an extension was received from Ben Lomond Views to preserve the work to date.

B. Background and Analysis.

1. Harrisville Municipal Code 11.06.080(3) Conditional Zoning and Revision to Original Zoning Designation reads:

“If building permits have not been obtained and construction of the development or an agreed upon phase thereof, in accordance with the approved concept plan and final development plans, has not commenced within two (2) years from the date of zoning approval or other time period as set by the city council by ordinance, *the city may examine the reasons for the delay and the progress of the developers to that point and may either extend the time period* or initiate steps to revert the zoning designation of the previously re-zoned land to its former or other appropriate zone. Unless specified otherwise by the enacting ordinance, the reversion of zoning shall be made by a subsequent ordinance.”

2. Section 2 of Ordinance 515- Ben Lomond Views Zoning Map Amendment reads:

“The Plan Maps and Master Development Plans attached in as Exhibits “A” through “T” which are hereby adopted and incorporated herein by this reference are adopted as the required Plan Maps and Master Development Plans for this Zoning Map Amendment. Any development must substantially conform to these Plan Maps and Master Development Plans. In the event that any development fails to substantially conform to the Plan Maps and Master Development Plans, *or in the event that the final plat is not recorded with Weber County within eighteen (18) months of the effective date of this Ordinance, then the property is automatically reverted to its prior zoning of Open-Space (O-1) and Agricultural (A-1) Zone.*”

3. Progress of the Developers to date:

- a. Analysis of the submitted applications for subdivision approvals for Ben Lomond Views Phase 2A and 2D are in compliance with the Plan Maps and Master Development Plans adopted as exhibits to Ordinance 515.
- b. Easements have been acquired with adjoining property owners for storm water improvements.
- c. A Stream Alteration Permit has been submitted for Millennium Park improvements to 6-mile creek.
- d. Final approval of Phase 2A was granted subject to the items outlined in the City Engineer's memo dated January 10, 2023, which included obtaining approval from UDOT for access and Right of Way work.
- e. Preliminary approval of Phase 2D was granted subject to the items outlined in the City Engineer's memo dated January 9, 2023.

4. Reasons for delay:

- a. Application for approval from UDOT for the two accesses and Right of Way work was submitted in July 2022. UDOT required additional studies of the intersection at 1550 North Highway 89 and a full review of the signal intersection.
- b. The developer completed this study in the Fall of 2022 and engineered the signal intersection as requested by UDOT.
- c. On December 6, 2022, Harrisville staff and engineer met with all cities who are included on the 2006 Corridor Agreement to discuss future connections and priorities in anticipation of meeting with UDOT.
- d. On December 19, 2022, the developer received correspondence from UDOT indicated before final approval for access would be provided, the 2006 Corridor Agreement would need to be updated.
- e. On December 21, 2022, Harrisville staff and engineer again met with all cities who are included on the 2006 Corridor Agreement to finalize a "regional map" and correspondence in anticipation of meeting with UDOT.
- f. On January 4, 2023, the developer received correspondence from UDOT indicating all of the previous comments from the signal engineer, Karen Roylance, had been addressed.
- g. Over the course of January 2023, Harrisville staff coordinated with the other cities to request the meeting with UDOT.
- h. On February 8, 2023, Harrisville Mayor, staff, and engineer met with the other cities and UDOT to discuss the 2006 Corridor Agreement and future development in each city. At this meeting all cities agreed to the relocation of the future proposed signal from 1550 North Highway 89 to approximately 1900 North Highway 89. UDOT indicated the access permit would be approved by the "end of the week".

C. Recommendation.

Staff recommends granting the developer's request for an extension of up to thirty-six (36) months for the Conditional Zoning adopted in Ordinance 515- Ben Lomond Views Zoning Map Amendment based on the background and analysis in this report to preserve the work to date.



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MAYOR:

Michelle N. Tait

COUNCIL MEMBERS:

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Steve Weiss
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Max Jackson
Kenny Loveland

MEMORANDUM

To: City Council
From: Chief Mark L Wilson
Department: Police Department
Date: 01/26/2023
Re: Court Security Contract

Discussion: Contract with All Pro Security

This is in regards to a discussion on contracting with All Pro Security for Bailiffs for the remaining portion of the 2022/2023 fiscal year and to continue into the 2023/2024 fiscal year.

Harrisville Police Department does not currently have any bailiffs employed at this time. It's hard to find people that want to only work 8 hrs. per month, this would also cause another expense to keep up the 40 hrs. training per year required by post. We are currently using Asst.Chief Moore, and Detective Keller, and I to cover court. This is not only costing more than an actual contract with All Pro but taking us away from other our other duties.

