

Thursday, March 5, 2015
PERRY CITY COUNCIL MEETING AGENDA

The Perry City Council will hold a meeting on the Thursday identified above, starting at approximately 7:00 PM after a 6:00 PM Work Session, 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. 6:00 PM

Work Session:

- A. Fielding Public Safety Complaints Training
- B. City Administrator Position Discussion
- C. Wasatch Front Regional Council 2040 Plan Input
- D. Executive Session if needed

Approx. 7:00 PM

1. Call to Order and Opening Ceremonies

- A. Invocation – Esther Montgomery
- B. Pledge of Allegiance – Peter Gerlach
- 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):
 - Simply Exquisite Fashion
 - Perry Eye Care

3. Approx. 7:15 PM – Public Hearing and/or 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. 7:20 PM – Action Items (Roll Call Vote)

- A. Approval of the Warrants
- B. Financial Appeal by Boyd Montgomery – Utility Billing
- C. Ordinance 15-C Adopting the 2015 Perry Municipal Code
- D. Ordinance 15-D to Amend and Clarify Street Names and Signage in the Perry Municipal Code
- E. Resolution 15-01 Approving a Fee for Residential Chicken Permits
- F. Final Approval of Sunridge Subdivision Phase 5
- G. Approve use of Impact Fees for 1750 South Hill Haven Water Line design work
- H. Interlocal Agreement for Brigham City Fire Services
- I. CDBG Application

5. Approx. 8:20 PM – Discussion Items

- A. Storm System Maintenance
- B. FY2015 Budget Update & FY2016 Budget Timeline
- C. Code Enforcement Draft Ordinance
- D. Park Rental

6. Approx. 8:40 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 Work Session Minutes
- February 19, 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

7. Items for Future Meeting

8. Approx. 9:15 PM-Executive Session if needed

9. Approx. 10:00 PM – Adjournment (next regular meeting on Thurs., March 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 26th day of February, 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
Jones & Associates								
11552	Jones & Associates	16560	1200 West WFRC STP Letters	02/01/2015	729.00	729.00	02/20/2015	
11552	Jones & Associates	16560	2014 maintance projects	02/01/2015	142.50	142.50	02/20/2015	
11552	Jones & Associates	16560	900 W CDBG	02/01/2015	510.00	510.00	02/20/2015	
11552	Jones & Associates	16560	2700 S CDBG	02/01/2015	1,124.00	1,124.00	02/20/2015	
11552	Jones & Associates	16560	Culinary Water	02/01/2015	273.00	273.00	02/20/2015	
11552	Jones & Associates	16560	1750 S & Hill Haven	02/01/2015	714.00	714.00	02/20/2015	
11552	Jones & Associates	16560	Storm Drain	02/01/2015	51.00	51.00	02/20/2015	
11552	Jones & Associates	16560	Culinary Water	02/01/2015	31.00	31.00	02/20/2015	
11552	Jones & Associates	16560	Sanitary Sewer	02/01/2015	31.00	31.00	02/20/2015	
11552	Jones & Associates	16560	Storm Drain	02/01/2015	31.00	31.00	02/20/2015	
11552	Jones & Associates	16560	General Plan Mapping	02/01/2015	15.50	15.50	02/20/2015	
Total Jones & Associates:					3,652.00	3,652.00		
Molgard Law Offices								
11773	Molgard Law Offices	2/19/2015	attorney fees	02/01/2015	2,250.00	2,250.00	02/19/2015	
Total Molgard Law Offices:					2,250.00	2,250.00		
Grand Totals:					5,902.00	5,902.00		

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Detail report.

Paid and unpaid invoices included.

[Report].Vendor Name = "Country Way Flooring"

[Report].Vendor Name = {OR} {IS NULL}

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Country Way Flooring								
11915	Country Way Flooring	03/02/2015	Gunrange Flooring	03/01/2015	2,912.03	2,912.03	03/02/2015	
Total Country Way Flooring:					2,912.03	2,912.03		
Grand Totals:					2,912.03	2,912.03		

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____



FOR OFFICE USE ONLY	
Zone _____	Use: P* P C N
Issued _____	Approved _____
Business License No. _____	
License Fee \$ _____	Date Rec'd _____
Receipt # _____	
<input type="checkbox"/> Check # _____	<input type="checkbox"/> Cash <input type="checkbox"/> 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 Tora Rhodes

Business Name Simply Exquisite Fashion

Business Address 411 W 2000 S #17 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 411 W 2000 S #17 city Perry State Ut zip 84302

Bus. Phone (435) 279-4461 Business Start Date 4-1-15

Email Address: simplyexquisitefashion@yahoo.com (required) Sales Tax # 15S01417

Website Address: simplyexquisitefashion.com

Is the Applicant the Property Owner? Yes No

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

Describe Business: Sell women's clothing on-line

Check all that Apply:

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



FOR OFFICE USE ONLY
 Zone _____ Use: P* P C N
 Issued _____ Approved _____
 Business License No. _____
 License Fee \$ 34.00 Date Rec'd 2/18/2015
 Receipt # 3000273
 Check # 507 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 Paul Reed

Business Name Perry EyeCare

Business Address 2480 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 859 E 1750 North City North Ogden State UT Zip 84414

Bus. Phone () _____ Business Start Date 1 April 2015

Email Address: Perryeyecare15@gmail.com (required) Sales Tax # 13799639-004-STC

Website Address: _____

Is the Applicant the Property Owner? Yes No

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

Describe Business: Optometry Practice

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
- 8. Food /Fruit Sales \$125
- 9. Large Scale Constr. \$2,359
- 10. Live Performance \$125
- 11. Movie Theater \$125
- 12. Public Lodging \$34
- 13. Rental \$41 (+\$10/unit)
- 14. Storage Units \$125
- 15. Truck Stop \$2,608
- 16. Restaurant \$125
- 17. Temporary \$34
- 18. Amusement Machines \$30
- 19. Vending Machines \$5
- 20. Class A Beer \$225
- 21. Public Exhibitions \$30/day
- 22. Solicitors \$38 per person (ID required for all participants)

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435-723-6461 ext.103

robin.matthews@perrycity.org

13 Feb 2015

Perry City and Council.

It is my request that the
of Perry and the council, consider,
the 19th of Feb. meeting, a request
to remove or forgive up to 6
months (4 months Past Due) of my
utility bill. I will bring income,
it go & Reasoning for this request
that meeting for clarification.
If any council member wishes an
explanation prior to that meeting,
will be glad to talk, and furnish
formation as to why the request,
ior to the meeting

Thank You
Boyd S. Montgomery
2265 Linda Way
Perry, OH
Phone 435-723-2182

Council Member Christensen asked if the Planning Commission had any concerns. Duncan said that they realize they will need to look at the proposed site plan, but they had no concerns with the zone change.

MOTION: Council Member Lewis made a motion to approve Ordinance 14-B to approve the zoning map amendment to change the proposed residential portion of Parcel 02-037-0048 to R1/3, with the reversion clause that the zoning will revert back to "C" Commercial if a plat is not recorded within 12 months. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Gerlach, Yes
 Council Member Montgomery, Yes Council Member Lewis, Yes

Motion Approved. 4 Yes, 0 No.

ITEM 6: FINANCIAL, PUBLIC UTILITIES, AND TECHNOLOGY ISSUES

A. FINANCIAL APPEAL SCOTT VINCENT, 260 WEST 2000 SOUTH RE: CULINARY WATER OVERAGE

Mayor Cronin reported that this financial appeal has to do with a homeowner that has a water leak, from the meter to the house. She explained that any leaks that are from the meter to the house are the homeowner's responsibility. She said that they know that they have a leak, but because it is winter and difficult to fix at this time, they are asking if the City can help with the water overages. Mayor Cronin said she talked with the Paul Nelson (Public Works Director) and asked what his thoughts are on this request and also went back and looked at precedents. She said that in the past, the City has credited the 1st month's overage fee. She said that Paul Nelson suggested maybe looking at a 50/50 split for the first 200,000 gallons of water, stating that anything over this amount should probably be fixed immediately. Council Member Christensen asked about the amount of the current overage. Mayor Cronin said the overage is 73,000 gallons so far. She said that splitting 200,000 gallons would equal a credit of around \$95. She explained that the Council has the discretion to address this how they see fit, but they want to be careful because this will set a precedent. Council Member Lewis stated that he did speak with Mr. Vincent on the phone. He said that he was very understanding and requested that he tell the Council that he would be grateful if they could help him, but if they could not, he would pay for all overages. Mayor Cronin stated that Mr. Vincent could be not be at the meeting due to other obligations. Duncan Murray advised that the fee for an overage is \$0.95 per 1,000 gallons. He said that 100,000 gallons would equal \$95. He said staff can only credit up to \$50 and the Council can approve up to \$100 without the person being present; anything over this amount would require the petitioner to be present. Mayor Cronin said that she wants to be fair without costing the City money. She said that Paul had indicated that assisting with a leak of 200,000 gallons or less should not be too impactful for the City. Council Member Montgomery asked if the 73,000 gallons of overage was per month or total. Mayor Cronin said total. Council Member Lewis said it seems like there is already a precedent. Council Member Christensen agreed that in the past they have credited the first month. He said there was a leak last winter that the City assisted with because the homeowner could not get to the leak during the winter month. Council Member Montgomery said that she was present at that meeting and that particular resident had done quite a bit to try and find the leak. Mayor Cronin said that issue had other mitigating facts that put that particular leak in its own class. She said this leak is more standard and we need to decide if we want to credit just the first month or do we want to make further accommodation considering it being during the winter months; this will set a precedent for similar leaks that occur in the winter, so that we have a standard to follow in the future. Council Member Lewis stated he likes the \$50 credit option, so that staff can address these issues and it doesn't require action by the Council. Mayor Cronin said that Paul's thought was that \$95.00 was fair, considering this is the winter months. Council Member Christensen said there is a benefit to the City if they wait, because exposing the line during the winter can cause further damage. He agreed that capping it at \$95.00 made sense.

MOTION: Council Member Montgomery made a motion authorizing the City to assist these utility customers with a water leak during winter months, by issuing a credit of 50%, up to a maximum of

\$95.00, of water overages. This action is due to the fact that the water overage is being caused by a water leak, which is difficult to repair during the winter months (once the ground thaws, the utility customer will be responsible to fix the water leak, and will be responsible for 100% of the overage fees until the repair is made). Council Member Christensen seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Gerlach, Yes
Council Member Montgomery, Yes Council Member Lewis, Yes

Motion Approved. 4 Yes, 0 No.

B. APPROVAL OF WARRANTS

MOTION: Council Member Christensen made a motion to approve the warrants. Council Member Lewis seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Gerlach, Yes
Council Member Montgomery, Yes Council Member Lewis, Yes

Motion Approved. 4 Yes, 0 No.

Mayor Cronin said there has been discussion on whether it would be permissible to allow some of the utility bills to be paid prior to Council review. Shanna Johnson explained that in the past the Rocky Mountain Power bill was split up between different uses (wells, streetlights, etc.); now it is combined and this causes the bill to be over the \$2,000 warrant threshold. She said she would like authorization to release this prior to warrant approval in an effort to keep timely payments. She said she would also like to see this be an option for bond payments that are on a set bond schedule, with a standard monthly fee. Council Member Christensen said this would be fine as long as there is not a 15% variance from the normal average billing rate. Duncan Murray advised that this would require an Ordinance. Mayor Cronin asked that an Ordinance be prepared and this be placed on the next Council agenda for action. [Note: the warrant and expenditure rules were previously approved by resolution, so a resolution will be prepared to make amendments.]

