

Thursday, February 5, 2015
PERRY CITY COUNCIL MEETING AGENDA
(Added Business to Item 2C)

The Perry City Council will hold a meeting on the Thursday identified above, starting at approximately 7:00 PM, in the City Council Room at 3005 South 1200 West in Perry. Agenda items may vary depending on length of discussion, cancellation of scheduled items, or agenda alteration. Numbers and/or times are estimates of when agenda items will be discussed. Action on public hearings will always be later in the same meeting or at a subsequent meeting. Every agenda item shall be a discussion and/or action item, unless otherwise indicated.

Approx. 7:00 PM

1. Call to Order and Opening Ceremonies

- A. Invocation – Brady Lewis
- B. Pledge of Allegiance – Shanna Johnson
- C. Review and Adopt the Agenda

2. Procedural Issues

- A. Conflicts of Interest Declaration(s), If Any
- B. Pass out Warrants to Council Members (and Possible Discussion)
- C. Business License(s):
 - CAP Distributing LLC
 - The Rusted Spoon

3. Approx. 7:15 PM – Public Hearing and Public Comments (No Vote Needed)

Rules: (1) Please Speak Only Once (Maximum of 3 Minutes) per Agenda Item; (2) Please Speak in a Courteous and Professional Manner; (3) Do Not Speak to Specific Member(s) of the City Council, Staff, or Public (Please Speak to the Mayor or to the Council as a Group); (4) Please Present Possible Solutions for All Problems Identified; (5) No Decision May Be Made During this Meeting if the Item Is Not Specifically on the Agenda (with Action on Public Hearings, if any, later in the Meeting); and (6) Comments must be made in person or in writing (with your name being stated for the record).

- A. Public Comments

4. Approx. 7:25PM – Presentations

- A. State of the City
- B. Municipal Code Online

5. Approx. 7:55 PM – Action Items (Roll Call Vote)

- A. Approval of the Warrants

6. Approx. 8:00 PM – Discussion Items

- A. Budget Report
- B. Ordinance 14-L Adopting an Ordinance Allowing Chickens to be kept on Single-Family Residential Lots

7. Approx. 8:20 PM – Minutes & Council/Mayor Reports (Including Council Assignments)

No Council Action May be Taken if an Item is not specifically on the Agenda

A. Approval of Consent Items

- January 22, 2015 City Council Meeting Minutes

B. Todd Christensen: Mayor Pro-Tem, Information Technology, Telecommunications, UTOPIA, WWTP

C. Peter Gerlach: Streets, Street Lights/Signs, Transportation/UTA, Youth Council, Emergency Services/First Responders

D. Jana Nelson: Flood Control Board, Culinary Water, Mosquito Abatement, Cemetery Location

E. Esther Montgomery: Parks & Trails, Community Outreach, Fourth of July Co-Chair, Storm Water

F. Brady Lewis: Police/Night Out Against Crime, Economic Development, Planning Commission

G. Mayor Cronin: Chief Executive Officer, Fourth of July Chairman, Emergency Services Coordinator, City Ambassador

H. Items for Next City Newsletter

8. Items for Future Meeting

9. Approx. 8:40 PM-Executive Session

10. Approx. 9:00 PM – Adjournment (next regular meeting on Thurs., February 19, 2015 at 7:00PM)

Certificate of Posting

The undersigned duly appointed official hereby certifies that a copy of the foregoing agenda was sent to each Member of the City Council and was posted in three locations at the Perry City Offices, as well as at the Dale Young Park and main Perry City Park, and was faxed to the Ogden Standard-Examiner and Box Elder News Journal on this 29th day of January, 2015. Any Individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461).

Shanna S. Johnson, Chief Deputy Recorder

Report Criteria:

Detail report.
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Box Elder County								
104	Box Elder County	1/15/2015	Pmt for Bldg Inspection	01/07/2015	5,640.10	5,640.10	01/15/2015	
Total Box Elder County:					5,640.10	5,640.10		
Huber Technologies								
10782	Huber Technologies	J1009230	spare parts	11/26/2014	6,225.00	6,225.00	01/15/2015	
Total Huber Technologies:					6,225.00	6,225.00		
Jones & Associates								
11552	Jones & Associates	163801	city gun range& Police Training	10/01/2014	49.50	49.50	01/21/2015	
11552	Jones & Associates	163801	public safety impact fee	10/01/2014	445.50	445.50	01/21/2015	
11552	Jones & Associates	163801	900 W CDGB Projects	10/01/2014	623.50	623.50	01/21/2015	
11552	Jones & Associates	163801	900 W CDGB Projects	10/01/2014	148.50	148.50	01/21/2015	
11552	Jones & Associates	163801	hwy 89 waterline replacement	10/01/2014	3,481.25	3,481.25	01/21/2015	
11552	Jones & Associates	163801	storm water annual report	10/01/2014	761.25	761.25	01/21/2015	
11552	Jones & Associates	163801	900 W CDGB Projects	10/01/2014	148.50	148.50	01/21/2015	
11552	Jones & Associates	16515	FY2015-2021 Impact Fee Project	01/01/2015	247.50	247.50	01/21/2015	
11552	Jones & Associates	16515	street maintance projects	01/01/2015	95.00	95.00	01/21/2015	
11552	Jones & Associates	16515	culinary water	01/01/2015	1,776.00	1,776.00	01/21/2015	
11552	Jones & Associates	16515	east bench well	01/01/2015	49.50	49.50	01/21/2015	
11552	Jones & Associates	16515	900 W CDGB Projects	01/01/2015	49.50	49.50	01/21/2015	
11552	Jones & Associates	16515	hwy 89 waterline replacement	01/01/2015	126.00	126.00	01/21/2015	
11552	Jones & Associates	16515	water conservation plan update	01/01/2015	136.50	136.50	01/21/2015	
11552	Jones & Associates	16515	G.I.S.	01/01/2015	635.50	635.50	01/21/2015	
Total Jones & Associates:					8,773.50	8,773.50		
MAVERIK FLEET CARD SERVICES								
11288	MAVERIK FLEET CARD SERVIC	01/21/2015	GAS PURCHASE	12/31/2014	393.90	393.90	01/21/2015	
11288	MAVERIK FLEET CARD SERVIC	01/21/2015	GAS PURCHASE	12/31/2014	375.27	375.27	01/21/2015	
11288	MAVERIK FLEET CARD SERVIC	01/21/2015	GAS PURCHASE	12/31/2014	1,556.61	1,556.61	01/21/2015	
Total MAVERIK FLEET CARD SERVICES:					2,325.78	2,325.78		
Meterworks								
10590	Meterworks	3110	meters & supplies	01/13/2015	2,771.04	2,771.04	01/21/2015	
Total Meterworks:					2,771.04	2,771.04		
Molgard Law Offices								
11773	Molgard Law Offices	1/15/2015	Leagal Services	01/15/2015	2,250.00	2,250.00	01/15/2015	
Total Molgard Law Offices:					2,250.00	2,250.00		
Polydyne Inc.								
11400	Polydyne Inc.	934194	clarifloc	12/17/2014	2,124.00	2,124.00	01/15/2015	
Total Polydyne Inc.:					2,124.00	2,124.00		
Rocky Mountain Power								
2501	Rocky Mountain Power	01/15/2015	WWTP Power	12/15/2014	4,804.12	4,804.12	01/15/2015	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
2501	Rocky Mountain Power	01/15/2015	WWTP Power	12/15/2014	1,044.71	1,044.71	01/15/2015	
2501	Rocky Mountain Power	01/15/2015	city power	12/15/2014	1,635.75	1,635.75	01/15/2015	
2501	Rocky Mountain Power	01/15/2015	city power	12/15/2014	95.08	95.08	01/15/2015	
2501	Rocky Mountain Power	01/15/2015	city power	12/15/2014	4,681.95	4,681.95	01/15/2015	
2501	Rocky Mountain Power	01/15/2015	park power	12/15/2014	139.12	139.12	01/15/2015	
2501	Rocky Mountain Power	01/15/2015	city power	12/15/2014	410.68	410.68	01/15/2015	
2501	Rocky Mountain Power	01/26/2015	WWTP Power	01/15/2015	5,035.06	5,035.06	01/26/2015	
2501	Rocky Mountain Power	01/26/2015	WWTP Power	01/15/2015	2,043.43	2,043.43	01/26/2015	
Total Rocky Mountain Power:					19,889.90	19,889.90		
Spillman Technologies, Inc								
11907	Spillman Technologies, Inc	29610	Spillman Software	01/09/2015	7,500.00	7,500.00	01/21/2015	
Total Spillman Technologies, Inc:					7,500.00	7,500.00		
Staker & Parson Companies								
10168	Staker & Parson Companies	157418	maintance	12/31/2014	2,655.25	2,655.25	01/21/2015	
Total Staker & Parson Companies:					2,655.25	2,655.25		
Grand Totals:					60,154.57	60,154.57		

