

OFFICIALS PRESENT: Mayor Karen Cronin presided and conducted the meeting. Peter Gerlach, Jana Nelson, Esther Montgomery, Todd Christensen, Brady Lewis

CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder  
Malone Molgard, City Attorney  
Susan Obray, City Recorder

OTHERS PRESENT: Lani Braithwaite, Kimball Clark, Caden Meyer, Janet Eastman, Blake Ostler, Mark Cronin, Dustin Rallison, Morgan Rallison

**ITEM 1: CALL TO ORDER**

Mayor Cronin called the meeting to order.

**A. INVOCATION**

Council Member Brady Lewis offered the invocation.

**B. PLEDGE OF ALLEGIANCE**

Shanna Johnson led the audience in the Pledge of Allegiance.

**C. REVIEW AND ADOPT THE AGENDA**

**MOTION:** Council Member Christensen made a motion to approve the agenda. Council Member Nelson seconded the motion.

**ROLL CALL:** Council Member Christensen, Yes                      Council Member Montgomery, Yes  
Council Member Gerlach, Yes                      Council Member Nelson, Yes  
Council Member Lewis, Yes  
**Motion Approved.** 5 Yes, 0 No.

**ITEM 2: PROCEDURAL ISSUES**

**A.**

**CONFLICT OF INTEREST DECLARATION**

None.

**B. PASS OUT WARRANTS TO COUNCIL MEMBERS (AND POSSIBLE DISCUSSION)**

Shanna Johnson passed out the warrants.

**C. BUSINESS LICENSE(S)**

Mayor Cronin presented two new business license applications:

- CAP Distributing LLC, and
- The Rusted Spoon

Chase Peterson is the owner of CAP Distributing LLC. He will be buying and selling items online and will have no visiting clientele. The Rusted Spoon is a restaurant that will fill the building vacated by Moore's Family Restaurant. Dustin Rallison, owner of the Rusted Spoon was present and plans to open mid-March.

**MOTION:** Council Member Lewis made a motion to approve the business license for CAP Distributing LLC with the contingency that no large storage trailers will be parked on the streets. Council Member Nelson seconded the motion.

**ROLL CALL:** Council Member Christensen, Yes                      Council Member Montgomery, Yes  
Council Member Gerlach, Yes                      Council Member Nelson, Yes  
Council Member Lewis, Yes  
**Motion Approved.** 5 Yes, 0 No.

**MOTION:** Council Member Montgomery made a motion to approve the business license for The Rusted Spoon. Council Member Christensen seconded the motion.

**ROLL CALL:** Council Member Christensen, Yes                      Council Member Montgomery, Yes  
Council Member Gerlach, Yes                      Council Member Nelson, Yes  
Council Member Lewis, Yes  
**Motion Approved.** 5 Yes, 0 No.

**ITEM 3: PUBLIC COMMENTS AND/OR PUBLIC HEARING**

Mayor Cronin noted that Brigham City was holding a public hearing today to discuss development of the intersection of 1100 South and 1100 West. Brigham City has an environmental study planned and Perry City will partner with them.

No Public Comment received.

**ITEM 4: PRESENTATIONS**

**A. STATE OF THE CITY**

Mayor Cronin was grateful for the opportunity to represent Perry City in 2014. She reported learning a great deal during the past year. She has participated in some amazing experiences and has been able to give Perry more exposure. Mayor Cronin thought it was wonderful to be involved with Shop with a Cop when underprivileged children shopped for their families. It was a wonderful way to serve our community. Mayor Cronin reviewed some of the highlights of 2014, which were possible with the united efforts of the staff and Council. One of the highlights was the completion of the 900 West roadway expansion including curb, gutter, and sidewalk. Public Works installed a new water line on Highway 89 and repaired many other roads in Perry. Two wells were upgraded and a restroom was built at Dale Young Nature Park. The City had a mock shooter at Three Mile Creek Elementary School and 6 different agencies were involved with the training. The City implemented a recycling program. Perry City revised and reviewed the city codes and ordinances online and continues to address issues of omissions, inconsistency and conflicts and the City will work to update city policies. All City codes have been consolidated and are now online for citizens to search. Economic Development helped increase the tax base with the grand opening of Tractor Supply Company at the I-15 interchange. Some businesses are now interested in developing in Perry after UDOT completed the I-15 interchange project. That exit/entrance is safer now and less