C. MOTION TO APPROVE AN APPOINTMENT FOR CITY ATTORNEY

Mayor Cronin stated that she sent out a memo to all Council Members earlier in the week outlining the process used to make a recommendation of award for "Civil Legal Services". She said that Shanna Johnson and Council Member Lewis worked together with her on the selection committee. Mayor Cronin presented Malone Molgard of Molgard Law offices as her recommendation for appointment as City Attorney. Council Member Christensen asked Malone if his office was in Brigham City. Malone said yes. Council Member Lewis asked what information can be given to the public. Mayor Cronin suggested that the appointment be made first; then if the appointment is approved, more information can be shared, but if the appointment does not go forth, the City does not want to put out a lot of information. Duncan Murray clarified that this is a Mayoral appointment, which is approved by the Council.

MOTION: Council Member Lewis made a motion to approve the appointment of Malone Molgard of Molgard Law Office as City Attorney for Perry City. Council Member Gerlach seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Gerlach, Yes
Council Member Montgomery, Yes Council Member Lewis, Yes

Motion Approved. 4 Yes, 0 No.

Malone Molgard reviewed his experience, stating that he is a partner of Molgard Law Office with his Uncle Jack Molgard. He said that Jack Molgard has been an attorney in Brigham City for 44 Years and Malone became a partner about 5 years ago. He said that he worked for Jack before this as an intern for a few years. Malone stated that his Uncle Jack Molgard has been the City Attorney for Honeyville since 1974 and Malone has worked with him to service Honeyville, so he has experience working with a municipality. He said he was born and raised in Brigham City, and he left for a few years while on a LDS

**PERRY CITY
ORDINANCE NO. 15-C**

ADOPTION OF THE MUNICIPAL CODE

**AN ORDINANCE OF PERRY CITY, UTAH, ADOPTING THE *PERRY MUNICIPAL CODE*; MAKING TECHNICAL CHANGES;
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Perry City (hereafter “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, 1953, as amended, allows the City 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, in accordance with *Utah Code Annotated* §10-3-707, 1953, the City is “empowered to revise, codify and compile from time to time and to publish in book, pamphlet or looseleaf form all ordinances of the municipality of a general and permanent character and to make such changes, alterations, modifications, additions, and substitutions therein as it may deem best to the end that a complete simplified code of the ordinances then enforced shall be presented, but with errors, inconsistencies, repetitions, and ambiguities therein eliminated.”

WHEREAS, the City retained the services of Municipal Code Online, Inc., to provided initial codification services and ongoing online support for the *Perry Municipal Code*;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on February 12, 2015, to take public comment on this proposed Ordinance, after which the Planning Commission gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on March 5, 2015;

WHEREAS, the City desires to adopt the *Perry Municipal Code* along with the applicable maps and attachments provided herein;

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

Section 1: Repealer. All Ordinances of Perry City, Utah, prior to the date of this Ordinance are hereby repealed, subsumed, and replaced with the *Perry Municipal Code* adopted herein.

Section 2: Adoption. The *Perry Municipal Code* attached hereto as Exhibit “A” along with and including all City Maps and other attached documents is hereby adopted in its entirety as provided in Exhibit “A” and incorporated herein by this reference.

Section 3. Effective Date. This Ordinance shall take effect immediately upon posting or publication.

PASSED AND ADOPTED by the Perry City Council on this ____ day of _____, 2015.

PERRY CITY

BY _____
Mayor Karen Cronin

ATTEST:

COUNCIL MEMBERS: VOTING

City Recorder

	Aye	Nay
CHRISTENSEN	_____	_____
GERLACH	_____	_____
MONTGOMERY	_____	_____
LEWIS	_____	_____
JANA NELSON	_____	_____

RECORDED 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.

City Recorder DATE: _____

Ordinance 15-D

An Ordinance Amending Street Name Sign Requirements, and Approval Procedures.

AN ORDINANCE OF PERRY CITY, AMENDING SECTION 10.03. OF THE PERRY MUNICIPAL CODE, WHICH IS ENTITLED “STREET NAMES” ; 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; and

WHEREAS, the City Council agrees there is a need to standardize the Street Name Signs in Perry City; and

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

Section 1. Amendment. *Section 10.03.* of the *Perry City Municipal Code* is amended to read as follows:

10.03.010. Street Names

Unless not deemed to be practicable by the City Council, all City Streets shall have “numbered names,” but the City Council may designate a secondary “non-numbered name” for any given street, either on its own motion, or after having received a petition for consideration from a citizen with signatures of all property owners on the street.

10.03.020. Street Name Signs

For the benefit of emergency services, all Perry City Street name signs shall contain “numbered names.” If a street in Perry City also has a “non-numbered name” then the street name sign may contain both the “numbered name” and the “non-numbered name” with the “numbered name” being on top and larger in size. The Perry City Council may in its discretion and upon its own motion, or after having received a petition for consideration from a citizen with signatures of all property owners on the street, may allow for variances of the requirements set forth herein.

10.03.030 City Council Directing Traffic Engineer To Study Special Traffic Control Devices

The City Council, either on its own motion, or after having received a petition for consideration, may direct the Traffic Engineer to study certain traffic control devices and to provide options for the City Council to consider.

10.03.040 Legislative And Financial Responsibility

The City Council may periodically update the ordinances regarding vehicles and traffic in the best interest of the public welfare, and shall fund the placement and maintenance of traffic control devices.

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. All ordinances, resolutions or policies in conflict herewith are hereby repealed.

PASSED AND APPROVED by the Perry City Council on this ____ day of _____, 2015.

PERRY CITY

BY _____
Mayor Karen Cronin

ATTEST:

COUNCIL MEMBERS: VOTING

City Recorder

	Aye	Nay
CHRISTENSEN	_____	_____
GERLACH	_____	_____
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

Resolution 15-1

A Perry City Resolution Approving the Fee For The Keeping of Residential Chickens.

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 adopted an Ordinance allowing the keeping of chickens in residential zones of the City and said ordinance requiring the City Council to set the permit fee for keeping of residential chickens by resolution; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PERRY AS FOLLOWS:

Section 1. Permit Fee.

The annual permit fee for the keeping of chickens in residential zones of the City shall be \$8.00. The permit shall be obtained and the fee paid on or before April 30, 2015, and yearly thereafter, for citizens to be in compliance with the Perry City Municipal Code. Citizens with chickens being kept in residential zones of the City who have not obtained a permit on or before April 30, 2015, and yearly thereafter, shall be in violation of ordinance 9.12 of the Perry City Municipal Code and subject to the penalties of 9.12.020 .

Section 2. Severability. If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date and Implementation of This Resolution. This Resolution shall become effective immediately upon its passage. The Mayor and Council are authorized to further implement the intent of this Resolution.

PASSED AND ADOPTED by the City Council of Perry City, Utah, this ____ day of March, 2015.

PERRY CITY

BY _____
Mayor Karen Cronin

ATTEST:

City Recorder

COUNCIL MEMBERS: VOTING

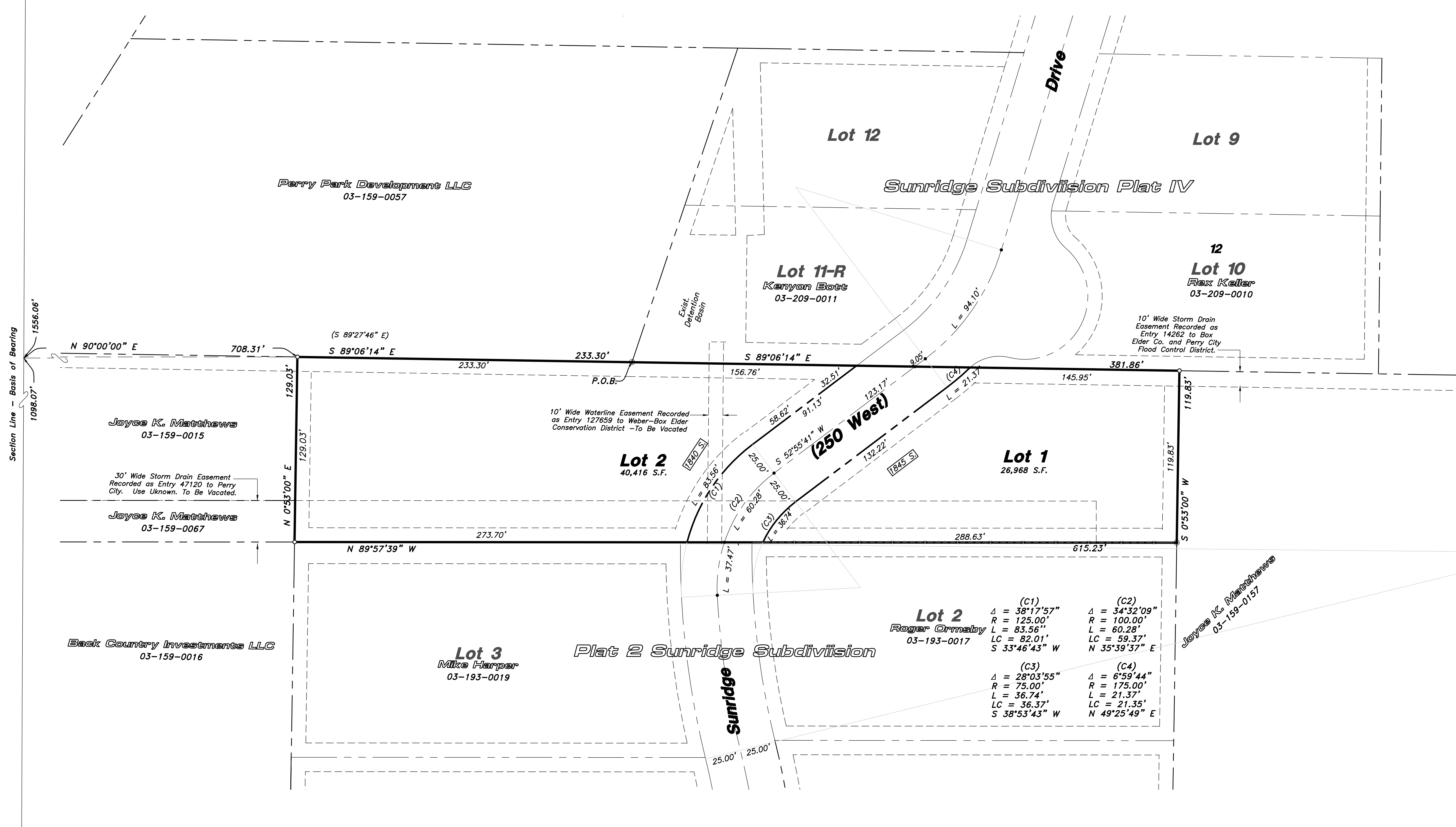
	Aye	Nay
CHRISTENSEN	_____	_____
GERLACH	_____	_____
MONTGOMERY	_____	_____
LEWIS	_____	_____
JANA NELSON	_____	_____

Sunridge Subdivision Plat 5

Perry City, Box Elder County, Utah
A Part of the Northwest Quarter of Section 36,
Township 9 North, Range 2 West, Salt Lake Base & Meridian

Northwest Corner of Section 36,
T. 9 N., R. 2 W., SLB&M Found
B.E. Co. Brass Cap Monument.