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Detail report.

Paid and unpaid invoices included.



FOR OFFICE USE ONLY
 Zone _____ Use: P* P C N
 Issued _____ Approved _____
 Business License No. _____
 License Fee \$ _____ Date Rec'd _____
 Receipt # _____
 Check # _____ Cash Other _____

BUSINESS LICENSE APPLICATION

Check all that Apply:

Original application Renewal Application

Change of: Address Ownership Business name

Business Information – Please type or print clearly:

Applicant's Name Chase M Peterson

Business Name CAP Distributing LLC

Business Address 3020 S. 1200 W Perry City, UT 84302

What type of building is this? Home Commercial Other

Will you have visiting clientele at this address? Yes No

Mailing Address 3020 S. 1200 W. City Perry State Ut Zip 84302

Bus. Phone (435) 339-9591 Business Start Date 1/26/15

Email Address: capdistributing@gmail.com (required) Sales Tax # 15S00705 (temp)

Website Address: —

Is the Applicant the Property Owner? Yes No

If No, Property Owner's Name Kim M Peterson Phone (435) 734-2889

Describe Business: buying items to sell to individuals online

Check all that Apply:

- | | | |
|---|--------------------------------|---------------------------------|
| 1. Professional Services \$34 | 8. Food /Fruit Sales \$125 | 15. Truck Stop \$2,608 |
| 2. Home Business \$30 | 9. Large Scale Constr. \$2,359 | 16. Restaurant \$125 |
| <input checked="" type="checkbox"/> 3. Wholesale/Retail Bus. \$30 | 10. Live Performance \$125 | 17. Temporary \$34 |
| 4. Big Box \$5,000 | 11. Movie Theater \$125 | 18. Amusement Machines \$30 |
| 5. Construction \$125 | 12. Public Lodging \$34 | 19. Vending Machines \$5 |
| 6. Automotive \$34 | 13. Rental \$41 (+\$10/unit) | 20. Class A Beer \$225 |
| 7. Gas Station/Conv. Store \$125 | 14. Storage Units \$125 | 21. Public Exhibitions \$30/day |
| 22. Solicitors \$38 per person (ID required for all participants) | | |

All Licenses expire December 31st. No pro ration for a partial year.

Perry City Contact:

Robin Matthews, Utility, Permit, & Licensing Clerk

435-723-6461 ext.103

robin.matthews@perrycity.org

20



FOR OFFICE USE ONLY
 Zone _____ Use: P* P C N
 Issued _____ Approved _____
 Business License No. _____
 License Fee \$ 125.00 Date Rec'd 2/2/15
 Receipt # 3.000267
 Check # _____ Cash Other _____

BUSINESS LICENSE APPLICATION

Check all that Apply:

Original application Renewal Application

Change of: Address Ownership Business name

Business Information – Please type or print clearly:

Applicant's Name Dustin Rallison

Business Name The Rusted Spoon

Business Address 2645 S. Highway 89 Perry City, UT 84302

What type of building is this? Home Commercial Other

Will you have visiting clientele at this address? Yes No

Mailing Address 2645 S. Highway 89 City Perry State UT Zip 84302

Bus. Phone (801) 668-1047 Business Start Date Mar (1-15) 2015

Email Address: dbr2113@gmail.com (required) Sales Tax # 15SC0846

Website Address: _____

Is the Applicant the Property Owner? Yes No

If No, Property Owner's Name _____ Phone () _____

Describe Business: Restaurant

Check all that Apply:

- 1. Professional Services \$34
- 2. Home Business \$30
- 3. Wholesale/Retail Bus. \$30
- 4. Big Box \$5,000
- 5. Construction \$125
- 6. Automotive \$34
- 7. Gas Station/Conv. Store \$125
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All Licenses expire December 31st. No pro ration for a partial year.