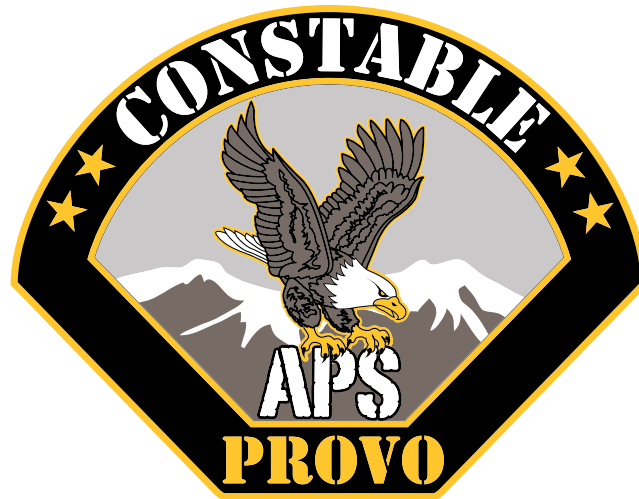
I have estimated a cost for court security through All Pro to be approximately \$10,000.00 per year.

Mark L Wilson
Chief of Police

date 26th of January,2023

12/14/2022

**Proposal for Bailiff and Prisoner Transport Services for the
Harrisville City Justice Court**



Proposal for Bailiff and Prisoner Transport Services for the Harrisville
City Justice Court | Submitted by Constable Bob Conner



1390 W. State St., Pleasant Grove, UT 84062
60 E. Claybourne Ave., SLC, UT 84115
6859 E. Rembrandt Ave, Ste 128, Mesa, AZ 85212
Office: (801) 796-1227 • Fax: (801) 796-3737

www.apsguards.com

Table of Contents

BAILIFF AND COURT SECURITY SERVICES.....	3
I. Introduction/Experience.....	3
II. Scope of Work and Schedule.....	4
III. Qualification & Personnel.....	6
IV. Cost.....	7
V. Additional Information.....	8
VI. Insurance Documents.....	10



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BAILIFF AND COURT SECURITY SERVICES

Thank you for the opportunity to present you more information on my company and a bid for bailiff, court security and prisoner transports. I would hope that All Pro Security/Provo City Constable's Office (APS) and the Harrisville City Justice Court can develop a long-term relationship and that we can be an asset to your organization.

I. Introduction/Experience

All Pro Security (APS) / Provo City Constable's office is managed primarily out our Pleasant Grove office, 1390 W. State Rd, Pleasant Grove, UT 84062, Phone: (801)796-1227, Email: bob@apsguards.com

Bob Conner, who is the sole owner and the Provo City Constable, manages the company and our four locations. Bob opened (APS) in July 2006. Since that time, APS has acquired numerous clients across the State and has been awarded one of the fastest growing companies in Utah County two years in a row. APS also made the INC. 5000 list recently.

APS is also a full-service security guard company, as well as a constable agency. Our company, including constable division, is owned, and managed by Bob and his supervisors under him. We do not have to create a business partnership, or sub-contract our municipal clients to anyone outside of APS. We are totally owned and managed in-house. Bob's background is in law enforcement. He had a 33-year career at the Orem Dept. of Public Safety. He retired in 2013 as a Captain for that agency, having overseen its patrol and support services divisions the previous 8 years. He is also an FBI Academy graduate.

In addition, APS has separate divisions that provide Private Probation, Private Investigations, Process & Warrant Services, Mobile Security Patrols, Site Security, Security Camera Trailers and Access Control. We are a well-rounded and total package security firm.

APS previously purchased two of our competitors and now have a Salt Lake City office for our process services. In addition, we opened an office in Mesa, Arizona and St. George, UT.

Our phone number is (801) 796-1227 and our main office is located at 1390 W. State St. Pleasant Grove, UT 84062, where our in-house staff manage day-to-day operations.



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60 E. Claybourne Ave., SLC, UT 84115
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II. Scope of Work and Schedule

Court Security/Bailiff Services – APS currently has been performing at many other courts in the area. APS currently has the following court security **and/or** prisoner transport contracts with the following cities: **Alpine/Highland, American Fork, Bluffdale, Clearfield, Draper, Lehi, Lindon, Mapleton, Midvale, Ogden, Orem, Provo, Pleasant Grove, Riverdale, Riverton, Sandy, Salt Lake City, South Salt Lake City, South Jordan, Santaquin, Saratoga Springs, Springville, Syracuse, West Jordan and West Valley.** Having that quantity of clients makes it easier to coordinate manpower and transports.

We have Chief Deputies assigned to oversee the supervision of the various locations and ensure our services are up to client's expectations. These Chief Deputies will take the court calendar and schedule our officers according to the needs of Harrisville City Justice Court.

Courtroom Bailiffs: Whenever a courtroom is in operation, we will assign a bailiff for those particular locations. The bailiff's role is to be a security presence in the courtroom. He/she will be between the judge and anyone appearing in court. The officer should be standing up front by the bench to aid with the clerks handing papers out to defendants. Additional duties may be to monitor prisoners in the courtroom, in the absence of transport officers.

Current hours requested for two bailiffs to be present are as follows:

- Wednesday: 8:30 am to 1:30 pm (4-hour minimum for billing)
- 2 Wednesdays per month for now. First and last Wednesday of each month.