2654.13'



Section Line - Basis of Bearing
1098.07'

S 0°34'11" W
1556.06'

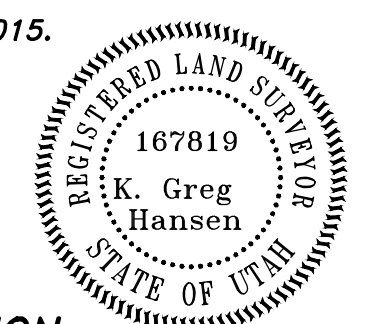
Southwest Corner of the Northwest Quarter
of Section 36, T. 9 N., R. 2 W., SLB&M
Found B.E. Co. Alm. Cap Monument.

SURVEYOR'S CERTIFICATE

I, K. Greg Hansen, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Act; and I have completed a Survey of the Property Described on this Plat in accordance with Section 17-23-17 and have verified all measurements, and have placed monuments as represented on this Plat, and have hereby subdivided said tract into two (2) lots, know hereafter as Sunridge Subdivision Plat 5 in Perry City, Box Elder County, Utah, and has been correctly drawn to the designated scale and is true and correct representation of the herein described lands included in said subdivision, based upon data compiled from records in the Box Elder County Recorder's Office and from said survey made by me on the ground.

Signed this _____ day of _____, 2015.

K. Greg Hansen P.L.S.
Utah Land Surveyor License No. 167819



BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.
BEGINNING AT THE SOUTHWEST CORNER OF SUNRIDGE SUBDIVISION PLAT IV BEING A POINT LOCATED 1556.06 FEET SOUTH 00°34'11" WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER AND 708.14 FEET NORTH 90°00'00" EAST AND 231.87 FEET SOUTH 89°06'14" EAST FROM THE NORTHWEST CORNER OF SAID SECTION 36; RUNNING THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID SUNRIDGE SUBDIVISION SOUTH 89°06'14" EAST (SOUTH 89°39'50" EAST BY RECORD) 383.29 FEET; THENCE SOUTH 00°53'00" WEST 120.14 FEET TO THE NORTHEAST CORNER OF PLAT 2 SUNRIDGE SUBDIVISION; THENCE NORTH 89°57'39" WEST (NORTH 89°27'40" WEST BY RECORD) 615.23 FEET TO THE NORTHWEST CORNER OF SAID PLAT 2; THENCE NORTH 00°53'00" EAST 129.34 FEET TO THE SOUTH BOUNDARY LINE OF THE PERRY PARK DEVELOPMENT LLC PROPERTY RECORDED AS ENTRY NO. 324268 IN THE FILES OF THE BOX ELDER COUNTY RECORDER; THENCE ALONG SAID SOUTH BOUNDARY LINE SOUTH 89°06'14" EAST (SOUTH 89°27'46" EAST BY RECORD) 231.87 FEET TO THE POINT OF BEGINNING. CONTAINING 1.762 ACRES.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO TWO (2) LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT SUNRIDGE SUBDIVISION PLAT 5 AND HEREBY DEDICATE, GRANT AND CONVEY TO PERRY CITY, BOX ELDER COUNTY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER; AND ALSO DEDICATE TO PERRY CITY THOSE CERTAIN STRIPS AS EASEMENTS FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY PERRY CITY. IN WITNESS WE HAVE HEREUNTO SET OUR SIGNATURE THIS _____ DAY OF _____, 2015.

Joyce K. Matthews Trustee of the Joyce K. Matthews Family Trust Agreement

NARRATIVE

The Purpose of this Survey was to Establish and set the Property Corners of the Two Lot Subdivision as Shown and Described Hereon. This Survey was Ordered by Randy Matthews. The Control used to Establish the Property Corners was the Existing Box Elder County Surveyor Monumentation Surrounding Section 36, Township 9 North, Range 2 West, S.L.B.&M. The basis of bearing is the west line of the Northwest Quarter of said Section which bears North 00°34'11" East, Utah North, State Plane, Calculated N.A.D.83 Bearing.

TRUST ACKNOWLEDGMENT

State of Utah
County of Box Elder

On this _____ day of _____, 2015, Joyce K. Matthews Trustee for the Joyce K. Matthews Family Trust Agreement, personally appeared before me, the undersigned notary public in and for said county, in the state of Utah, the signers of the attached owners dedication, one in number, who duly acknowledged to me she signed it freely and voluntarily and for the purpose therein mentioned on behalf of said trust.

Notary public

COUNTY SURVEYOR'S CERTIFICATE
I hereby certify that the Box Elder County Surveyor's Office has reviewed this plat for mathematical correctness, section corner data, and for harmony with lines and monuments on record in county offices. The approval of this plat by the Box Elder County Surveyor does not relieve the licensed land surveyor who executed this plat from the responsibilities and/or liabilities associated therewith.

County Surveyor _____ Date _____

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, A.D., 2015

ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, A.D., 2015 BY THE PERRY PLANNING COMMISSION.

CHAIRMAN

APPROVAL AND ACCEPTANCE

PRESENTED TO THE _____ THIS _____ DAY OF _____, A.D., 2015 AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST: _____ RECORDER _____ MAYOR _____ DATE _____

ENGINEER'S CERTIFICATE

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THE PERRY CITY OFFICE.

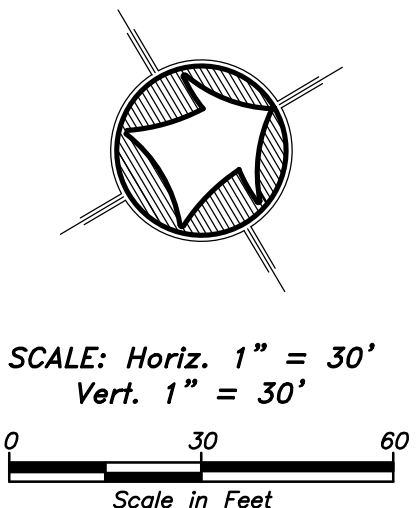
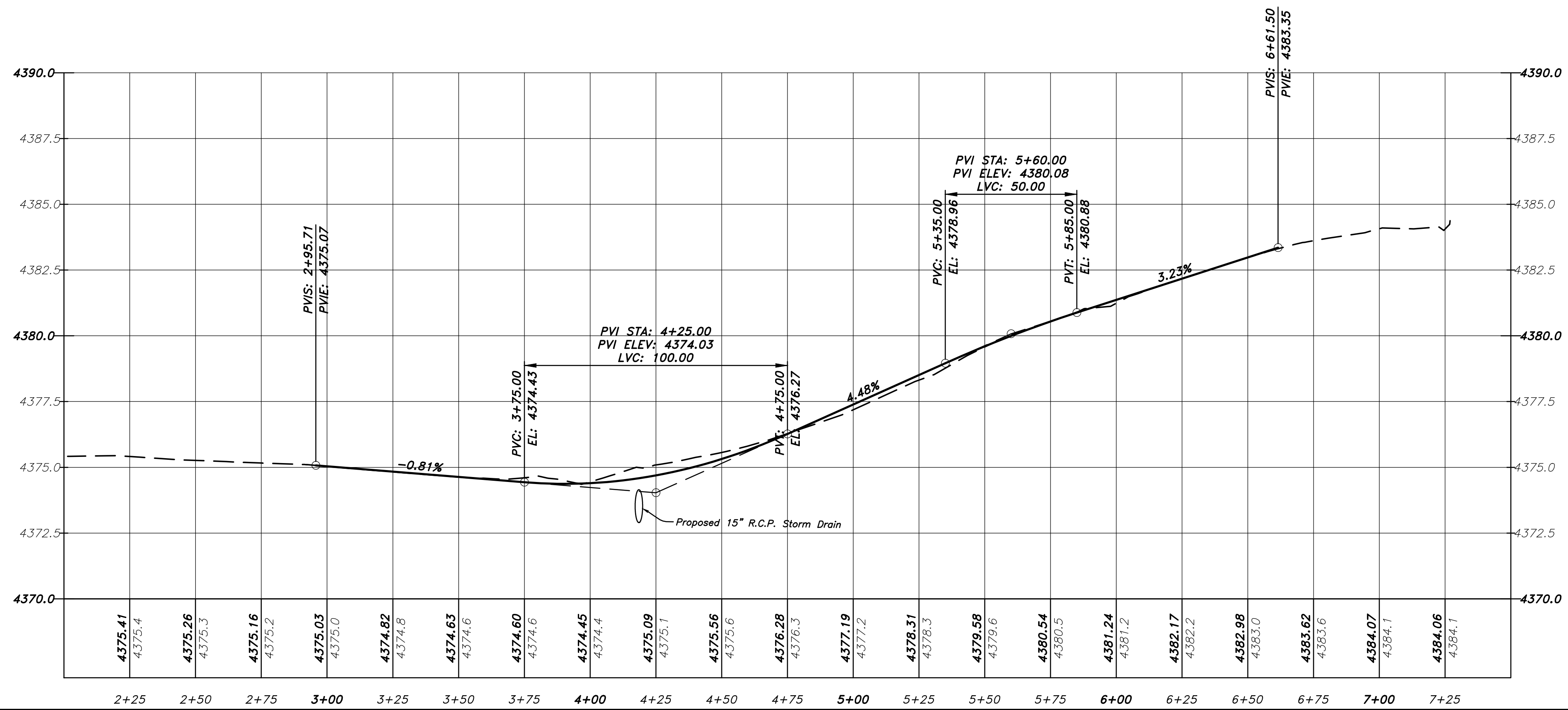
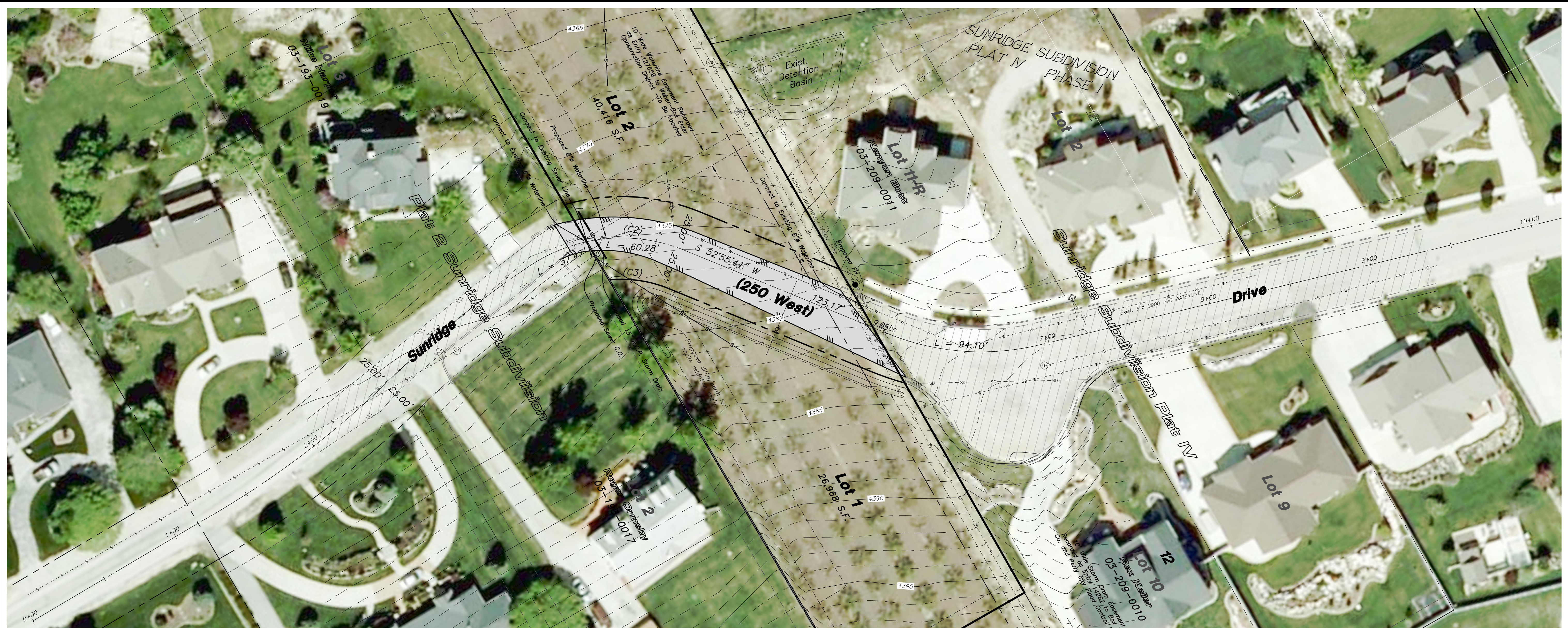
ENGINEER

COUNTY RECORDER'S NO.