congested. The City hosted 5 community activities in Perry and 3 regional shooting competitions at the gun range. Mayor Cronin noted it is important to reflect on past accomplishments and set goals for the future. The Mayor reviewed plans for 2015. Parks and Public Works will upgrade a waterline on 900 West. The City will also implement a Street Sign and Traffic Standardization Plan. Mayor Cronin reported that new signs will be installed as the budget allows. Perry will continue the Storm Water Pollution Prevention Plan. The Police Department is transferring to the Spillman Reporting System. 163 Perry citizens have now completed C.E.R.T. training and Perry has an annual drill to practice our response time. Perry is partnering with Brigham City and the State of Utah in plans for a joint fire station on 1100 South. The City is updating the Capital Facility Plans and also developing the Point Perry area. The City has been working to improve faster options of telecommunications. Perry City will also be part of the route of The Tour of Utah in 2015 and local businesses will be promoted at that time.

## **B. MUNICIPAL CODE ONLINE**

Kimball Clark gave a presentation to the Council on the new Perry City Municipal Code online (M.C.O.). He demonstrated how to use the online system and search for code. He explained that the City Recorder and Deputy Recorder will codify new code in real time with direction from the city attorney. Malone Molgard and Susan O Bray were helpful preparing the large amount of content for Municipal Code Online. There are now 16 titles, instead of 99. The work the recorder does will be easier when changes are made to ordinances. It is possible to see the history of an ordinance by viewing the original document and the changes made. Council Member Christensen inquired if the City's name will appear on the pages when they are printed so we know the source is Perry City. He asked if an ordinance is required regarding who has authority to make changes to the online ordinances. Mayor Cronin assured the Council that a procedure is already in place. Kimball advised that if issues arise the hard copy governs over the online copy. Council Member Christensen asked how omissions and discrepancies would be discovered. Kimball explained that Malone will use the search tool and stated that the burden of the city attorney has increased. Malone will have to provide the specific source of changes and references. Kimball requested the City alert M.C.O. of all discrepancies. Mayor Cronin said she and Malone are organizing a systematic way to find omissions and discrepancies. Kimball assured the Council that the complete code is backed up on external servers.

## **ITEM 5: ACTION ITEMS**

### **A. APPROVAL OF THE WARRANTS**

**MOTION:** Council Member Gerlach made a motion to approve the warrants. Council Member Nelson seconded the motion.

**ROLL CALL:** Council Member Christensen, Yes   Council Member Montgomery, Yes  
Council Member Gerlach, Yes   Council Member Nelson, Yes  
Council Member Lewis, Yes  
**Motion Approved.** 5 Yes, 0 No.

## **ITEM 6: DISCUSSION ITEMS**

### **A. BUDGET REPORT**

Shanna Johnson gave a financial update for the month of December, 2014. She reported that 50% of the fiscal year has elapsed; and that 27% of General Fund revenues have been collected, 39% of

Utility Fund Revenues have been collected, the sewer fund has received 38% of planned revenues, and the City has collected 51% of Non-Operating revenues. She said the expenses look good. The General Fund has spent 40.9% of its budget. She reported that the Utility fund has spent 49.4% of the planned budget, and the sewer fund has spent 30.8% of its budget. She advised that sales tax for January 2014 (reflective of November 2014) was 1.39% more than last January, and overall the collected sales tax for the year is 4.39% better than planned, showing we will collect more than the prior year. Shanna reported that expenses are showing better than planned in all areas. The Budget is on a positive outlook.