The Bailiff's duties are quite standard and are listed below.

- a. Ensures courtroom is prepared for proceedings. Inspects courtroom, Judges Chambers, and related offices/area for safety prior to court proceedings.
- b. Be present inside the courtroom during all court proceedings to ensure the security of the in-court clerk, Judge, public and defendants as necessary during open court.
- c. Announce Judge for court sessions and swears in witnesses.
- d. Instruct and ensure evacuation of those present in court during emergencies.
- e. Respond as necessary to remove persons who are in unauthorized areas or are causing a disturbance to the public or employees of the Court and/or other City employees.



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60 E. Claybourne Ave., SLC, UT 84115
6859 E. Rembrandt Ave, Ste 128, Mesa, AZ 85212
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- f. Assist transport officers with loading/unloading and security of prisoners transported to and from Court. (If needed)
- g. Assist and provide support to the Judge during court proceedings and Court clerk's office as needed.

Courtroom Entrance Security: This location is critical to the security of the facility. This should be always manned by an officer. Duties will entail monitoring all that enter the building. All must pass through security and be scanned for weapons. The walk-through metal detector, and handheld wand, will aid in this task. Having guards who are professional and pleasant to all that enter will help the image and professionalism of the Justice Court. In addition, if cameras are present, monitoring security cameras throughout the building will be more easily handled from here.

The duties include, but are not limited to:

- a. Screening the public (attorneys, defendants, etc.) at the courtroom entrance to ensure that they do not have weapons, which could be used to harm any person in the court area.
- b. Prevention and detection of intrusion, unauthorized activity, violence, vandalism, theft, safety hazards, etc.
- c. Detection of contraband and prevention of entry of contraband into the court area.
- d. Protection of individuals from bodily harm and protection of city equipment and other valuable items or documents. ^[T]_[SEP]
- e. Regulation of direction and flow or movement of the public and others.

We will require at least 24-hour notification of any cancellation of services. If notification is less than 24-hours, the client shall be billed for a 4-hour minimum for the person(s) who were supposed to work.

For the City it is most economical to just cancel security at any time to avoid a bill, but in the business side of things, we cannot be cancelling our staff's shifts on short notice. As an employer, we do not have the luxury of spending countless hours scheduling personnel and assigning them to a shift to only have it be cancelled last minute. Our security personnel are hired to work and if they lose a shift, they lose their livelihood and they end up quitting. We must be fair to our officers to be able to keep them.

Prisoner Transports: APS has 10 prisoner transport vehicles in our fleet of 35. These are strategically placed around the State to accommodate transports to and from the various



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county jails to the cities we serve. It wasn't discussed in our conversation if Harrisville needed prisoner transports, but I will include this into my proposal should the need arise. Court clerks in each jurisdiction will notify our transport division of who needs to be picked up and when, and our officers make arrangements to pick up and return these prisoners. Photo below of one such transport van.



We would hope that notification for transports can be sent several days in advance for us to prepare. **We will require at least 24-hour notification of any cancellation of services. If notification is less than 24-hours, the client shall be billed for the 4-hour minimum for the person who was supposed to work.**

III. Qualifications & Personnel

APS is a full-service security guard company, as well as a **Constable Agency**. Bob was appointed as a **Provo City Constable** in 2007 and continues to hold that appointment. With his appointment, all Deputy Constables working for him are considered Special Function Officers (SFO), with limited law enforcement authority.

APS has approximately 150+ employees performing duties in the field for our many clients. In addition, we have an office in Salt Lake City, St. George, UT and Mesa, AZ. Our current municipal clients, that we do either court security, prisoner transports or both, are as follows.

IV. PROPOSED FEES

Hourly rate for POST certified Special Function Officers, Deputy Constables, with firearms. These are individuals who have graduated from Utah Police Academy and are sworn in as Deputy Constables.

It should be noted that rates for Constables have gone up quite a bit lately. This is due to the difficulty of finding employees to work. So many law enforcement agencies are short-handed and are hiring everyone in the academy classes. In addition, there are so many tech businesses that are hiring people at such high rates that we have had to



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increase some of our SFOs up to \$4.00 per hour just to keep them from quitting and for recruiting others. Our basic security guards are being billed out at \$31.75/hour. They take an 8-12 hour online course to be certified, while our SFOs have up to a year of police academy training. This job market has been rough in the past 2 years.

Hourly Rate **\$ 35.00 Per Hour for Each Officer**

Should court run past the regularly scheduled officer's shift, and that extra time puts the officer into overtime, the client will be billed for that overtime at a rate of time and a half. There would be no way to swap out the officer to avoid overtime, nor predict this event so staffing could be altered ahead of time to avoid overtime. I wouldn't expect this to be an issue with Harrisville, since the quantity of hours is only two half day shifts.

There is also a 4-hour minimum for each morning and afternoon session of court. If court hours get expanded and security is needed for a full day, security will have to eat while on-duty, so lunch breaks away from the building are normally not allowed.