State of Utah, County of Box Elder, Recorded and Filed at the Request of _____
Date _____ Time _____ Fee _____
Abstracted _____
Index _____
Filed in: _____ File of Plats
County Recorder

Developer:
Randy Matthews
2825 S Hwy 89
Perry UT,
435-734-0434

NOTE:
ALL PUBLIC UTILITY EASEMENTS (P.U.E.) ARE 10.0 FOOT WIDE UNLESS OTHERWISE NOTED.



- LEGEND:**
- — — — — PROPERTY BOUNDARY LINE
 - — — — — LOT LINE
 - — — — — CENTERLINE
 - — — — — EDGE OF PAVEMENT
 - — — — — EXISTING WATER LINE
 - — — — — PROPOSED WATER LINE
 - — — — — EXISTING SANITARY SEWER
 - — — — — PROPOSED SANITARY SEWER
 - — — — — PROPOSED STORM DRAIN
 - — — — — EXISTING 1' CONTOUR
 - — — — — EXISTING 5' CONTOUR
 - — — — — EXISTING IRRIGATION LINE
 - — — — — PROPOSED IRRIGATION LINE
 - — — — — DRAINAGE DIRECTION
 - — — — — PROPOSED ASPHALT PAVEMENT
 - — — — — EXISTING CURB AND GUTTER

Engineer's Notice To Contractors

The existence and location of any underground utility pipes or structures shown on these plans were obtained from available information provided by others. The locations shown are approximate and shall be confirmed in the field by the contractor, so that any necessary adjustment can be made in alignment and/or grade of the proposed improvement. The contractor is required to contact the utility companies and take due precautionary measure to protect any utility lines shown, and any other lines obtained by the contractors research, and others not of record or not shown on these plans.

NOTICE!

EXISTING UTILITIES ARE SHOWN ON PLANS FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES. THE ENGINEER BEARS NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR SHOWN INCORRECTLY.

Call Before You Dig

1-800-662-4111
UNDERGROUND SERVICE

<p>HANSEN & ASSOCIATES, INC. Consulting Engineers and Land Surveyors 538 North Main Street, Brigham, Utah 84302 Visit us at www.hansen.net Brigham City, Ogden, Logan (435) 725-3491 (801) 389-4605 (435) 732-8272</p>	<p>HAI</p>								
<p>Drawn By: _____ Date: _____ Designed By: _____ Checked By: _____ Approved By: _____ Scale: 1" = 30' Drawing File: _____ JOB NUMBER: <u>JOBE</u></p>	<p>PLAN AND PROFILE FOR Sunridge Subd. Plat 5 250 WEST PERRY CITY, UTAH A Part of the Northwest Quarter of Section 36 Township 10 North, Range 2 West, S.L.B.&M.</p>								
<p>Sheet 1 of 1 Sheets</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>No.</th> <th>Date</th> <th>By</th> <th>Revision</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	No.	Date	By	Revision				
No.	Date	By	Revision						

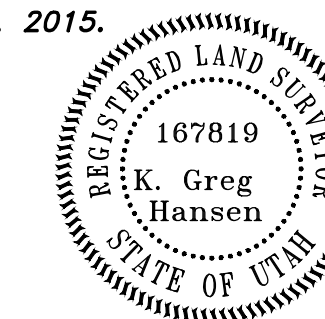
Preliminary Plat
Sunridge Subdivision Plat 5
 Perry City, Box Elder County, Utah
 A Part of the Northwest Quarter of Section 36,
 Township 9 North, Range 2 West, Salt Lake Base & Meridian

SURVEYOR'S CERTIFICATE

I, K. Greg Hansen, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah in Accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Act; and I have Completed a Survey of the Property Described on this Plat in Accordance with Section 17-23-17 and have Verified all Measurements, and have Placed Monuments as Represented on this Plat, and have Hereby Subdivided said Tract into Two (2) Lots, know Hereafter as Sunridge Subdivision Plat 5 in Perry City, Box Elder County, Utah, and has been Correctly Drawn to the Designated Scale and is True and Correct Representation of the Herein Described Lands Included in said Subdivision, Based Upon Data Compiled from Records in the Box Elder County Recorder's Office and from said Survey made by me on the Ground.

Signed this _____ day of _____, 2015.

K. Greg Hansen P.L.S.
 Utah Land Surveyor Licence No. 167819



BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE SOUTHWEST CORNER OF SUNRIDGE SUBDIVISION PLAT IV BEING A POINT LOCATED 1555.31 FEET SOUTH 00°34'11" WEST ALONG THE WEST LINE OF SAID NORTHWEST QUARTER AND 708.31 FEET NORTH 90°00'00" EAST AND 233.30 FEET SOUTH 89°06'14" EAST FROM THE NORTHWEST CORNER OF SAID SECTION 36; RUNNING THENCE ALONG THE SOUTH BOUNDARY LINE OF SAID SUNRIDGE SUBDIVISION SOUTH 89°06'14" EAST (SOUTH 89°39'50" EAST BY RECORD) 381.86 FEET; THENCE SOUTH 00°53'00" WEST 119.83 FEET TO THE NORTHEAST CORNER OF PLAT 2 SUNRIDGE SUBDIVISION; THENCE NORTH 89°57'39" WEST (NORTH 89°27'40" WEST BY RECORD) 615.23 FEET TO THE NORTHWEST CORNER OF SAID PLAT 2; THENCE NORTH 00°53'00" EAST 129.03 FEET TO THE SOUTH BOUNDARY LINE OF THE PERRY PARK DEVELOPMENT LLC PROPERTY RECORDED AS ENTRY NO. 324268 IN THE FILES OF THE BOX ELDER COUNTY RECORDER; THENCE ALONG SAID SOUTH BOUNDARY LINE SOUTH 89°06'14" EAST (SOUTH 89°27'46" EAST BY RECORD) 233.30 FEET TO THE POINT OF BEGINNING. CONTAINING 1.757 ACRES.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO TWO (2) LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT SUNRIDGE SUBDIVISION PLAT 5 AND HEREBY DEDICATE, GRANT AND CONVEY TO PERRY CITY, BOX ELDER COUNTY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER, AND ALSO DEDICATE TO PERRY CITY THOSE CERTAIN STRIPS AS EASEMENTS FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY PERRY CITY. IN WITNESS WE HAVE HEREUNTO SET OUR SIGNATURE THIS _____ DAY OF _____, 2015.

Joyce K. Matthews Trustee of the Joyce K. Matthews Family Trust Agreement

NARRATIVE

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TRUST ACKNOWLEDGMENT

State of Utah
 County of Box Elder

On this _____ day of _____, 2015, Joyce K. Matthews Trustee for the Joyce K. Matthews Family Trust Agreement, personally appeared before me, the undersigned notary public in and for said county, in the state of Utah, the signers of the attached owners dedication, one in number, who duly acknowledged to me she signed it freely and voluntarily and for the purpose therein mentioned on behalf of said trust.

Notary public

COUNTY RECORDER'S NO.

State of Utah, County of Box Elder, Recorded and
 Filed at the Request of _____
 Date _____ Time _____ Fee _____
 Abstracted _____
 Index _____
 Filed in: _____ File of Plats

Northwest Corner of Section 36,
 T. 9 N., R. 2 W., SLB&M Found
 B.E. Co. Brass Cap Monument.

Southwest Corner of the Northwest Quarter
 of Section 36, T. 9 N., R. 2 W., SLB&M
 Found B.E. Co. Alm. Cap Monument.

Developer:
 Randy Matthews
 2825 S Hwy 89
 Perry UT,
 435-734-0434

NOTE:
 ALL PUBLIC UTILITY EASEMENTS (P.U.E.) ARE
 10.0 FOOT WIDE UNLESS OTHERWISE NOTED.

COUNTY SURVEYOR'S CERTIFICATE
 I hereby certify that the Box Elder County Surveyor's Office has Reviewed this plat for Mathematical Correctness, Section Corner Data, and for Harmony with Lines and Monuments on Record in County Offices. The Approval of this Plat by the Box Elder County Surveyor does not Relieve the Licensed Land Surveyor who Executed this Plat from the Responsibilities and/or Liabilities Associated Therewith.

County Surveyor _____ Date _____

PLANNING COMMISSION APPROVAL
 APPROVED THIS _____ DAY OF _____ A.D., 2015 BY THE
 PERRY PLANNING COMMISSION.

CHAIRMAN _____

APPROVAL AS TO FORM

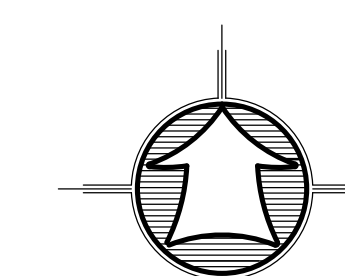
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D., 2015

ATTORNEY _____

APPROVAL AND ACCEPTANCE

PRESENTED TO THE _____ THIS _____ DAY OF _____ A.D., 2015
 AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST: _____ RECORDER _____ MAYOR _____



Scale: 1" = 40'
 Scale in Feet
 (Data in Parentheses is Record)

LEGEND

- Subdivision Boundary Line
- Adjoining property Line
- Public Utility Easement (P.U.E.)
- Easement
- Fence Line
- Section Corner
- Found Rebar & Cap
- Set 5/8" by 24" Rebar With Cap

ENGINEER'S CERTIFICATE

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THE PERRY CITY OFFICE.