Perry City Contacts:

Duncan Murray, City Administrator/Attorney
435-723-6461 ext.101
duncan.murray@perrycity.org

Robin Matthews, Utility, Permit, & Licensing Clerk
435-723-6461 ext.103
robin.matthews@perrycity.org

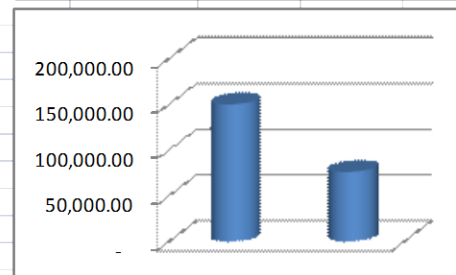
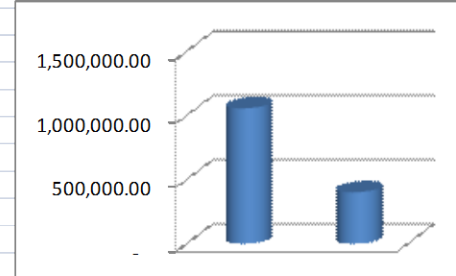
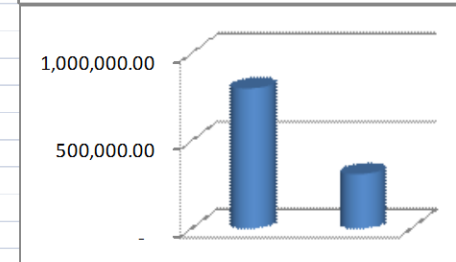
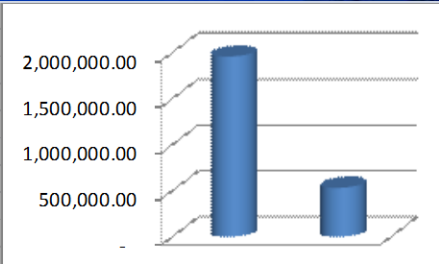
Budget Review

FY2015 – December



Revenues

General Fund				
Department	Budget	Actual	Unearned	%
TAXES	1,577,900.00	352,463.03	1,225,436.97	22%
LICENSES & PERMITS	89,400.00	46,573.04	42,826.96	52%
INTERGOVERNMENTAL REVENUE	248,940.00	88,548.57	160,391.43	36%
CHARGES FOR SERVICE	74,740.00	34,041.36	40,698.64	46%
MISCELLANEOUS REVENUE	21,200.00	10,389.59	10,810.41	49%
CONTRIBUTIONS OR TRANSFERS	(32,228.00)	-	(32,228.00)	0%
Beginning Balance (Unassigned)	(21,284.48)		(21,284.48)	
Total	1,958,667.52	532,015.59	1,426,651.93	27%
Utility Fund - Operations				
Department	Budget	Actual	Unearned	%
WATER SALES	332,900.00	169,147.07	163,752.93	51%
GARBAGE SALES	194,820.00	107,219.98	87,600.02	55%
STORM DRAIN FEE	70,000.00	35,260.09	34,739.91	50%
Trans from Fund Balance	202,888.88	-	202,888.88	0%
Total	800,608.88	311,627.14	286,092.86	39%
50% of The Fiscal Year Has Elapsed				
Sewer Fund - Operations				
Department	Budget	Actual	Unearned	%
SEWER SALES	774,200.00	389,921.56	384,278.44	50%
WWTP Reimburesment From Willard	117,637.65	12,275.08	105,362.57	10%
Reimbursement From State	22,500.00	-	22,500.00	0%
Transfer from General Fund	142,628.00	-	142,628.00	0%
Total	1,056,965.65	402,196.64	654,769.01	38%
Utility Fund - Non-Operations				
Department	Budget	Actual	Unearned	%
WATER CONNECTION FEE	6,000.00	3,150.00	2,850.00	53%
SEWER CONNECTION FEE	375.00	225.00	150.00	60%
WATER IMPACT FEE	34,900.00	20,628.00	14,272.00	59%
STORM SEWER IMPACT	14,700.00	-	14,700.00	0%
SEWER IMPACT FEE	82,650.00	47,250.00	35,400.00	57%
NON OPERATING - WATER REV.	800.00	450.00	350.00	56%
INTEREST	(37.50)	(37.50)	-	100%
DWQ BOND INTEREST	10,621.00	4,366.71	6,254.29	41%
Total	150,008.50	76,032.21	73,976.29	51%

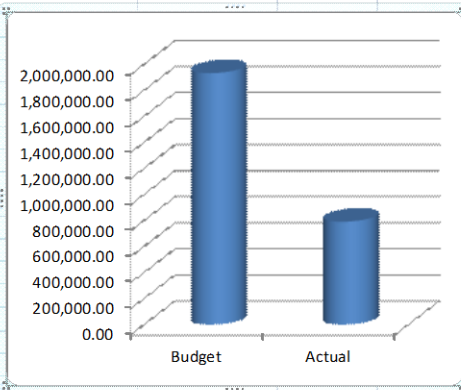


Expenses

General Fund					
Department	Budget	Actual	Unexpended	Pct. Used	
Administration	628,408.03	\$318,689.19	\$309,718.84	50.7%	
Parks	159,311.07	\$91,221.10	\$68,089.97	57.3%	
Police	553,062.43	\$237,763.09	\$315,299.34	43.0%	
Gun Range	39,005.52	\$23,983.63	\$15,021.89	61.5%	
Animal Control	1,410.00	\$435.72	\$974.28	30.9%	
First Responders	37,812.00	\$13,751.82	\$24,060.18	36.4%	
Fire	22,310.00	\$19,095.00	\$3,215.00	85.6%	
Community Development	91,200.00	\$22,824.38	\$68,375.62	25.0%	
Judicial	31,650.00	\$12,950.00	\$18,700.00	40.9%	
Streets	369,498.47	\$50,909.30	\$318,589.17	13.8%	
Total	1,933,667.52	\$791,623.23	\$1,142,044.29	40.9%	

50% of The Fiscal Year Has Elapsed

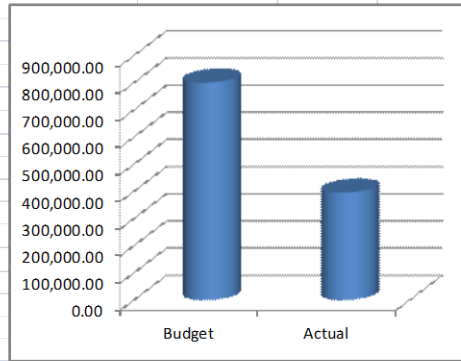
Notes:



Utility Fund					
Department	Budget	Actual	Unexpended	Pct. Used	
Garbage	201,300	\$68,761.25	\$132,538.75	34.2%	
Water	545,919	\$308,846.34	\$237,072.84	56.6%	
Storm Drains	53,390	\$18,132.31	\$35,257.65	34.0%	
Total	800,609.13	\$395,739.90	\$404,869.23	49.4%	

50% of The Fiscal Year Has Elapsed

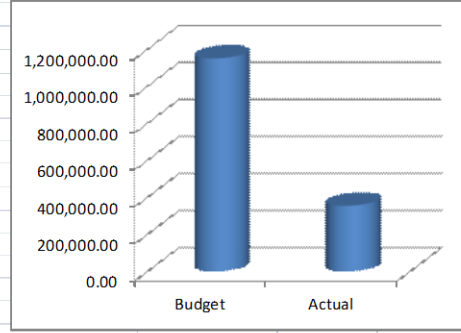
Notes:



Sewer Fund					
Department	Budget	Actual	Unexpended	Pct. Used	
Sewer	127,575	\$45,877.57	\$81,697.62	36.0%	
WWTP	1,018,411	\$308,617.22	\$709,793.88	30.3%	
Cont. to Fund Balance	4,626		\$4,626.00	0.0%	
Total	1,150,612.29	\$354,494.79	\$796,117.50	30.8%	

50% of The Fiscal Year Has Elapsed

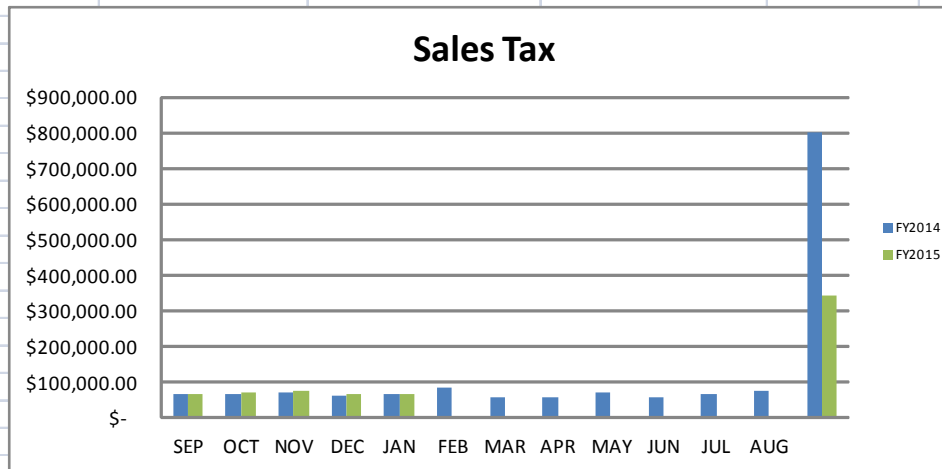
Notes:



Sales Tax



Sales Tax					FY14vs.FY15
	FY2013	FY2014	FY2015		Better/-Worse
SEP	\$ 59,192.94	\$ 66,559.61	\$ 67,978.65		2.13%
OCT	\$ 67,868.97	\$ 68,008.86	\$ 69,756.42		2.57%
NOV	\$ 70,516.72	\$ 68,577.87	\$ 75,940.11		10.74%
DEC	\$ 60,104.78	\$ 61,529.44	\$ 64,571.02		4.94%
JAN	\$ 64,323.04	\$ 65,541.60	\$ 66,455.44		1.39%
FEB	\$ 82,190.92	\$ 83,416.21			
MAR	\$ 57,167.12	\$ 58,235.99			
APR	\$ 56,193.19	\$ 57,349.35			
MAY	\$ 72,119.72	\$ 70,334.43			
JUN	\$ 51,098.23	\$ 58,628.48			
JUL	\$ 65,585.65	\$ 65,836.21			
AUG	\$ 74,509.06	\$ 75,287.24			
Total	\$ 780,870.34	\$ 799,305.29	\$ 344,701.64		



	FY14	FY15 YTD
	\$ 330,217.38	\$ 344,701.64
Diff	\$ 14,484.26	4.39%
	Trend	\$ 827,283.94
	Planned	\$ 837,000.00
	Better/(Worse)	\$ (9,716.06)
	Better than PY	\$ 27,978.65

Ordinance 15-A

An Ordinance Allowing Chickens to be kept on Single-Family Residential Lots.

A LAND USE ORDINANCE OF PERRY CITY, APPROVING CHICKENS ON SINGLE-FAMILY RESIDENTIAL LOTS; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Perry City (hereafter sometimes referred to as “City” or “municipality”) is a municipal corporation duly incorporated and existing under the laws of Utah; and Title 10, Chapter 9a of the *Utah Code Annotated*, 1953, as amended, authorizes the City to regulate land use and development; and *Utah Code Annotated* §10-8-84 authorizes the City to provide for safety, preserve health, promote prosperity, peace, and good order.

WHEREAS, the City having received information regarding the keeping of chickens and having a citizen request an ordinance allowing the keeping of chickens; and

WHEREAS, the City Council and the Planning Commission agrees on the allowance of chickens under certain conditions contained below; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Perry, Utah, as follows:

Section 1. Enactment. Part of *Title 9*, of the *Perry City Municipal Code* is enacted to read as follows:

1. **Definition.** The term “chicken” refers only to the female, or hen of the species. Roosters and crowing hens are prohibited in all residential districts. Chickens are not considered household pets.
2. Chickens may be kept on single-family residential lots that have a separate legal lot or parcel of record with the following restrictions:
 - a. A permit for keeping chickens in a residential district must be obtained prior to keeping chickens and, thereafter, renewed annually through the City. Each permit holder must read and sign the supplemental educational materials supplied by the City as part of the annual permit process. The annual permit fee shall be from time to time set by resolution by the Perry City Council.
 - b. A Maximum number of twelve (12) chickens are permitted on any residential lot.
 - c. Chickens must be kept in a manner that will not disturb the use and enjoyment of neighboring lots due to noise, odor or other adverse impacts. Noise restrictions for chickens shall be enforced in accordance with

existing ordinances to include Title 8 Chapter 3 of the Perry City Municipal Code.