## **B. ORDINANCE 14-L ADOPTING AN ORDINANCE ALLOWING CHICKENS TO BE KEPT ON SINGLE-FAMILY RESIDENTIAL LOTS**

Council Member Montgomery, Mayor Cronin and Malone reviewed the ordinance. Malone was content with the ordinance from a legal stand point. Council Member Montgomery inquired whether it was necessary to have annual renewal of chicken permits. Malone reported that officers for code enforcement will have authority to enter a property when there are complaints if chicken owners have permits. Mayor Cronin explained the Newsletter will announce when they are due for renewal. Malone reported that changes to the ordinance will be on the form when chicken owners renew. Council Member Gerlach supported flexibility in the ordinance so that it will not have to be revised every time there is a change in the rate. Council Member Christensen inquired if the permit should expire at the same time of the year as dog licenses. The question was if it was best for the renewal to offset the renewal of dog licenses. Council Member Montgomery requested details on how chicken will be disposed of if the City removes them from the property owner. Malone explained code enforcement will be linked to the ordinance. Council Member Montgomery noted that accessory buildings for chickens will have to be in accordance with other ordinances for accessory buildings. Mayor Cronin reminded the Council that chicken coops should not be built on easements. Chicken owners can find where utility lines are buried on the plat of their property. Council Member Nelson inquired if the chicken permits could be advertised in the next newsletter if the ordinance is passed at the next meeting. The Mayor replied that would be possible.

## **ITEM 7: MINUTES & COUNCIL/MAYOR REPORTS**

### **A. APPROVAL OF CONSENT ITEMS**

- **January 22, 2015 City Council Meeting Minutes**

The below needed changes to the meeting minutes were noted:

- Page 1 – Council Member Christensen requested the spelling of the word ‘Official’ be corrected.
- Page 4, Line 38 – Mayor Cronin asked that the words ‘that in an email sent to her’ be added to the sentence.
- Page 5, Line 4 – Mayor Cronin asked that the words ‘after a tie vote’ be added to the beginning of the section.
- Page 8, Line 29-30 – Mayor Cronin asked that ‘hardwood’ be removed and that the flooring be referred to as L.V.T. flooring.

**MOTION:** Council Member Nelson moved to approve the minutes for the January 22, 2015 City Council Meeting. Council Member Christensen seconded the motion.

**ROLL CALL:** Council Member Christensen, Yes  
Council Member Gerlach, Yes  
Council Member Montgomery, Yes  
Council Member Nelson, Yes

Council Member Lewis, Abstain  
**Motion Approved.** 4 Yes, 1 Abstain.

- B. Todd Christensen:** noticed a debris pile next to the restrooms at the Dale Young Park. He asked if the restroom walls will be cinder block. Mayor Cronin said that the walls will be cinder block and the builder will take care of the cleanup. Council Member Christensen inquired regarding the temporary sign on Highway 89 and 2600 South. Mayor Cronin mentioned there is a new sign for that intersection.
- C. Peter Gerlach:** didn't have anything to report. Mayor Cronin noted that she discussed changing the Youth City Council activities to quarterly with Gwen Gunderson. Gwen approved of the change from monthly to quarterly. Mayor Cronin announced that the Senior Ball will be the next activity for the Youth committee.
- D. Jana Nelson:** had nothing to report. Council Member Nelson inquired about the schedule of the Flood Control Committee. Shanna Johnson assured Jana that she would request Susan Obray forward the information to her.
- E. Esther Montgomery:** had nothing to report.
- F. Brady Lewis:** announced that he had a meeting with Blake Ostler regarding the possibility of conserving some orchards in Perry. Mayor Cronin reported that many people want to hold onto Perry's heritage, but it is expensive for the City to buy the land. She continued that it is possible to set aside a portion zoned for agriculture, but that is our limitation unless we raise the money. Malone suggested that he would look into the first step of seeing if there are presently any sales.
- G. Mayor Cronin:** presented some of the new street signs and noted that the street number is supposed to be larger and above the street name. The Mayor initially placed the order that way but the order was misunderstood because the person who took her order no longer works at the business. Council Member Christensen noted that the number would be partially covered with the bolts when the sign is clamped to the pole. Council Member suggested the numbers be moved up on the 13 signs that we have at this time so that the view of the numbers is not hindered. Malone recommended that the appearance of all of the new signs should be uniform. The sign makers said that they went by federal standards, but Brett Jones, Perry City Engineer reported there are no federal standards for city signs. Mayor Cronin requested the Council ponder this issue and said there will be future discussion. The Mayor reminded the Council that her goal is to systematically replace street signs as the budget allows, but that stop signs take priority.  
Mayor Cronin announced that the City has received 29 applications for the position of city administrator. She stated that 2/3 of the applicants were not qualified according to the ordinance. The Mayor planned interviews February 10 and 23 with a panel which includes a city resident, a business professional and herself. The time for the first interview day is 9:00a.m. – 11:00a.m. The following days interviews will range from 9:00a.m. – 4:00p.m. The interview will include impromptu questions and a writing sample. Council Member Christensen recommended the panel include a member of the City Council. Mayor Cronin asked if any Council Members would be available for both of the interview days so that the interviews would be consistent. The Mayor said she would like the Council to be involved with second interviews of candidates that proceed that far. Mayor Cronin reported that some applicants have a degree in business administration instead of city administration or the right degree, but not enough