ENGINEER _____

County Recorder _____

HAI
HANSEN & ASSOCIATES, INC.
 Consulting Engineers and Land Surveyors
 538 North Main Street, Brigham, Utah 84302
 Visit us at www.haies.net
 Brigham City Ogden Logan
 (435) 723-3491 (801) 399-4905 (435) 752-8272

Budget Review

FY2015 – January



Revenues

General Fund				
Department	Budget	Actual	Unearned	%
TAXES	1,577,900.00	1,002,733.77	575,166.23	64%
LICENSES & PERMITS	89,400.00	49,597.04	39,802.96	55%
INTERGOVERNMENTAL REVENUE	248,940.00	124,257.18	124,682.82	50%
CHARGES FOR SERVICE	74,740.00	38,701.79	36,038.21	52%
MISCELLANEOUS REVENUE	21,200.00	12,339.11	8,860.89	58%
CONTRIBUTIONS OR TRANSFERS	(32,228.00)	-	(32,228.00)	0%
Beginning Balance (Unassigned)	(21,284.48)	-	(21,284.48)	-
Total	1,958,667.52	1,227,628.89	731,038.63	63%

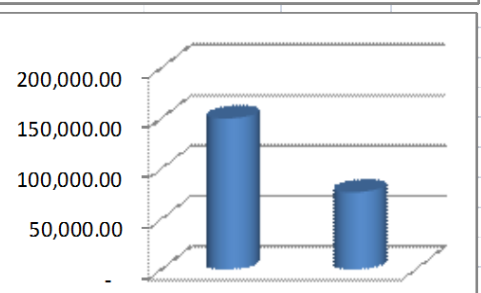
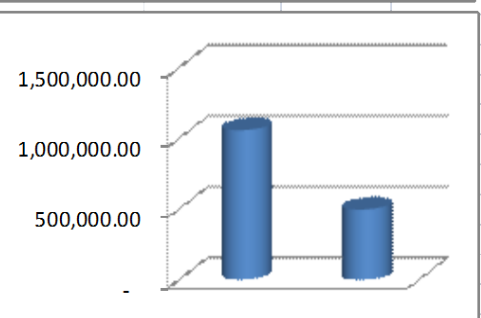
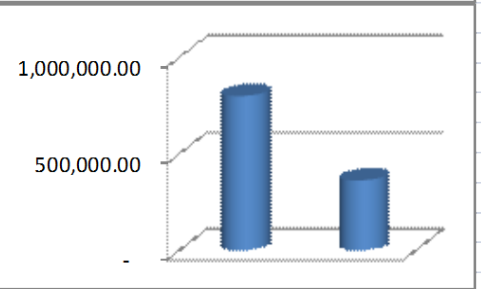
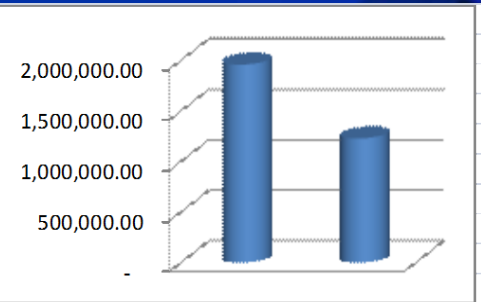
*includes FY14 revenues which will be xfrd to the correct year.

Utility Fund - Operations				
Department	Budget	Actual	Unearned	%
WATER SALES	332,900.00	193,971.15	138,928.85	58%
GARBAGE SALES	194,820.00	127,571.95	67,248.05	65%
STORM DRAIN FEE	70,000.00	41,166.45	28,833.55	59%
Trans from Fund Balance	202,888.88	-	202,888.88	0%
Total	800,608.88	362,709.55	235,010.45	45%

59% of The Fiscal Year Has Elapsed

Sewer Fund - Operations				
Department	Budget	Actual	Unearned	%
SEWER SALES	774,200.00	455,292.35	318,907.65	59%
WWTP Reimburesment From Willard	117,637.65	40,421.85	77,215.80	34%
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	495,714.20	561,251.45	47%

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	5,135.65	5,485.35	48%
Total	150,008.50	76,801.15	73,207.35	51%



Expenses

General Fund				
Department	Budget	Actual	Unexpended	Pct. Used
Administration	628,408.03	\$366,785.78	\$261,622.25	58.4%
Parks	159,311.07	\$98,085.24	\$61,225.84	61.6%
Police	553,062.43	\$304,330.25	\$248,732.18	55.0%
Gun Range	39,005.52	\$25,072.13	\$13,933.39	64.3%
Animal Control	1,410.00	\$469.89	\$940.11	33.3%
First Responders	37,812.00	\$14,112.31	\$23,699.69	37.3%
Fire	22,310.00	\$19,095.00	\$3,215.00	85.6%
Community Development	91,200.00	\$30,793.75	\$60,406.25	33.8%
Judicial	31,650.00	\$14,377.50	\$17,272.50	45.4%
Streets	369,498.47	\$68,460.58	\$301,037.88	18.5%
Total	1,933,667.52	\$941,582.43	\$992,085.09	48.7%

59% of The Fiscal Year Has Elapsed

Notes:				

Utility Fund				
Department	Budget	Actual	Unexpended	Pct. Used
Garbage	201,300	\$85,333.94	\$115,966.06	42.4%
Water	545,919	\$350,777.24	\$195,141.93	64.3%
Storm Drains	53,390	\$22,145.08	\$31,244.88	41.5%
Total	800,609.13	\$458,256.26	\$342,352.87	57.2%

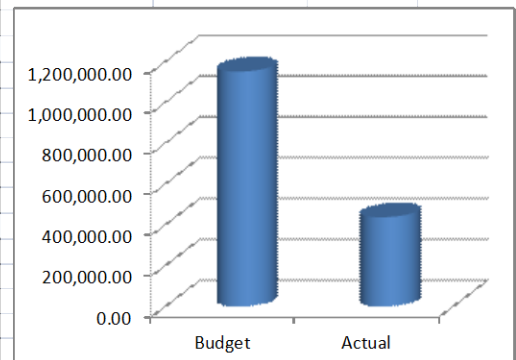
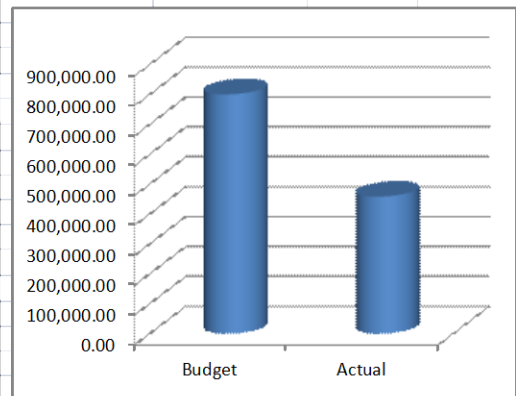
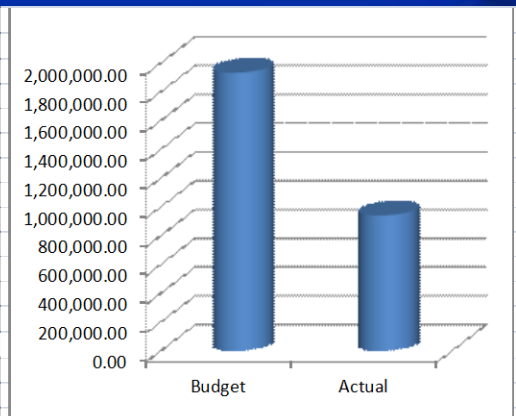
59% of The Fiscal Year Has Elapsed

Notes:				

Sewer Fund				
Department	Budget	Actual	Unexpended	Pct. Used
Sewer	127,575	\$55,378.62	\$72,196.57	43.4%
WWTP	1,018,411	\$381,694.33	\$636,716.77	37.5%
Cont. to Fund Balance	4,626		\$4,626.00	0.0%
Total	1,150,612.29	\$437,072.95	\$713,539.34	38.0%

59% of The Fiscal Year Has Elapsed

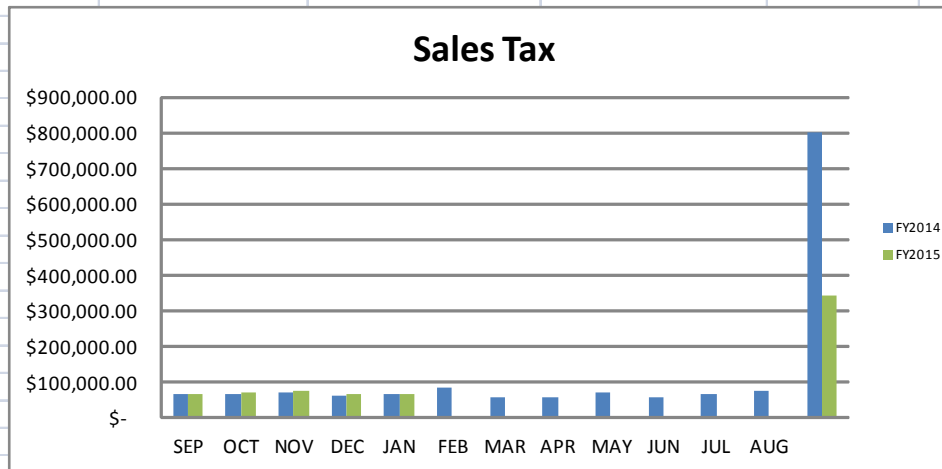
Notes:				



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

FY2016 Budget Timeline



April 2nd & 16th , May 7th & 21st , June 4th & 18th

Budget Work Sessions - Planning

MAY 7th (1st Meeting of the Month)

File Tentative Budget & Amendment With Council & Redevelopment Agency

MAY 21st

Approve Tentative Budget & Amendment.
Make Available to Public.

JUNE 4th

Public Hearing Regarding Budget

Adopt Final Budget by June 22nd

- June 18th or
- Special Meeting prior to deadline

Ordinance 15-

An Ordinance Amending Section 40.05 Penalties for Violations of Land Use Ordinances.

A LAND USE ORDINANCE OF PERRY CITY, AMENDING SECTION 40.05, PENALTIES; 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, including the adoption of Excavation Fees; and

WHEREAS, the City Council has previously adopted the 2008, 2010, and 2015 Perry Municipal Codes, which include land use ordinances; and

WHEREAS, the City Council in order to improve the ability of the City to enforce the ordinances contained in the Perry Municipal Code; and

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

Section 1. Enactment. *Title 15, Chapter 01. Section 040* of the *Perry City Municipal Code* is amended to read as follows:

15.01.040.

ENFORCEMENT AND PENALTIES

15.01.040.1. Applicability

15.01.040.2. Criminal Penalties.

15.01.040.3. Land Use Penalties.

15.01.040.4. Injunctive and Other Civil Relief.

15.01.040.5. Civil Penalties

15.01.040.1. Applicability.

Penalties described in this Chapter shall be applicable for any violation of Titles 40 through 79, the Perry City Land Use Ordinances or Land Use Ordinances and Resolutions.

15.01.040.2. Criminal Penalties.

Any person, group, firm or corporation, whether a principal, agent, employee or otherwise, violating, causing, or permitting violations of the provisions of Titles 40 through 79, the Perry City Land Use Ordinances or Land Use Ordinances and Resolutions shall be guilty of misdemeanor Class B, unless otherwise identified. Such person, group, firm or organization shall be deemed to

be guilty of a separate offense of each day during which any portion of any violation of this chapter is permitted or continued by such person, group, firm or corporation.

15.01.040.3. Land Use Penalties.

A Land Use Authority or Appeal Authority may, if allowed by law, delay or refuse to act on a land use application until action required regarding a prior land use application is completed or may use any other remedies allowed by land use law.