Prisoner Transports – If transports are needed, below would be the rate for those.

Item	Description	Price
1	Transport prisoner from Weber County Jail to Harrisville City Justice Court or Harrisville City Justice Court to Weber County Jail (One-Way)	If on-duty court personnel are used to transport prisoner(s), forthwith from the court to the jail one-way, they will be billed at \$25.50 per prisoner
2	Transport prisoner from Weber County Jail to Harrisville City Justice Court. (Round trip)	If on-duty court personnel are used to transport prisoner(s), a round-trip flat rate of \$25.50 per prisoner
3	Transport prisoner from, and return to, a facility outside of Weber County. (Round trip)	\$40.00 per prisoner, with a \$1.25 per mile charged both ways.

V. Additional Information



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Standard police style uniforms in black. See below pictures.



Communication Devices: At all our current court locations, we have proposed, and it has been accepted, that the agency in question provide police radio(s) so that the officer(s) can summon help directly to dispatch. If an incident occurs, they would contact dispatch for medical, fire or police response. Using cell phones or our own APS radios, there will be inherent delays in the communication and the need for someone to relay that information to the Dispatch Center. These police radios would only be used in an emergency.



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INSURANCE DOCUMENTS: (Sample)

ACORD		CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 1/4/2022		
<p>THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.</p> <p>IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).</p>						
PRODUCER NUTTALL & ASSOCIATES INSURANCE AGENCY INC. 280 S Main St, Suite 200 PO Box 428 Pleasant Grove UT 84062			CONTACT NAME: Jeanne Madden PHONE (A/C, No, Ext): (801) 785-1777 FAX (A/C, No): (801) 785-8411 E-MAIL: jeannemadden@nuttallaassoc.com ADDRESS: jeannemadden@nuttallaassoc.com			
INSURED All Pro Security LLC 1390 W State Rd Pleasant Grove UT 84062			INSURER(S) AFFORDING COVERAGE INSURER A: Hartford Accident & Indemnity 22357 INSURER B: WCF Mutual Insurance Company 10033 INSURER C: INSURER D: INSURER E: INSURER F:			
COVERAGES CERTIFICATE NUMBER: BA, WC REVISION NUMBER:						
<p>THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.</p>						
INSR LTR	TYPE OF INSURANCE	ADOL SUBR INSD. WVD.	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		34UECID2484	12/21/2021	12/21/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Uninsured motorist combined single \$ 1,000,000
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	2791223	1/27/2022	1/27/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Salt Lake City Corporation is shown as additional insured in regards to the business auto policy only per attached form: HA9916 0312. 30 Day notice of cancellation per form IH0313 0611. Waiver of subrogation in regards to the workers compensation policy per attached form WC430305 7 00						
CERTIFICATE HOLDER Salt Lake City Corporation Attn: Contracts Process Coordinator P.O. Box 145455 Salt Lake City, UT 84114-5455			CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Jeanne Madden/JM			
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HARRISVILLE CITY

363 West Independence • Harrisville, Utah 84404 • (801) 782-4100

MAYOR:

Michelle N. Tait

COUNCIL MEMBERS:

Grover Wilhelmsen
Steve Weiss
Blair Christensen
Max Jackson
Kenny Loveland

MEMORANDUM

To: City Council
From: Justin Shinsel
Department: Public Works
Date: 2/1/2022
RE: Storm drain head gate

I need to get the Head gate at the city park storm drain basin repaired. I have received 3 bids from contractors, Online Utility, CRB, Bragger and sons. The work has already started due to the emergency nature it will be under \$25,000.00 but over \$20,000.00 the emergency nature is we can not control the flow of water down four mile creek with that headgate inoperable which could cause an excess of flooding downstream.



HARRISVILLE CITY

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MAYOR:
Michelle Tait

COUNCIL MEMBERS:
Grover Wilhelmsen
Steve Weiss
Blair Christensen
Max Jackson
Kenny Loveland

Staff Report

Ordinance 539 – General Plan Amendments
2022 Moderate Income Housing Report
February 2, 2023

To: Harrisville Mayor and City Council
From: Jennie Knight, City Administrator
RE: Ordinance 539 – General Plan Amendments and 2022 Moderate Income Housing Report

A. Summary.

On November 18, 2022, the City received a notice of noncompliance for the 2022 Moderate Income Housing Report which outlined deficiencies in our report and issued a 90-day grace period for compliance. The majority of cities required to file this report were issued notices of noncompliance due to new legislation passed in 2022 which increased the requirements.

B. Background and Analysis.

During the 2019 Legislative session, SB34 was adopted and subsequently enacted which required cities with populations over 5,000 to provide an annual Moderate Income Housing Report to the state beginning December of 2020. Part of the requirements included adopting several moderate-income housing strategies which the state code outlined and reporting which strategies the city had identified. Additional requirements were adopted during the 2022 Legislative session with HB462 which include amendments to the city's General Plan and adopting not only strategies but an implementation plan for each strategy.