- d. Chickens must be cared for in a humane manner with adequate feed, water, shade, and shelter at all times. Coops must be kept clean and well-maintained.
 - e. Chickens must be kept securely in a coop overnight. The coop must be enclosed, well-constructed, weather resistant, well-ventilated, predator resistant, and provide a minimum of two (2) square feet of area per chicken. If the chickens are kept in the coop at all times then the coop must have at least six (6) square feet per chicken. Portable coops (chicken tractors) are allowed, but must meet the requirements of permanent coops outlined above.
 - f. Coops shall:
 - i. be located in the back yard of the property;
 - ii. be within the owner's property lines;
 - iii. must not be located closer than fifteen (15) feet of any neighboring residential dwellings;
 - iv. must comply with all existing ordinances;
 - v. shall be treated as an accessory buildings pursuant to 15.07.110; and
 - vi. shall be subject to easement restrictions.
 - g. In addition to coops, an adjoining fenced outdoor area sufficient to contain chickens on the owner's property shall be provided allowing a minimum of three (3) square feet per chicken. A securely fenced rear yard is acceptable for the run. Chickens must be kept in a manner that they are not allowed to roam to neighboring properties or public right-of-ways.
 - h. Storage of excess Feed and water shall be kept in a manner so it is not available to other pets, wild birds, rodents or potential predators feed must be kept in a rodent and predator proof container.
 - i. Slaughter of chickens is permitted, but must be done cleanly and discreetly in an enclosed area, outside of the public's view, unless adjoining neighbors give written consent otherwise.
 - j. Litter and droppings must be disposed of, composted, or used as fertilizer in an environmentally responsible manner. Dead chickens, remains, and discarded or rotting eggs shall be removed as soon as possible, but no longer than twenty-four (24) hours, and shall be disposed of properly. Byproducts must not produce odors or unclean conditions.
3. Any violation of the provisions of this Section, either by failing to do those acts required herein or by doing any act prohibited herein, shall be considered a Class C Misdemeanor unless otherwise specifically stated in this Section; and/or shall be a civil violation punishable by fine in the amount of \$50.00 per day the violation continues after being notified of the violation as follows:
- a. Upon report or complaint of violation, the City shall cause a letter or an enforcement officer be sent to notify the permit holder and the permit holder must come into compliance immediately.
 - b. If the violation continues the City and the City's enforcement officers and personnel may revoke the permit and enter the premises to remove and dispose of the chickens.

- c. All costs incurred by the City to bring the violation into compliance, including the notice of violation, revocation of the permit, and the removal and disposal of the chickens, shall be payable by the permit holder and or land owner.

Section 2: 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 remainder shall continue in full force and effect.

Section 3: Effective date. This Ordinance takes effect immediately after approval and posting.

PASSED AND APPROVED by the Perry City Council on this _____ day of _____, 2014.

PERRY CITY
BY _____

Mayor Karen Cronin

ATTEST:

COUNCIL MEMBERS: VOTING

Aye Nay

CHRISTENSEN _____
GERLACH _____

City Recorder

MONTGOMERY _____

LEWIS _____
JANA NELSON _____

RECORDED this ____ day of _____, 20____.

PUBLISHED OR POSTED this ____ day of _____, 20____.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-711, 1953 as amended, I, the City Recorder of Perry City, Utah, hereby certify that foregoing ordinance was duly passed and published, or posted at

1) _____ 2) _____

and 3) _____ on the above referenced
dates.

_____ DATE: _____ City Recorder

1 PERRY CITY COUNCIL MEETING
2 PERRY CITY OFFICES
3 JANUARY 22, 2015
4

7:00 PM

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

7 OFFICIALS EXCUSED: Brady Lewis

8 CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder
9 Malone Molgard, City Attorney

10
11 OTHERS PRESENT: Lani Braithwaite, Jamie Scott, Cory Bennion, Vicki Call, Trent Scott, George
12 Benford

13 **ITEM 1: CALL TO ORDER**

14 Mayor Cronin called the meeting to order.

15 **A. INVOCATION**

16 Council Member Gerlach offered the invocation.

17 **B. PLEDGE OF ALLEGIANCE**

18 Council Todd Christensen led the audience in the Pledge of Allegiance.

19 **C. REVIEW AND ADOPT THE AGENDA**

20 **MOTION:** Council Member Montgomery made a motion to approve the agenda with an Executive
21 Session afterward. Council Member Christensen seconded the motion.

22 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
23 Council Member Gerlach, Yes Council Member Nelson, Yes
24 **Motion Approved.** 4 Yes, 0 No.

25 **ITEM 2: PROCEDURAL ISSUES**

26 **A. CONFLICT OF INTEREST DECLARATION**

27 None.

28
29 **B. PASS OUT WARRANTS TO COUNCIL MEMBERS (AND POSSIBLE DISCUSSION)**

30 Shanna Johnson passed out the warrants.

31
32 **C. BUSINESS LICENSE(S)**

33 Mayor Cronin presented a new business:

- 34
35 • PME Sporting Goods

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37 Business owner, Jamie Scott was present. Mayor Cronin explained that PME is an online
38 retail store with hunting, fishing, and sporting goods, and will have no visiting clientele.

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MOTION: Council Member Gerlach made a motion to approve the business license for PME Sporting Goods. Council Member Nelson seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Montgomery, Yes
 Council Member Gerlach, Yes Council Member Nelson, Yes
Motion Approved. 4 Yes, 0 No.

ITEM 3: PUBLIC COMMENTS AND/OR PUBLIC HEARING

George Benford: (615 Independence Circle) voiced concerns that his street sign has 2500 South, not Independence Circle. George presented the Council proof that his street address is Independence Circle. When he uses Google to look up his address, looks on the Box Elder County, or MapQuest website, his home address is listed as 615 Independence Circle. He also expressed concern about the height of the stop signs in Perry City. He explained that the Manual on Uniform Traffic Control Devices mandates public agencies conform with the bottom height of stop signs at 7'. Mayor Cronin assured Mr. Benford that new street signs have been ordered with the street number larger on top and the street name smaller in size below the number to aid emergency services. She asked Public Works to put the stop sign issues as their first priority. The City’s budget will not allow all stop signs to be replaced in one year, but they will soon be at the proper height, as per code.