15.01.040.4. Injunctive and Other Civil Relief.

Perry City may by action of the Governing Body also institute injunction, mandamus, abatement or any other appropriate action or actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, or maintenance or use.

15.01.040.5.

Perry City may in place of or in addition to criminal penalties, land use penalties, and injunctive and other civil relief cite any person in violation of Perry City Land Use Ordinances or Land Use Ordinances and Resolutions with a civil penalty. The civil penalty for a violation shall be Fifty Dollars for the first violation and up to One Thousand Dollars (\$1000.00) for subsequent violations pursuant to Utah Code Ann. 10-3-703. After the first citation is given, each day that the violation remains will be a separate violation. The process to assess a civil penalty is as follows:

- a. Verbal warning or written warning is given to the person and or landowner in violation of Perry City Land Use Ordinances or Land Use Ordinances and Resolutions. Written warnings shall be mailed by USPS certified mail return receipt requested.
- b. A citation is given to the person and or land owner in violation and the citation shall include the ordinance being violated and give warning that each day the violation continues will constitute an additional violation.
- c. Perry City may file for recording with the office of County Recorder a Notice of Non-compliance on the property where the violation occurred and may seek a judgment in for the penalty and costs of recovery and if a judgment is obtained may place a judgment lien upon the property where the violation occurred.

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

City Recorder

	Aye	Nay
CHRISTENSEN	_____	_____
GERLACH	_____	_____
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 WORK SESSION
 2 PERRY CITY OFFICES
 3 JANUARY 22, 2015

6:30 PM

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

8 OFFICIALS EXCUSED: Brady Lewis

10 CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder
 11 Malone Molgard, City Attorney
 12 Dale Weese, Chief of Police

14 OTHERS PRESENT:

16 **ITEM 1: CALL TO ORDER AND OPENING CEREMONIES**

17 Mayor Cronin called the meeting to order.

19 **ITEM 2: DISCUSS CDBG GRANT PROJECT**

20 Mayor Cronin stated that potential projects were discussed in the last meeting. She said since then Council Member
 21 Christensen has visited the project sites and she has worked with Brett to break down the area into 4 possible projects.
 22 She said that she prepared a table including details of the each project and sent this to the Council. She advised that the
 23 purpose of the meeting tonight is to decide which project will be used to apply for CDBG funding. Mayor Cronin said
 24 that Shanna Johnson has been working on the grant application and needs only to place the specific project data into the
 25 application to complete this. She reviewed the table below:

	Road Project	Linear Feet of Road Included	Estimated Project Cost** to be covered by	Price Per Linear Foot	Ranking of most Traveled	Pros/Cons (please send me your thoughts on pros & cons)
					1 being most traveled 4 being least traveled	
Option 1	2700 South From 900 West to Hwy 89	600	\$120,000.00	\$200.00	1	+ Fits well within budget & good CDBG project as it enhances access to schools and impacts the most people/vehicles for good - may have issues in moving power poles, chance some costs could be covered by developers in the future
Option 2	900 West SOUTH to 2700 South	1200	\$320,000.00	\$266.67	4	+ can piggy back on waterline replacement project so price per linear foot reduced, power pole agreements already in place - not as many people favorably impacted, chance some costs could be covered by developers in future
Option 3	900 West PART WAY NORTH to	450	\$160,000.00	\$355.56	3	+ good start on getting 900 West going north enhanced - Will required some land acquisition, most expensive project based on price per foot, may have issues in moving power poles
Option 4	900 West NORTH to 2250 South	1300	\$400,000.00	\$307.69	2	+ Nice to get one of the bottleneck areas fixed -Huge street budget impact for next 3 threes, will require some land acquisition, may have issues moving power poles

** The cost listed are not total project cost, but only the portion estimated that will not be covered by CDBG monies or impact fees

If Option 1 or 2 is selected, it is still recommended that the budget for next year include monies to do the land acquisition needed to do the 900 West north phase

49 Mayor Cronin explained that option 1 includes the area just shy of Linda Way heading east on 2700 South to just shy of Highway 89.

51 Mayor Cronin reported that she asked the department heads which project they would like to see completed. She advised that Option 1 was the project the Public Works Director, Paul Nelson was in support of, as this fits well within the street budget, and would allow for some other street maintenance projects to be completed. She said that this is also the project

1 area that is traveled the most and turned some time over to Police Chief, Dale Weese regarding this. Chief Weese said in
2 his opinion anything that can be done on 2700 South to improve the safety for the school children is a positive thing. He
3 said that the Option 1 project would be his first choice.
4

5 Mayor Cronin explained that Option 2 includes the area going South from where the previous grant funded improvements
6 stopped to 2700 South. She said that this includes the most linear feet. She said that the City has already received the
7 grievance from Rocky Mountain Power to move the power poles and no land would need to be acquired in order to
8 complete the project. She stated that this project may enhance the grant proposal as it includes not only street
9 improvements, but also a water line upgrade. She said that per Brian Carver with BRAG (Bear River Association of
10 Government) who is over the CDBG application process, this because this project includes multiple improvements, it
11 would receive higher scoring than other projects. She said that this option was Paul Nelson's second choice.
12

13 Mayor Cronin reviewed the 3rd option including improvements on 900 West part way north to 2325 South. She said that
14 this included 450 linear feet, costing \$355.56 per linear foot. She advised that this would require some coordination with
15 Rocky Mountain Power to get power poles/lines moved.
16

17 Mayor Cronin said the 4th option would include improvements along 900 West north to 2250 South. This would cover
18 1300 linear feet with a budget cost to the City of \$400,000. She said the pro would be to get the bottleneck in the area
19 fixed, but the con would be that it would have a huge impact on budget. She said that the Public Works Director, Paul
20 Nelson, would rather not give up that much money on this project as it takes away from other street projects throughout
21 the city.
22

23 Mayor Cronin said that the staff prefers project option 1 and as a second choice Paul Nelson recommends option 2.
24

25 Council Member Christensen and Council Member Gerlach expressed interest in option 3. Council Member Gerlach said
26 that he has heard a lot from citizens regarding improvements in this area. Council Member Christensen said there is a
27 new house that was just recently constructed in the area and there are two more houses further north that were built in the
28 last 7 years. He said that he gets a lot of calls from residents in this area.
29

30 Council Member Montgomery stated that she would like to pursue the improvements along 2700 South for a couple of
31 reasons. Normally the school buses travel along this road and many parents drop children off on this street for school. She
32 said there is no place for the children to walk as there are no sidewalks. She said that originally when she thought that this
33 began only at 900 West she was not interested in the project, but when she discovered that the project covered the area
34 from just west of 900 West and East nearly to the highway it became more appealing. She said she prefers option 1 due to
35 the safety aspect of the project. She said she is also intrigued with option 3 to address the traffic problems in the area.
36 She also looked at option 2 as it paired with the waterline project already needed in the area. Because option 1 would
37 finish improvements along 2700 South entirely this project made a lot of sense to her. She asked if any water or sewer
38 work would be needed in the area and if there would be any needed land acquisition. Mayor Cronin said when she talked
39 with the Engineer and Paul Nelson they were not aware of any water or sewer improvements needed, and there would not
40 be any land acquisition in the area.
41

42 The Mayor and Council reviewed the map showing the 900 West and 2700 South areas and all possible projects.
43

44 Council Member Christensen asked if project option 1 (along 2700 South) would include lining up the sidewalk along
45 2700 South going east to the highway and if there was any land acquisition that would be needed in order to do this.
46 Mayor Cronin said that when she talked with Brett Jones (City Engineer), he did not think there was any land acquisition
47 needed. She said that when she talked with Paul Nelson he was confident that he could budget enough money to take the
48 improvements all the way to the highway.
49

50 Council Member Montgomery clarified that the power pole work needed in option 2 has already been negotiated with
51 Rocky Mountain Power. Mayor Cronin confirmed this to be true.
52

1 Council Member Christensen advised as a side note that when he and Brett Jones toured project 2 site area. It was an ideal
2 area for a neighborhood grocer to come in. He said it was a nice flat area and was right along Highway 89. He said this is
3 something for the City to consider when looking at economic development.
4

5 Mayor Cronin said that the city has been getting calls from a business that would like to come in and buy the old Moore's
6 restaurant. There is more potential for economic development in the option 2 project area.
7

8 Mayor Cronin reported that the county collects \$7.00 from everyone's vehicle registration and they place it in a corridor
9 preservation fund. She said there is currently \$3,000,000 in the fund to be used in the Box Elder County area. She said
10 that we could make application for funding to help with land acquisition in the north phases of the project area. She the
11 funding will be available for application in the April and May timeframe. Council Member Christensen asked if there was
12 a set limit of which can be applied for. Mayor Cronin said no that they evaluate the applications based on priority within
13 the County. She stated another project that we could apply for would be the South end of 1200 West, there is some land
14 acquisition needed in this area in order to connect the street with Willard City. She said that this would create a secondary
15 road that could be used if there was a grid lock on Highway 89. Council Member Christensen asked when the funds
16 would be awarded. The Mayor was unsure of the award date. She said the city could also put aside money each year to
17 complete project options 3 and 4.
18

19 Mayor Cronin stated that although the number of residents living in the area of project 1 may not be as high as in 3 and 4,
20 project 1 would have the most usage (vehicle travel) and it would also be a great safety feature. She said project option 2
21 there may be a few more award points may be given as it covers 3 of the CDBG project activities opposed to the others
22 only covering 2. Shanna Johnson said that another thing that will give a project application more points is the matching
23 dollars provided by the City. She said the more the city contributes the higher the point value. Council Member
24 Montgomery asked if the relocation of power poles would be counted as a CDBG project activity and gives an application
25 more points. The Mayor and Shanna said that this would not qualify for points.
26

27 Mayor Cronin said that as a City we should look at safety first. She opened the meeting for any comments from the
28 public. No comments were received. Mayor Cronin asked for any additional comments from the Council. No comments
29 were made.
30

31 **ITEM 5: ADJOURNMENT**

32
33 The meeting adjourned at 6:57p.m.
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39 _____
Susan Obray, City Recorder

40 _____
Karen Cronin, Mayor

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45 _____
46 Shanna Johnson, Chief Deputy Recorder
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1 PERRY CITY COUNCIL MEETING
2 PERRY CITY OFFICES
3 FEBRUARY 19, 2015

7:00 PM

5 OFFICIALS PRESENT: Mayor Karen Cronin presided and conducted the meeting.
6 Peter Gerlach, Jana Nelson, Esther Montgomery (arrived at
7 7:03pm), Todd Christensen

8 OFFICIALS EXCUSED: Brady Lewis

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

11
12 OTHERS PRESENT: Lani Braithwaite, D. L. Bunderson, Steven Pettingill, Craig Howe, Eric
13 Ellis, Natalie Lyons, Brittany Stacey, Dean Ayala, Jeanette Harris, Jerry Nelson, Debbie
14 Nelson, Blake Ostler

15 **ITEM 1: CALL TO ORDER**

16 Mayor Cronin called the meeting to order.

17 **A. INVOCATION**

18 Council Member Jana Nelson offered the invocation.

19 **B. PLEDGE OF ALLEGIANCE**

20 Malone Molgard led the audience in the Pledge of Allegiance.

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

22 Mayor Cronin recommended moving Action Item 5C to after Item 9 (Executive Session).
23 Council Member Montgomery also recommended this.