experience. Several applicants look promising but are not qualified because of the narrow ordinance requirements.

Council Member Christensen said he may be available for the two interview dates and will make arrangements with Mayor Cronin. Shanna agreed to set up interview appointments.

Mayor Cronin said she discussed Perry City being an activity sponsor with Monica Holdaway, head of the Brigham City Chamber of Commerce. The activities included Bingo night and a new summer program for youth called Play Unplugged. This second activity gets children active and is sponsored by businesses and organizations. Participants get a “brag tag”, which includes the sponsor’s name. Another opportunity is sponsoring the community award at the Peach Days Queen pageant.

The Mayor said she has received calls about hours of operations for Geneva Rock. Perry City cannot allow Geneva to work longer hours unless it is a federal or state job, or an emergency. Mayor Cronin announced that Milestone 2 research has been completed by Macquarie. She stated that the member cities prefer the public participate in the Macquarie decision with a binding vote. Mayor Cronin explained that this could be achieved if the Council’s vote on the next milestone is contingent that it proceed to referendum. Malone explained that if the public vote matches the Council vote, the City moves forward with Macquarie. If the public vote does not match the Council’s vote, we do not move forward. This puts the burden on Macquarie to raise awareness. If Perry City requires the vote, we would be responsible to finance the election.

Mayor Cronin announced the next C.E.R.T. training dates and requested all Council Members be trained to assist the City in times of emergency.

Council Member Christensen requested more information on the Play Unplugged program.

Malone directed him to the Brigham City Chamber of Commerce website, where more information about the program can be found. Malone explained that the only cost to the City for sponsorship is the purchase of the brag tags children earn for one activity.

Council Member Christensen voiced a complaint regarding park use for soccer practice. He coaches an AYSO team and reserved the park in the office for practice only to find teams twice in the middle of a game involving teams from Ogden and Roy. Mayor Cronin suggested that he insist they vacate the field or have an enforcement officer assist him. Council Member Gerlach suggested a scheduling coordinator could resolve this issue. Council Member Christensen felt the issue was the teams he encountered had not scheduled at all. He suggested a letter regarding scheduling be drafted to other cities and organizations. Mayor Cronin said that Greg is the coordinator and can communicate this issue as he coordinates with AYSO and other organizations.

Mayor Cronin reported that Greg passed his water test and achieved his Class 3 Water Operator Certification.

#### **H. ITEMS FOR NEXT CITY NEWSLETTER**

None discussed.

#### **ITEM 8: ITEMS FOR FUTURE MEETINGS**

None discussed.

#### **ITEM 9: EXECUTIVE SESSION**

Not warranted.

**ITEM 9: Adjournment**

**MOTION:** Council Member Nelson moved to close the meeting. Council Member Christensen seconded the motion.

**Motion Approved.** All in favor.

The meeting closed at 8:58 pm.

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Susan Obray, City Recorder

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Karen Cronin, Mayor

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Shanna Johnson, Chief Deputy Recorder