ITEM 4: APPOINTMENTS

A. APPOINT A MEMBER TO REPRESENT PERRY CITY ON THE BOX ELDER COUNTY MOSQUITO ABATEMENT BOARD

Mayor Cronin recommended Cory Bennion be appointed to continue serving on the Box Elder County Mosquito Abatement Board. Cory was present and explained that it was necessary to utilize reserve funds to spray last year because of the extra moisture. Cory asked that citizens be mindful of standing water on their property. He mentioned that citizens could schedule spraying before large gatherings. Mayor Cronin asked Cory to supply her with literature to educate citizens in April’s newsletter and the phone number to use for scheduling. She also asked him to schedule spraying at the park before the 4th of July celebration. Cory has 12 years’ experience and reported that he does not do the spraying himself, but has served on the board which meets every other month. The Mosquito Abatement Board is mindful to spend taxpayer’s money responsibly. Board members must attend training each year to be recertified, including ethics, financial responsibility and public health. He stated they do not spray on or near the bird refuge, as they are not allowed due to the protected wildlife in this area.

MOTION: Council Member Montgomery made a motion to approve Cory Bennion to the Mosquito Abatement Board. Council Member Nelson seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Montgomery, Yes
 Council Member Gerlach, Yes Council Member Nelson, Yes
Motion Approved. 4 Yes, 0 No.

B. APPOINT MEMBERS TO THE SPECIAL USES AND APPEALS BOARD

1 Mayor Cronin reported that Bruce Howard and Kim Barnard have been serving on the Special Uses
2 and Appeals Board and have agreed to continue in their positions. Council Member Christensen
3 explained that 5 Perry citizens serve on the board and are often former City Council members.
4 Mayor Cronin reported that the Board is another level for citizen use when they believe their
5 application was not reviewed appropriately. The Board is chaired by an attorney and this board
6 assists in preventing liability to the City. They meet at least once a year to review conditional use
7 permits and applications.

8 **MOTION:** Council Member Christensen made a motion to approve Bruce Howard and Kim Barnard
9 to the Special Uses and Appeals Board. Council Member Gerlach seconded the motion.

10 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
11 Council Member Gerlach, Yes Council Member Nelson, Yes
12 **Motion Approved.** 4 Yes, 0 No.

13 **C. APPOINT THE PLANNING COMMISSION CHAIR AND VICE CHAIR**

14 Mayor Cronin recommended Doug Longfellow be approved as the Chair of the Planning
15 Commission and Vicki Call be appointed as the Vice Chair, as recommended by the Planning
16 Commission.

17 **MOTION:** Council Member Christensen made a motion to approve the appointments of Doug
18 Longfellow as Chair and Vicki Call as Vice Chair of the Planning Commission. Council Member
19 Montgomery seconded the motion.

20 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
21 Council Member Gerlach, Yes Council Member Nelson, Yes
22 **Motion Approved.** 4 Yes, 0 No.

23
24 **ITEM 5: ACTION ITEMS**

25
26 **A. APPROVAL OF THE WARRANTS**

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28 **MOTION:** Council Member Nelson made a motion to approve the warrants. Council Member
29 Christensen seconded the motion.

30 **ROLL CALL:** Council Member Christensen, Yes Council Member Gerlach, Yes
31 Council Member Montgomery, Yes Council Member Nelson, Yes
32 **Motion Approved.** 4 Yes, 0 No.

33 **B. APPROVE AN APPLICATION FOR CDBG FUNDING**

34 Shanna Johnson projected 4 project options for the Council to review for the CDBG grant
35 application as prepared by the Mayor.

- 36 • Option 1 – 2700 South from 900 West to Hwy 89
37 • Option 2 – 900 West South to 2700 South
38 • Option 3 – 900 West part way North to 2325 South
39 • Option 4 – North to 2250 South

1 Mayor Cronin reviewed the details including the pros & cons of each option. Shanna Johnson
2 explained that after the Council decides on project, she will get final cost estimates from the City
3 Engineer, Brett Jones. Mayor Cronin stated she believes any of the options would be appreciated by
4 the community and asked the Council to discuss their opinion for a few minutes.

5 Council Member Christensen said there was not a bad decision because all the projects need to be
6 done. He liked that sidewalks would be installed near the schools in Option 1, which would have
7 citizen appeal. He has heard opinions from Perry citizens on Option 3 and Option 4. Some new
8 property owners are unsure of their drive way boundary. He mentioned that Option 2 would be
9 easier since there is little development in that area. He commented that Option 3 would be a good
10 choice because of traffic in that area and a streetlight is also needed for public safety in that area.
11 He stated he prefers Option 3.

12 Council Member Montgomery said she prefers Option 1 for public safety from traffic near the
13 schools. Council Member Montgomery asked how the Coburn’s drive way would be handled.
14 Council Member Christensen reported that Mr. Coburn wants to replace it and that they may not
15 need it in that area. Mayor Cronin explained that Option 1 includes completing the curb, gutter, and
16 sidewalk all the way to 1200 West. She said that the area has the most traffic in Perry and was a
17 focal point when the budget was reviewed. Mayor Cronin mentioned that this area is a safety
18 concern of Police Chief Weese.

19 Council Member Gerlach said liked all of the options. He has had citizens suggest improving north
20 of 900 West, so he prefers Option 3 and Option 1 is his second choice.

21 Mayor Cronin advised the Council to base their decision more on public safety than on public
22 clamor.

23 Council Member Nelson said she missed last meeting and hasn’t heard citizen clamor. She
24 recommended Option 1 because of the health and safety of school children. Council Member Nelson
25 also recognizes the need for the other projects. Council Member Montgomery inquired if the City
26 was ready to buy land. Mayor Cronin mentioned that the City would have to move on purchasing
27 land if we get the grant. Mayor Cronin explained the City could acquire and record the property and
28 then move forward on the project. She believes one of the land owners is ready to sell.

29 Shanna Johnson reminded the Council that the project chosen must benefit the low to moderate
30 income citizens. She also reported that the water line included in Option 2 will be completed this
31 year anyway, as it is an impact fee project that must be completed in order to expend impact fees
32 within the required 6 years. Council Member Montgomery asked if the City could install the
33 waterline where there is soil, which may save the City money. Shanna Johnson agreed to check
34 with Brett and Paul regarding this suggestion and said that she would report back her findings.
35 Mayor Cronin suggested researching with the Flood Control Board regarding storm lines in that
36 area. She also mentioned that Council Member Lewis recommended going with Option 1.