Many cities' reports, including Harrisville's, was deficient in updating the General Plan strategies for Moderate Income Housing, and the 2018 Moderate Income Housing Report did not include the implementation plan that is now required. Proposed Ordinance 539 – General Plan Amendments amends the Harrisville General Plan to include the updated strategies and the accompanying 2022 Moderate Income Housing Report (Exhibit "A") outlines which strategies Harrisville will implement and the benchmarks and timelines for compliance.

The Transportation Map (Exhibit "B") is being updated to reflect the new road development and classifications. This map not only identifies street classifications that can be used to determine "corridors" for the moderate-income housing strategies, but will also outline the city's future needs in any amendment or renegotiation of the 2006 UDOT Corridor Agreement.

On December 19, 2023, Harrisville staff met with Alyssa Gamble from the Department of Workforces services to review the proposed ordinance with accompanying exhibits. Feedback from that discussion indicated the updated ordinance and plan will meet the new requirements, once submitted. The deadline for submission to meet the 90-day deadline is February 16, 2023.

The Planning Commission held a public hearing on January 11, 2023 to receive public comments on the General Plan Amendments. Two public comments were received.

C. Recommendation.

This ordinance comes with a positive recommendation from Planning Commission from their January 11, 2023 meeting. Staff recommends adoption of Ordinance 539 – General Plan Amendments and the accompanying 2022 Moderate Income Housing Report with implementation plan along with the updated Transportation Map.

**HARRISVILLE CITY
ORDINANCE 539**

HARRISVILLE GENERAL PLAN AMENDMENTS

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING THE
GENERAL PLAN, AMENDING SECTION 10.01.040 ENTITLED “GENERAL
PLAN ELEMENTS” AS PART OF THE MUNICIPAL CODE; SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Harrisville City is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84 and §10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a of the *Utah Code Annotated* enables municipalities to regulate land use and development;

WHEREAS, the City adopted the most recent version of its General Plan on October 8, 2019 and now desires to adopt an update;

WHEREAS, after publication of the required notice, the Planning Commission held a public hearing on January 11, 2023 and subsequently gave its recommendation to adopt this ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on February 14, 2023, to act upon this Ordinance;

WHEREAS, the City Council finds the proposed update contains all elements mandated by the Utah Code and has been updated to meet current and future moderate income housing needs of the City;

WHEREAS, the attached Exhibit “A” contains the 2022 Moderate Income Housing Report;

NOW, THEREFORE, be it ordained by the City Council of Harrisville as follows:

Section 1: **Repealer.** Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: **Amendment.** Section 10.01.040 of the *Harrisville Municipal Code* is hereby respectively amended to read as follows:

10.01.040 GENERAL PLAN ELEMENTS

2. Required Elements. The City implements the following Elements:

- a. Land Use Element. A land use element that provides for long term goals and the proposed extent, general distribution, and location of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate; and may include a

statement of the projections for and standards of population density and building intensity recommended for the various land use categories covered by the General Plan.

- b. Transportation Element. A transportation and traffic circulation element that consists of the general location and extent of existing and proposed highways, arterial, collector streets, mass transit, and any other modes of transportation that the City considers appropriate as correlated with the population projections and proposed land uses.
- c. Moderate Income Housing. A moderate income housing element that:
 - A. Provides a realistic opportunity to meet the need for additional moderate income housing within the next five years;
 - B. Selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and
 - C. Includes an implementation plan as provided in Subsection (2)(c); and
 - D. In drafting the moderate income housing element, the planning commission:

<p>(A) rezone for densities necessary to facilitate the production of moderate income housing;</p> <p>(B) demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;</p> <p>(C) demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;</p> <p>(D) identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;</p> <p>(E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;</p> <p>(F) zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;</p> <p>(G) amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;</p>	<p>Strategy/Goal 1: (A) Rezone for densities necessary to facilitate the production of moderate-income housing;</p> <p>Strategy/Goal 2: (B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;</p> <p>Strategy/Goal 3: (E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones</p> <p>Strategy/Goal 4: (F) Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;</p> <p>Strategy/Goal 5: (K) Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund;</p> <p>Strategy/Goal 6: (O) Apply for or partner with an entity that applies for state or federal funds or tax incentives</p>
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<p>(H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;</p> <p>(I) amend land use regulations to allow for single room occupancy developments;</p> <p>(J) implement zoning incentives for moderate income units in new developments;</p> <p>(K) preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section <u>10-9a-535</u>, establishing a housing loss mitigation fund;</p> <p>(L) reduce, waive, or eliminate impact fees related to moderate income housing;</p> <p>(M) demonstrate creation of, or participation in, a community land trust program for moderate income housing;</p> <p>(N) implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;</p> <p>(O) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under <u>Title 11, Chapter 13, Interlocal Cooperation Act</u>, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that</p>	<p>to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing.</p>
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<p>promote the construction or preservation of moderate income housing;</p> <p>(P) demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing;</p> <p>(Q) create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act;</p> <p>(R) eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530;</p> <p>(S) create a program to transfer development rights for moderate income housing;</p> <p>(T) ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;</p> <p>(U) develop a moderate income housing project for residents who are disabled or 55 years old or older;</p> <p>(V) develop and adopt a station area plan in accordance with Section 10-9a-403.1;</p> <p>(W) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones; and</p> <p>(X) demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing; and</p>	
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~~to address an estimate of the need for the development of moderate income housing within the City, and a strategy to provide an opportunity to meet estimated needs for moderate income housing if long term~~