24 **MOTION:** Council Member Christensen made a motion to approve the agenda with the
25 amendment discussed. Council Member Nelson seconded the motion.

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

29 **ITEM 2: PROCEDURAL ISSUES**

30 **A. CONFLICT OF INTEREST DECLARATION**

31 None.

32
33 **B. PASS OUT WARRANTS TO COUNCIL MEMBERS (AND POSSIBLE DISCUSSION)**

34 Shanna Johnson passed out the warrants.

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C. BUSINESS LICENSE(S)

Mayor Cronin presented a new business license application:

- Tuft Stuff LLC

Jason Tuft is the owner of Tuft Stuff LLC. He will provide engineering, consulting, and management services and will have no visiting clientele.

MOTION: Council Member Nelson made a motion to approve the business license for Tuft Stuff LLC. Council Member Montgomery 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: PRESENTATIONS

A. PUBLIC SAFETY FACILITIES PLAN AND IMPACT FEE ANALYSIS

Mayor Cronin announced that the City had a study of the Public Safety Facilities Plan and Impact Fees. She turned some time over to Jeanette Harris for her presentation on this analysis. Jeanette Harris, an analyst from Zions Bank Public Finance, stressed that her company was not recommending that Perry City adopt any particular impact fee. Her objective was to convey the maximum amount that the City can charge for public safety fees, both residential and non-residential. The level of service is important to define. One residential unit means one dwelling. A nonresidential building is measured by the square foot. Jeanette discussed 2 different categories of fire service: the type of service provided and the total number of calls. Calls for fire were 87% for residential and 13% for nonresidential. The calls are classified as calls per square foot and calls per unit. This analysis measured how the City will be able to maintain the current level of service for fire and police coverage in Perry.

Council Member Christensen inquired if the service provided to commercial was more expensive. Jeanette wanted to answer that question later in her presentation. She explained that if the City does not construct a new fire and police training facility in Perry, the level of service will decline for both residential and nonresidential over time. Perry City is proposing a 12,000 square foot training building with total costs of \$243,505.00 to keep the level of service constant with future growth and development. Jeanette described the proportional share of the building to be used by the fire department and percentage of the building to be used by the police department as 50/50. She also projected costs to each department over the next 6 years for their share of the building. The fee of the study was

1 also included in her projected costs. Jeanette took into account the \$25,000 Perry City
 2 already provided for a training building which is split between fire and police. Jeanette
 3 said that her Geographic Information Systems (GIS) person based the growth rate
 4 historically over the last 5-10 years. Zoning in the City, Projects, and Future Plans were
 5 also factors. Based on these factors the maximum proposed Impact Fee for Public Safety
 6 (Police and Fire combined) is \$243.22. She advised that the projections of growth were
 7 conservative and costs attributable to current deficiencies are not included in the fee, just
 8 the current level of service.

9 **B. CULINARY WATER CAPITAL FACILITIES PLAN AND IMPACT FEE ANALYSIS**

10 Dean Ayala, an engineer with Jones and Associates, presented the analysis of the Culinary
 11 Water Capital Facilities Plan and Impact Fees. Dean clarified that the E.R.U., equivalent
 12 residential unit is 810 gallons per day. This is based on summer peak production. The
 13 estimates could be much smaller than that because this is looking at peak day maximum
 14 requirements. When the report looked at culinary water needs, it shows Perry City is at
 15 19% of built out. The State of Utah requires the study show peak day demand and also the
 16 average year demand. Source of capacity determines what our springs and wells are
 17 capable of. When we reach full capacity, Perry needs to obtain more water resources.
 18 Dean reported that the study of water rights looks at how much volume is used and the
 19 current water required. Perry City has excess capacity at this time. The City would have to
 20 double or triple in size before additional water sources would be required. Dean
 21 recommended the City continues to pursue additional water rights in the event the State
 22 limits the amount of water Perry can pull out of the ground. Council Member Christensen
 23 questioned whether Perry City is in the same water basin as Proctor and Gamble and
 24 Brigham City. Dean said he believes that all three are in the same water basin. The water
 25 basin is defined by topography, not city or county boundaries. When it is a dry winter, the
 26 State becomes more conservative. Mayor Cronin inquired if that situation would affect our
 27 secondary water supply. Dean said that it affects our culinary water, not secondary water.
 28 Dean reported on water storage. The size of water storage is classified by storage volume,
 29 fire suppression, and emergency storage. According to the State, Perry City has enough
 30 water storage until the City doubles in size. He presented a plat map showing the locations
 31 of City owned wells and springs. Dean displayed likely projects for the 30 year plan, which
 32 includes additional distribution, and may require securing additional ground, and possible
 33 preliminary engineering.

34 Jeanette Harris presented the Impact Fee and Analysis for Culinary Water. She stressed
 35 that the numbers shown in the Public Safety report were households, not Equivalent
 36 Residential Units (E.R.U.'s). E.R.U.'s are not used for public safety. She explained that this
 37 study included the typical impact of one single family residential unit, which is defined as
 38 810 gallons per day. She advised the level of service is determined by the Utah State
 39 Division of Drinking Water for minimum size of water pressure. The report accounts for
 40 costs attributable to maintain the current level of service with projected growth over 6-10
 41 years, not costs attributable to deficiencies. The analysis for culinary water has 3 divisions:

1 water supply, water storage, and water distribution. This study examines the cost of each
2 category. Water storage has excess capacity at this time. There are 2 components of water
3 storage: fire storage and indoor use. The distribution has excess capacity for Perry
4 through 2017-2018 before it starts to decline. Jeanette reported on the costs of the same
5 possible projects Dean discussed for the next 7-10 years. Mayor Cronin summarized that
6 Perry has a good supply of water and can work to improve the City's water distribution.
7 Jeanette advised that the maximum impact fee for culinary water is based on the meter size
8 and begins at \$2,760 for a ¾ inch (0.75) meter, but increases for larger sized meters, and
9 graduates as a current bond for culinary water is retired. The fee will be \$2,877 for a ¾
10 inch meter by the year 2020. See table below for full fee details:

Meter Size	ERU Conversion (Equivalency)	2015	2016	2017	2018	2019	2020 - 2025
0.75	1	\$2,760	\$2,782	\$2,805	\$2,828	\$2,851	\$2,877
1.00	1.67	\$4,609	\$4,646	\$4,684	\$4,723	\$4,761	\$4,805
1.50	3.33	\$9,191	\$9,264	\$9,341	\$9,417	\$9,494	\$9,580
2.00	5.33	\$14,711	\$14,828	\$14,951	\$15,073	\$15,196	\$15,334
3.00	10.67	\$29,449	\$29,684	\$29,929	\$30,175	\$30,420	\$30,697
4.00	16.67	\$46,009	\$46,376	\$46,759	\$47,143	\$47,526	\$47,959
6.00	33.33	\$91,991	\$92,724	\$93,491	\$94,257	\$95,024	\$95,889
8.00	53.33	\$147,191	\$148,364	\$149,591	\$150,817	\$152,044	\$153,428

11

12 **ITEM 4: PUBLIC COMMENTS AND/OR PUBLIC HEARING**

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

15 Mayor Cronin reminded the Council that the Planning Commission also held a public
16 hearing on this ordinance. This hearing is to gather any additional public input.

17 **MOTION:** Council Member Christensen made a motion to open the public hearing
18 regarding Ordinance 14-L Allowing Chickens to be kept on Single Family Residential lots.
19 Council Member Nelson seconded the motion.

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

4
5 **Boyd Montgomery:** expressed his belief that chickens are a health hazard and does not
6 want them to be allowed on residential lots smaller than one acre.

7
8 **Jerry Nelson:** does not recommend chickens be allowed on residential lots. He is
9 concerned about the expense of animal control officers to enforce code violations.

10
11 No further public comments.

12 **MOTION:** Council Member Christensen made a motion to close the public hearing
13 regarding Ordinance 14-L Allowing Chickens to be kept on Single family Residential lots.
14 Council Member Gerlach seconded the motion.

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

18
19 **B. ORDINANCE 15-A ADOPTING A PUBLIC SAFETY IMPACT FEE FACILITIES PLAN AND**
20 **IMPACT FEE**

21
22 **C. ORDINANCE 15-B ADOPTING A CULINARY WATER CAPITAL FACILITIES PLAN AND**
23 **IMPACT FEE**

24 **MOTION:** Council Member Christensen made a motion to open the public hearing
25 regarding Ordinance 15-A and 15-B. Council Member Nelson seconded the motion.

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

29
30 **Boyd Montgomery:** believes the proposed project to run a 10 inch water line to the gun
31 range is not necessary.

32
33 **Jerry Nelson:** thanked the Council for reviewing Perry City impact fees and believes that it
34 will help maintain low fees.

35
36 **Boyd Montgomery:** commented that the U. S. Army Corp of Engineers intends to control
37 all ground water.

38 **MOTION:** Council Member Christensen made a motion to close the public hearing
39 regarding Ordinance 15-A and 15-B and open the public hearing to discuss Ordinance 15-D.
40 Council Member Montgomery seconded the motion.

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

5 **D. ORDINANCE 15-D TO AMEND AND CLARIFY STREET NAMES AND SIGNAGE IN THE**
6 **PERRY MUNICIPAL CODE**
7

8 Mayor Cronin reported that some citizens want the street number bigger than the street
9 name and that the name should be under the street number. The City is considering an
10 amendment to standardize City signs.
11

12 **Boyd Montgomery:** supports bigger street numbers city wide so that it is easier to see and
13 easier to find an address.
14

15 **Jerry Nelson:** remembers the old city names and thinks it would be nice to have the
16 historical names underneath, but prefers the numbers large to locate addresses.
17

18 **MOTION:** Council Member Christensen made a motion to close the public hearing
19 regarding Ordinance 15-D. Council Member Nelson seconded the motion.
20

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

25 **E. PUBLIC COMMENTS**
26

27 **Lani Braithwaite:** had a visitor at her home on 3450 South that commented the street sign
28 needed to be replaced as you cannot read it. The visitor also suggested Lani’s street be
29 graded to eliminate potholes.
30

31 **Jerry Nelson:** commented on the sign on 3450 South which needs to be straightened and
32 moved 4-10 feet to the north.
33

34 **Boyd Montgomery:** requested that action on money due to the City be delayed until the
35 next Council meeting held March 3rd. He voiced concerns regarding a hazard on 1200
36 West near Wal-Mart. He suggested the road be widened on the turn toward the East and
37 the sign replaced. His family member bent the rim on their car. Boyd inquired about the
38 City’s intention to control the water that drains from a culvert onto his property.
39

40 **Steve Pettingill:** stated that the Waste Water Treatment Board suggested an account be
41 established for monthly collections of operation and maintenance expenses as per the
42 inter-local agreement between Willard and Perry City. He also reported a local accounting
43 firm will be hired to maintain the accounting. He said it is important that each city take the
44 precaution to set aside their percentage of the funds from the budget until the end of the
45 year.

1 No further public comment received.

2

3 Mayor Cronin closed the meeting from public comments and moved into the action agenda.

4

5 **ITEM 5: ACTION ITEMS**

6

7 **A. APPROVAL OF THE WARRANTS**

8

9 **MOTION:** Council Member Gerlach made a motion to approve the warrants. Council
10 Member Montgomery seconded the motion.