37 **MOTION:** Council Member Montgomery made a motion to approve project Option 1 for the CDBG
38 grant application. Council Member Nelson seconded the motion.

39
40 **ROLL CALL:** Council Member Gerlach, No Council Member Montgomery, Yes
41 Council Member Nelson, Yes Council Member Christensen, No
42 Mayor Cronin, Yes
43 **Motion Approved.** 3 Yes, 2 No.

1
2 Council Member Christensen asked if the population density in the area of the option chosen would
3 have an effect on our success in obtaining the grant. Mayor Cronin explained that population
4 density affects the decision by 1 percent. Mayor Cronin said she investigated which option would
5 get us more points, and Option 2 would give us the most points due to the water line component of
6 the project. Council Member Christensen asked if a unanimous vote is required for the application.
7 Shanna responded that a unanimous vote regarding the project is not required to submit the CDBG
8 Grant application. She did recommend the Council make a motion to authorize the Mayor to move
9 forward with submitting an application for CDBG funding.

10
11 **MOTION:** Council Member Christensen made a motion to authorize Mayor Cronin to move forward
12 with the bid for Option 1 for the CDBG grant application. Council Member Montgomery seconded
13 the motion.

14
15 **ROLL CALL:** Council Member Gerlach, Yes Council Member Montgomery, Yes
16 Council Member Nelson, Yes Council Member Christensen, Yes
17 **Motion Approved.** 4 Yes, 0 No.

18
19 **C. APPROVE CAPITAL PROJECTS AND IMPROVEMENTS LIST FOR BRAG**

20
21 Mayor Cronin asked Shanna Johnson to review the Consolidated Capital Improvements list
22 prepared for BRAG (Bear River Association of Government) as part of the CDBG application
23 process. Shanna explained that the presented form was in a draft form at this time; CDBG grant
24 projects need to be reorganized moving the (Option 1) 2700 South from 900 West to Highway 89
25 project to the current year and the others to future years. She said the 12” water main located at
26 1080 West was also added to the capital improvements list. Shanna stated that the projects listed
27 came from City Capital Facilities plans and other projects identified by the Mayor and Council, such
28 as the 1100 South Fire Station. Shanna said that if the City submits a project list at this time, it can
29 still be modified in the future. BRAG reviews the list and uses this to assist the City in obtain
30 funding for projects. Shanna said she will get information from Public Works Director, Paul Nelson,
31 and will add upcoming street projects to the list. Shanna explained that the list breaks out funding
32 into columns:

- 33 • Local Cash Match – Includes cash from City budget or Impact Fees to be used for the
34 projects
- 35 • Other – Includes cash that the developer would be required to pay toward the projects.
- 36 • CIB Grants / CIB Loans – Shanna explained that some projects are more expensive than
37 others and will require a loan or grant funding. These columns outline grant or loan funds
38 that would be needed.

39 Mayor congratulated Shanna for creating the format for this report which will be very useful for
40 comparison by the BRAG Community Impact Board.

41 **MOTION:** Council Member Gerlach made a motion to approve the Consolidated Capital
42 Improvements list with the amendments discussed and approve submitting the list to BRAG.
43 Council Member Christensen seconded the motion.

44
45 **ROLL CALL:** Council Member Gerlach, Yes Council Member Montgomery, Yes
46 Council Member Nelson, Yes Council Member Christensen, Yes
47 **Motion Approved.** 4 Yes, 0 No.

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D. APPROVE CDBG THRESHOLD & GENERAL POLICIES

Shanna Johnson reviewed the CDBG Threshold and General Policies with the City Council (see attached). She explained that accepting these policies is part of the application process.

MOTION: Council Member Montgomery made a motion to approve the CDBG Threshold and General Policies. Council Member Gerlach seconded the motion.

ROLL CALL: Council Member Gerlach, Yes Council Member Montgomery, Yes
 Council Member Nelson, Yes Council Member Christensen, Yes
Motion Approved. 4 Yes, 0 No.

ITEM 6: DISCUSSION ITEMS

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

Mayor Cronin announced that Attorney Molgard reviewed the comments received by the Council and put the draft ordinance in a digital format for Council review. The Mayor said she discussed item 4-I, regarding the slaughter of chickens with Chief Weese, Paul Nelson, and Susan Obray at the last staff meeting. They expressed concern that young children may view the slaughter of chickens and suggested language be included stating that the slaughter be out of public view. She suggested that chicken owners could obtain approval of neighbors before the slaughter and then this may be done in public view. Council Member Christensen noted that the Council wants to protect the public and be sensitive to neighbors of the chicken owners. There is a concern about the smell and nuisance of rotting eggs and dead chickens, and language has been included regarding how soon both must be removed. Mayor Cronin discussed the need of chicken permits to enforce violations when police officers get complaints. The chicken owners would sign acknowledging the rules when they obtain a permit. It also protects the city from liability if the City is required to remove the chickens from someone’s property. The Council discussed a nominal fee of \$5.00 for a chicken permit. Mayor Cronin thought it would be easier to change the ordinance in the future if chicken owners get a permit. Council Member Montgomery stated she did not see a need to restrict the size of chicken coops. Malone recommended language in the ordinance to meet requirements of current building codes for accessory buildings. Council member Montgomery recommended adding reference to the noise ordinances. Council Member Montgomery suggests a minimum distance from the neighboring boundary lines. Malone requested the Council Members to email changes to the ordinances to him. He also suggested that the ordinance include a certain amount of time for chicken owners to become compliant. Mayor Cronin asked the Council Members to share their opinions about the ordinance.

Council Member Gerlach stated he wants to see that permits are required in the ordinance.

Council Member Montgomery said she would like some of the language simplified and include the distinction that the ordinance is for chicken owners on a single family residence.

Council Member Christensen said he likes the permit requirement and that it needs annual renewal. He prefers clear language on 4D and thinks Council Member Montgomery made some good points regarding minimum distance to property lines of neighbors.

1 Council Member Nelson said she liked the look of the ordinance, but questioned enforcement, and
2 how the City would ensure the ordinance is followed.