~~projections for land use and development occur. The City has denoted in the General Plan issues related to public transit stations in order to comply with state law and may implement policies for the same. Also, the City has identified in the General Plan three (3) or more strategies prescribed in statute that the City may modify from time to time as needed to implement an effective Moderate Income Housing Plan.~~

Section 3: Severability. If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting after final passage, approval, and posting.

PASSED AND ADOPTED by the City Council on this _____ day of _____, 2023.

MICHELLE TAIT
Mayor

JENNIE KNIGHT
City Administrator

Roll Call Vote is as follows:

Council Member Wilhelmsen	Yes	No
Council Member Weiss	Yes	No
Council Member Christensen	Yes	No
Council Member Jackson	Yes	No
Council Member Loveland	Yes	No

RECORDED this _____ day of _____, 2023.

PUBLISHED OR POSTED this _____ day of _____, 2023.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Harrisville City, hereby certify that foregoing ordinance was duly passed and published, or posted at 1) City Hall 2) Harrisville Cabin and 3) 2150 North on the above referenced dates.

City Administrator

DATE: _____



HARRISVILLE CITY

MODERATE INCOME HOUSING PLAN 2022 ANNUAL UPDATE REPORT

February 14, 2023

Approved by the Legislative Body

Harrisville City
363 W. Independence Boulevard
Harrisville, Utah 84404
(801) 782-4100

TABLE OF CONTENTS

1. INTRODUCTION
2. ANNUAL REPORTING REQUIREMENT
3. COMMUNITY DATA
 - a. Geography and Demographics
 - b. Moderate Income Housing Profile
4. ANNUAL REPORT FINDINGS
 - a. Moderate Income Housing 2022 Strategies
 - b. Moderate Income Housing 2023 Strategy Outline
5. CONCLUSION

MODERATE INCOME HOUSING PLAN – 2022 ANNUAL UPDATE REPORT

1. INTRODUCTION

This Moderate-Income Housing Plan 2022 Annual Update Report (Report) is in accordance with Utah Code Annotated §10-9a-408. This state statute provides that the City Council, acting in its capacity as the legislative body of Harrisville City, Utah (City), is to make an annual Report on its Moderate-Income Housing Plan (MIHP). Harrisville City adopted its Moderate-Income Housing Plan on February 14, 2023. This Report is the required annual update of that Plan.

A MIHP is required as an element of the General Plan as set forth in Utah Code Annotated §10-9a-403. The purpose of the MIHP is to address the need for the development of additional moderate-income housing within the City, and to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long-term projections for land use and development occur. Utah Code Annotated §10-9a-103 defines “moderate income housing” as “housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.”

The annual review of the MIHP provides the opportunity to give this Report on the implementation of the MIHP along with the City’s findings made during the review. The primary objective of the City’s MIHP is to promote home-ownership opportunities for moderate income households. It also seeks to allow households of moderate income to benefit from and fully participate in all aspects of neighborhood and community life. To accomplish this, the MIHP makes projections of housing needs and factors that may affect housing for households of moderate income.

2. ANNUAL REPORTING REQUIREMENT

In accordance with Utah Code Annotated §10-9a-408, the City Council shall submit a written moderate income housing report as follows:

- a. A description of each moderate income housing strategy selected by the City Council for implementation; and
- b. An implementation plan.

3. GEOGRAPHY AND DEMOGRAPHICS

A. Geography and Demographics.

Harrisville City is located at 41°17'7"N, 111°59'12"W (41.285169, -111.986584) GR1. According to the United States Census Bureau, the City consists of 2.98 square miles. The U.S. Census Bureau estimates the current population of the City to be 7,004 (Census 7/1/2021) which is an increase from 5,567 in 2010. The Weber County Assessor’s Office currently estimates 2,110 housing units in the City. The home ownership rate has increased to 81.1% since the last report of 78%.

Harrisville City is located in the Ogden-Clearfield Metropolitan Statistical Area (MSA). Based upon data from the U.S. Census Bureau, the 2020 median household income level for a household is \$77,426 per year. Moderate income is a household that earns 80% of the median income which calculates to \$61,940 per year.

It should also be noted that there are many more elements that involve the housing market beyond the City. These elements include inflation, interest rates, unemployment, and similar. These elements may negatively affect moderate income housing opportunities notwithstanding all the efforts made by the City to encourage the same. The City is only a small part of a greater whole in the housing market.