3

4 **B. Emergency Services Interlocal Agreement with Brigham City**

5 Mayor Cronin reported that she met with Mayor Vincent, and the new fire chief to discuss reducing
6 the rates charged for emergency services. Brigham City currently charges \$945.00 for the first hour
7 and an extra \$600.00 if the pumper truck, brush truck, and ambulance are called out. Mayor Cronin
8 reviewed the different scenarios of emergency services used and presented a chart to the Council.
9 She explained with the new proposed billing, a fire could cost up to approximately \$1,300, rather
10 than the current average fee of \$963. She stated that the new fire chief recommended changing the
11 emergency service rates to those charged by the BLM (Bureau of Land Management). She advised
12 that if this occurs it would increase costs for Perry by 80-120%. Mayor Cronin reported that for
13 80% of the people it will cost more if we change our rates with Brigham City. She recommended
14 that if a brush truck is required to utilize Willard City Fire and man it with Perry City volunteers.
15 Mayor Cronin suggested we negotiate with Brigham City to lock in the present rates for 3 years.
16 She also recommended sending notice to citizens regarding the basic rates for emergency services
17 in the City newsletter. Mayor Cronin said she wants citizens to be aware of the financial risks
18 involved when they use fireworks, etc. Council Member Christensen wondered if citizens would
19 delay calling the fire truck because of costs involved.
20 Mayor Cronin said she is requesting Brigham City send billing for the emergency services within 60
21 days. She explained that a citizen received a bill in November for services received a year ago. The
22 Mayor explained that bills for emergency services are passed directly to the resident responsible
23 for the fire. She said the City is responsible for payment to Brigham City and the City is stuck with
24 these fees if the citizen does not pay the fire bill back to Perry.
25 Mayor Cronin said that Brigham City is willing to sign a three year agreement; she hopes the
26 conditions of the agreement with Brigham City will be the same as presented in December.

27

28 **C. TOURISM BOARD GRANT PROJECTS AND APPLICATION PROCESS**

29 Mayor Cronin announced that applications for tourism grants are due in February. Council Member
30 Christensen noted the projects in the past were the gun range, the Perry 4th of July Celebration, and
31 the restroom at Centennial Soccer Park. She said last year the gun range was funded by this grant,
32 but not the 4th of July. The restroom at Dale Young Park also was not funded. Council Member
33 Gerlach mentioned that the Dale Young Park is presently used by nearby residents, but would
34 attract more citizens if the City continues to improve it. Mayor Cronin requested Council Members
35 email grant project suggestions to her.

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

37 **A. APPROVAL OF CONSENT ITEMS**

38 • **January 8, 2014 City Council Meeting Minutes**

39 Shanna Johnson noted the different look of the minutes. She explained that the minutes were
40 formatted specifically for the CDBG application. Mayor noted that she had a few grammatical
41 and spelling errors that she would get to Shanna.

42

43 **MOTION:** Council Member Montgomery moved to approve the minutes for the January 8, 2015 City
44 Council Meeting. Council Member Christensen seconded the motion.

45

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

1 **Motion Approved.** 4 Yes, 0 No

2 **B. Todd Christensen:** reported on scheduling problems with the soccer field and recommended
3 looking at this process. He said he reserved the field in the City office, paid money for its use,
4 and competitive leagues would not leave the field when he arrived to use the park. Last
5 Saturday the Mayor noted a football practice took place on the wet soccer field and their cleats
6 tore up the field. She announced that practice field has been closed to groups larger than ten,
7 but sledding and other uses are allowed. Council Member Christensen asked Shanna to
8 announce that the City Administrator position is open on the City’s webpage.

9
10 **C. Peter Gerlach:** talked with the youth committee chairman and suggested quarterly activities
11 instead of monthly because the young people have other commitments. Mayor Cronin
12 discussed transporting the Youth City Council to the league meetings with the Legislature.

13 **D. Jana Nelson:** Nothing to report.

14 **E. Esther Montgomery:** had nothing to report. Mayor Cronin noted that Brett received
15 information on the trail project and will forward it to Esther. The grants will be awarded in
16 April.

17 **F. Brady Lewis:** excused.

18 **G. Mayor Cronin:** The building at the gun range has been painted and is ready for carpet.
19 Flooring will be \$4,000-\$5,000 and there will be a warrant to pay for it. She explained that
20 carpet would cost \$4,000, but would not last as long as hard wood floor (L.V.T.) Mayor Cronin
21 desires hardwood flooring in the kitchen, training area, the hall ways and one of the observation
22 areas. The conference and registration rooms will have low pile, high density carpet. Council
23 Member Christensen asked if the flooring will be financed with grant funds. Mayor Cronin
24 replied that was correct. She informed the Council that Staker Parsons is also donating concrete
25 for walkways at the gun range.

26
27 **H. ITEMS FOR NEXT CITY NEWSLETTER**

28 Council Member Christensen requested C.E.R.T. training and reservation requirements for the
29 upcoming soccer season be advertised in the next newsletter. Mayor Cronin reminded the Council
30 that the parks must be reserved in the city office.

31
32 **ITEM 8: ITEMS FOR FUTURE MEETINGS**

33 None discussed.

34 Mayor Cronin announced that the Utah League of Cities and Towns Conference will be April 9-11 in
35 St. George. She mentioned that Council member may carpool together. The City will pay up to \$400
36 for the conference to help cover the cost of registration, food, and some of the fuel for Council
37 Members wishing to drive down on their own.

38
39 **ITEM 9: EXECUTIVE SESSION**

40 The Mayor recommended the meeting end for an executive session regarding possible litigation.

41

1 **MOTION:** Council Member Christensen moved to close the regular meeting and open an Executive
2 Session regarding potential litigation. Council Member Nelson seconded the motion.

3

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

6 **Motion Approved.** 4 Yes, 0 No

7 The regular meeting closed at 8:42pm

8 **MOTION:** Council Member Christensen made a motion to close the Executive Session and reopen
9 the regular meeting. Council Member Nelson seconded the motion.

10

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

13 **Motion Approved.** 4 Yes, 0 No

14 The regular meeting resumed at 9:15pm

15

16 **ITEM 9: Adjournment**

17

18 **MOTION:** Council Member Nelson made a motion to adjourn. Council Member Christensen
19 seconded the motion.

20 **Motion Approved.** All in favor.

21

22 Meeting closed at 9:15pm.

23

24

25

26 _____
27 Susan Obray, City Recorder

Karen Cronin, Mayor

28

29

30

31 _____
32 Shanna Johnson, Chief Deputy Recorder