B. Moderate Income Housing Profile.

The City Council finds that Harrisville City has an interest in providing for moderate income housing for its residents. This policy promotes individuals who want to live near their family and relatives in the community. The City desires to maintain its local culture and lifestyle in conjunction with its housing policies. The City Council also recognizes the need to promote community pride, unity, history, open space, aesthetics, and recreation.

Moderate income housing is defined by Utah Code Annotated §10-9a-103(40). This statute provides that moderate income housing is housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income of the City. Therefore, a moderate-income household in Harrisville City earns 80% of \$77,426 which is \$61,940 per year.

Since the last Report in 2018, approximately 72 new single-family housing units have been constructed in the City, with 4 new multi-family housing units constructed in this same time. As of the 2020 Census, 81.1% of housing units are owner-occupied with the median property value of \$285,000 and the average monthly mortgage of \$1,568. As of 2021, 18.9% of housing units are rental units, with an average monthly rent of \$1,121; Harrisville City has approximately 2,110 housing units with 1,711 units owner occupied and 398 rental units.

Harrisville City Single Family and Multi-Family housing units:

	2022	
Total Housing Units	2,110	100%
Single Family Units	1,632	77.3%
Multi-Family Units	478	22.7%

The number of dwelling units as provided by the Weber County Assessor's Office and updated with new permits is as follows:

# of Units	Price Range	# of Units	Price Range
0	Under \$150,000	74	\$600,001 to \$650,000
1	\$150,001 to \$200,000	38	\$650,001 to \$700,000
2	\$200,001 to \$250,000	22	\$700,001 to \$750,000
158	\$250,001 to \$300,000	15	\$750,001 to \$800,000
438	\$300,001 to \$350,000	6	\$800,001 to \$850,000
352	\$350,001 to \$400,000	6	\$850,001 to \$900,000
399	\$400,001 to \$450,000	6	\$900,001 to \$950,000

305	\$450,001 to \$500,000	2	\$950,001 to \$1,000,000,00
172	\$500,001 to \$550,000	4	Over \$1,000,000,00
110	\$550,001 to \$600,000		
Total Single-family Housing Units: 2,110			

Harrisville City has encouraged a variety of housing and residential opportunities by drafting and adopting a Mixed-Use/In-fill Ordinance and establishing a range of allowed densities and lot sizes. Harrisville has currently, in various stages of approval, an additional 542 single family housing units and 489 multi-family housing units within seven development applications.

Historically, Harrisville City has constructed mainly single-family units. In 2018, 73% of the housing stock in Harrisville was available to moderate income households. Although the increase to home values over the past eighteen months has impacted housing classified as moderate income significantly, development applications in recent years are focused toward multi-family units; townhomes, condos, and apartments. This focus in development for multi-family units will help address new moderate income housing challenges.

4. ANNUAL REPORT FINDINGS.

According to the statute, this Report includes the municipalities efforts to facilitate a reasonable opportunity to include a variety of housing, including moderate income housing:

- To meet the needs of people of various income levels living, working, or desiring to live or work in the community; and
- To allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life;

A. Moderate Income Housing 2022 Strategies.

To provide an analysis of how the City will provide a realistic opportunity for the development of moderate income housing within the next five year, Harrisville City has identified the following six moderate income housing strategies including timelines (in accordance with UCA §10-9a-403(2)(c)):

1. UCA §10-9a-403(2)(b)(iii)(A) Rezone for densities necessary to facilitate the production of moderate-income housing;
2. UCA §10-9a-403(2)(b)(iii)(B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;
3. UCA §10-9a-403(2)(b)(iii)(E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
4. UCA §10-9a-403(2)(b)(iii)(F) Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
5. UCA §10-9a-403(2)(b)(iii)(K) Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund;
6. UCA §10-9a-403(2)(b)(iii)(O) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income

housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing.

The attached "Exhibit A" includes a description of each moderate income housing strategy selected for implementation, an implementation plan, and timeline for implementation. In the event that an identified strategy is encumbered by barriers that constrain implementation, the City Council will identify and adopt a new strategy.

B. Moderate Income Housing 2023 Strategy Outline.

1. A description of each action, whether one-time or ongoing, taken by the specified municipality during the next fiscal year to implement the moderate income housing strategies identified for implementation above.
2. A description of each land use regulation or land use decision made by the city during the next fiscal year to implement the moderate income housing strategies, including an explanation of how the land use regulation or land use decision supports the City's efforts to implement the moderate income housing strategies;
3. A description of any barriers encountered by the City in the next fiscal year in implementing the moderate income housing strategies;
4. Information regarding the number of internal and external or detached accessory dwelling units located with the City for which the City:
 - a. Issued a building permit to construct; or
 - b. Issued a business license to rent;
5. A description of how the market has responded to the selected moderate income housing strategies, including the number of entitled moderate income housing units or other relevant data; and
6. Any recommendations on how the state can support the City in implementing the moderate income housing strategies.

5. CONCLUSION

The City Council acts as the legislative body for Harrisville City. The City Council policies have been effective in reducing, mitigating, or eliminating barriers to moderate income households. The City coordinates its moderate income housing planning with other nearby municipalities in the county, and forwards its reports to the appropriate agencies. The City should continue to evaluate trends and development as it continues to make its annual reports relating to moderate income housing.

Strategy Identified	Strategy Objective - Goal	Implementation/Action Plan	Timeline
UCA §10-9a-403(2)(b)(iii) (A) Rezone for densities necessary to facilitate the production of moderate income housing.	Address the loss of moderate income housing by creating additional zoning options.	<p>Collect data through development applications, code complaints, parking enforcement, and other resources. Design overlay maps for the identified areas of focus. Utilize a moderate income housing check list for early development discussions.</p> <p>Consider the possibility of zoning overlays to allow for higher density for connected single family homes, multi-family units or patio homes for senior developments.</p>	<p>Collect data and complete a comprehensive study in 2023.</p> <p>Draft ordinance language in early in 2024 with adoption by the end of 2024.</p>
UCA §10-9a-403(2)(b)(iii)(B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing.	Update and adopt a new Capital Improvement Plan to rehabilitate aging or expand existing infrastructure.	<p>Conduct annual inspections of sewer, storm water lines through one half of the city each year. Apply for infrastructure grants through appropriate programing, i.e. CDBG.</p> <p>Identify aging infrastructure (mainly sewer but also storm water) through our annual inspections to rehabilitate aging sewer infrastructure. Identify new infrastructure needs for anticipated growthy due to development of Ben Lomond Golf Course, Dixon Creek, and Harrisville Field projects.</p> <p>Partner with local entities to maintain shared infrastructure.</p>	Adopt updated Capital Improvements Plan by end of 2023. Complete sewer and storm water inspections with a half city rotation each year.
UCA §10-9a-403(2)(b)(iii)(E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.	<p>Allow for additional internal or detached accessory dwelling units in low density zones. Identify ADU zones and create an overlay map</p>	<p>Monitor ADU development through building permits and business license applications. Possibly create standards for External ADU's in low density zones. Review and/or modify definitions of "Family" in Land Use Code. Consider the impact on local communities through complaints received or increased parking on public right of way.</p> <p>Assess ADU eligible zones since adoption of the Internal ADU ordinance in September of 2021 and identify areas where additional Internal ADU's could be allowed. Consider the impact of whether or not External ADU's should be allowed.</p>	<p>Monitor development through 2023.</p> <p>Ordinance amendment proposal for detached/internal ADU's to be prepared and presented for review and possible adoption the last quarter of 2024.</p>
UCA §10-9a-403(2)(b)(iii)(F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.	Allow for zones for higher density near our traffic and commercial corridors; mainly Washington Blvd, Highway 89, and Wall Ave.	<p>Create a MIHP checklist for proposed development applications with regard to their proximity to these corridors and work with developers through development agreements to help increase density.</p> <p>Conduct a review of the existing mixed use areas, expand the Mixed-Use Overlay map for areas that meet the "near major transit, commercial, employment corridors" which include Washington Blvd, Highway 89, and Wall Ave.</p>	<p>Create checklist in 2023 and continue monitoring applications through development application process. Currently have three developments in process that meet these standards.</p> <p>Review existing Mixed-Use Overlay map for possible expansion of target areas during 2024. Draft new overlay map for adoption by end of 2025.</p>
UCA §10-9a-403(2)(b)(iii) (K) Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund;	Preserve existing and new moderate income housing by utilizing a landlord incentive program.	<p>Locate and/or create a good landlord training program with options and provide an annual training for landlords to receive a reduction in the business license fee.</p> <p>Adopt a business license requirement for all landlord licensing for rental properties and promote reduction eligibility by participation in an annual good landlord training program.</p>	Seek program options 2023, conduct training Fall of 2023 with consideration for reduction to 2024 business licenses.

UCA §10-9a-403(2)(b)(iii) (○) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing.	Develop and maintain community partnerships with a local housing authority - Weber County Economic Development and Community Development Coordinators to identify areas where federal or state funding could help promote development for construction of moderate income housing or programs that support community needs.	<p>Collaborate with Weber County Economic Development and Community Development Teams to identify needs in our community for adequate affordable housing, food, child care, employment, etc. with the goal of providing tangible resources and strengthening the community. Partner with these entities to apply for grants to improve services within Harrisville City.</p> <p>Obtain current Moderate Income Housing Statistics for Harrisville from Weber County. Identify programs that are available, including the Your Land, Your Plan initiative through the state.</p> <p>Promote an understanding of housing needs regardless of income, age and ability and identify resources available to support these needs to create a successful economy as well as community through future partnerships by implementing a community outreach program. Utilize the city newsletter, website, and social media to advertise available programs and resources and conduct community surveys.</p>	<p>Meet with local partners and collect current statistics in 2023, develop community outreach program in 2024.</p> <p>Apply for grants in 2024 and/or 2025.</p> <p>Schedule project timeline when grant funding is awarded.</p>