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

14 **B. APPROVAL OF PROJECTS FOR TOURISM GRANT APPLICATIONS**

15 Mayor Cronin said that she asked Shanna to review possible items for tourism grants from
16 Box Elder County. Grant ideas need to be discussed at this time because tourism grant
17 applications will be due before the Council meets again.

18 Shanna Johnson reported the first proposed application is for the 4th of July celebration.
19 The City usually applies for County tourism grant funds. Perry didn't get the grant funds
20 from the County last year, but has in other years. This includes the Little Buckaroo Rodeo.
21 The budget for the celebration has increased compare to last year to ensure there is
22 funding to hire a group to provide the animals and assist with the rodeo, it also includes
23 possibly expanding the firework show. See budget below:

Perry City 4th of July Celebration	
Expense for all Events	\$13,850.00
Revenue from Event Fees	\$ 3,620.65
Revenue from sponsors	\$ 6,153.00
Revenue from City General Fund	\$ 2,076.35
Tourism Grant Request	\$ 2,000.00

24

25 Shanna reported that another suggested application would be for funding for a Welcome
26 and Hospitality Center to help promote the City during the Tour of Utah when the bike
27 riders travel through Box Elder County on Tuesday, August 4th. This race attracts
28 professional cyclist teams from around the world. The Mayor requested ideas to draw
29 Perry residents to line the streets during the bike ride. She asked the Council's opinion
30 regarding a City monument at the Perry Park. Mayor Cronin announced that all of Perry's
31 law enforcement will be involved with the race to ensure the safety of the riders. Council
32 Member Christensen enquired about food sales at the Perry location for people following
33 the race. The Mayor noted that the Tour of Utah will be the same day as the Night Against
34 Crime. See budget below:

Tour of Utah Perry City Welcome & Hospitality Center	
Towne Center Monument	\$2,500.00
Balloon Art	\$ 500.00
Dunk Tank	\$ 200.00
Watermelon Bust	\$ 200.00
Bounce House	\$ 200.00
Vendor Booths	\$ 100.00
Tables & Chairs	\$ 300.00
Total Expenses	\$4,100.00
Revenue from City General Fund	\$2,050.00
Tourism Grant Request	\$2,050.00

1
 2 Mayor Cronin reported that favorable applications for grant funds are projects that build
 3 on each other. One suggested application that fits that model is the improvements on the
 4 Three Mile Creek Shooting Range Training Building. Mayor Cronin reported that she and
 5 Police Chief Weese are proposing a project to dress up the outside of the training facility.
 6 The Mayor discussed promotions at the gun range that would increase tourism. The Mayor
 7 stated that Chief Weese also requested a 4 bay storage unit to keep targets and vehicles out
 8 of the weather at the gun range. See the below budget for the proposed improvements:

Three Mile Creek Shooting Range Improvements	
Complete Siding Labor and Finish Seal	\$10,800.00
24x50 Metal Storage Building	\$15,250.00
Labor to build the Storage Building	\$ 4,200.00
28x54x6 Concrete Pad Including Labor	\$ 8,250.00
Total Expenses	\$38,500.00
Revenue from Public Safety Impact Fees	\$12,875.00
Revenue from City General Fund	\$ 6,375.00
Tourism Grant Request	\$19,250.00

9
 10 The Mayor and Council suggested increasing the City’s contribution to this project and
 11 decreasing the request from tourism as the board usually does not award this much money
 12 [the grant request was reduced to \$15,000 based upon this suggestion.] Shanna explained
 13 that if the City is awarded tourism funds less than requested, and decides not to match the
 14 funds based on budget availability, the city can refuse funding.

15 Shanna advised that the Parks Department also suggested applying for funding for a
 16 bowery at the Dale Young Park. Council Member Christensen stated his interest is in
 17 developing the gun range at this time. Shanna explained that the City could apply for
 18 funding for all of these projects. Council Member Gerlach liked the idea of the City asking
 19 for all of the projects in an effort to win whatever funds possible. Shanna advised that the
 20 city plans to expend approximately \$20,000 in impact fees at the Dale Young Park in Fiscal
 21 Year 2016. Council Member Gerlach suggested trail improvements surrounding the Dale

1 Young Park prior to the Bowery improvements. Council Member Montgomery liked the
2 bowery idea. Mayor Cronin suggested that since there are mixed opinions the City defer to
3 the Park Superintendent, Greg Braegger to make the decision on which project the
4 application would be submitted on.

5 **MOTION:** Council Member Christensen made a motion to approve the application for Box
6 Elder County Tourism funds with the Gun Range Improvements, the 4th of July Celebration,
7 Tour of Utah Hospitality Center, and improvements to the Dale Young Park. Council
8 Member Montgomery seconded the motion.

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

12 **C. APPOINTMENTS CITY BOARDS (PLANNING COMMISSION, SPECIAL USES &**
13 **APPEALS, WASTEWATER, ECONOMIC DEVELOPMENT, FLOOD CONTROL)**

14 *Agenda item moved; to take place after Item 9 (Executive Session).*

15 **D. ORDINANCE 14-L AN ORDINANCE ALLOWING CHICKENS TO BE KEPT ON SINGLE**
16 **FAMILY RESIDENTIAL LOTS**

17 Mayor Cronin said that she had a resident contact her that mentioned that dog runs are
18 usually closer to neighbors’ homes than the home of the dog owner and recommended the
19 setbacks be changed. The Council discussed chicken coop odor for the neighbors of chicken
20 owners. The Mayor reported that she would ask Cody about a 35’ set back from adjoining
21 dwellings to pet owners. Council Member Montgomery noted a capital letter on number 2
22 of the ordinance that needed to be corrected. Council Member Gerlach reported his
23 reservations about this ordinance. He said he talked with Perry residents about people
24 who currently have chickens and asked if the City had a rule to deal with current chicken
25 owners. Council Member Nelson liked the way the ordinance reads and the enforcement of
26 the ordinance. Council Member Montgomery mentioned the code enforcement also.
27 Council Member Christensen asked if the City will permit existing chicken owners to be
28 grandfathered in and how Perry will deal with chicken owners who have more than the
29 allowed amount of chickens on a single family residential lot. Malone stated that residents
30 who currently own chickens are in violation of the code and cannot be grandfathered in.
31 Council Member Nelson stated that it is no different for dog owners. Malone informed the
32 Council that the resolution has to be passed first before a permit amount can be
33 determined. Council Member Christensen suggested the permit be a nominal amount. This
34 helps chicken owners recognize they were involved in a transaction. Mayor Cronin
35 informed the Council the public will be informed of chicken permit requirements and
36 enforcement in the newsletter.

37 **MOTION:** Council Member Christensen made a motion to approve Ordinance 14-L
38 Allowing Chickens to be kept on Single family Residential Lots. Council Member
39 Montgomery seconded the motion.

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

4 **E. ORDINANCE 15-A ADOPTING A PUBLIC SAFETY IMPACT FEE FACILITIES PLAN AND**
5 **IMPACT FEE**

6 **F. ORDINANCE 15-B ADOTPING A CULINARY WATER CAPITAL FACILITIES PLAN AND**
7 **IMPACT FEE**

8 Mayor Cronin asked if the Council had any additional questions. She stated that Perry must
9 join with Brigham City and the State of Utah to build a joint fire station or build our own
10 fire station before the City can include full Fire service as part of their current level of
11 service and have this reflect in the impact fee analysis. Shanna mentioned that updating
12 the Capital Facilities Plans and Impact Fee Analysis was a good thing. It not only ensure
13 that impact fees being charged are appropriate, but also ensures that projects needed in
14 Perry City over the next 6 -10 years are included in the plans and those that are growth
15 related are impact fee eligible. She said the bonus is that those building in Perry will not
16 see a large price increase. Council Member Christensen inquired about our existing
17 building permit fees.

18 Mayor Cronin explained that the Council has 90 days to review the fees after approving
19 Ordinance 15-A and 15-B before the new fees go into effect. During that time Perry
20 residents can come to the City office and contest the new fees. Council Member
21 Montgomery was interested to learn how much other northern Utah communities charge
22 for fees. Dean Ayala told the Council he would forward that information to them.

23 Mayor Cronin explained that approving the study merely means the Council accepts the
24 report and analysis that was done.

25 **MOTION:** Council Member Gerlach made a motion to adopt Ordinance 15-A and 15-B.
26 Council Member Montgomery seconded the motion.

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

30 **G. ORDINANCE 15-D TO AMEND AND CLARIFY STREET NAMES AND SIGNAGE IN THE**
31 **PERRY MUNICIPAL CODE**

32 Mayor Cronin explained that when streets signs were recently ordered there was
33 miscommunication. Therefore, the name was printed bigger than desired and was listed on
34 the top portion of street signs that were delivered. The Mayor asked if Perry wants a city
35 wide standard or should the incorrect signs be installed. Council Member Christensen
36 suggested the City review the official address of residents because some addresses use a
37 street name and some addresses use a street number. Mayor Cronin stated that some
38 residents want the street name on their sign even if it isn't on their address. Council

1 Member Nelson recommended using the mailing address reference system. Council
2 Member Christensen supported standardized signage in Perry. Mayor Cronin reminded the
3 Council that emergency services prefer the street number be larger than the street name.
4 Council Member Gerlach mentioned that emergency services manage to find the address no
5 matter what the signs are like. Council Member Christensen likes the appearance of the
6 signs that have been delivered and believed the size of the number and name looks equal.
7 Council Member Gerlach recommended the Council have more time to consider the signage
8 issue.

9 **MOTION:** Council Member Nelson made a motion to table Ordinance 15-D. Council
10 Member Gerlach seconded the motion.

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

14 Council Member Gerlach inquired if the City could return the signs that were delivered.
15 The Mayor replied that the City could attempt returning the signs, but was unsure if the
16 vendor would credit the City for them.

17 **ITEM 6: DISCUSSION ITEMS**

18

19 **A. CODE ENFORCEMENT ORDINANCE – 1st DRAFT**

20 Mayor Cronin stated that Malone has completed the first draft of the Code Enforcement
21 Ordinance. She reported that it basically makes it possible for the City to enforce civil
22 penalties so that criminal court will not be required for code violations. The Mayor stated
23 that Malone wrote the ordinance so that the City can invoke civil penalties. Criminal Court
24 could be used if the City does not achieve a successful resolution civilly and fines could be
25 collected at the City office.

26

27 **B. WASATCH FRONT 2040 PLAN**

28 Mayor Cronin informed the Council that this is an interactive site created by the Wasatch
29 Front Regional Council. This site is open for comments about future projects until the end
30 of March. The Mayor showed the Council how to access this site at wfrc.org. It is used to
31 focus into our specific area and toggle on different layers showing phases of different
32 proposed transportation projects. The site has information regarding the cost and priority
33 of each project, including frontrunner and the Forest Street overpass. Council Member
34 Christensen noticed how much effort was put into this site and hoped for public opinion.
35 Shanna recommended this site be put on the agenda for the next meeting.

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

37 **A. APPROVAL OF CONSENT ITEMS**

- 38 • **February 5, 2015 City Council Meeting Minutes**

39

1 Mayor Cronin noted that some clarifications and corrections to the meeting minutes were
2 emailed to Shanna.

3
4 **MOTION:** Council Member Gerlach moved to approve the minutes for the February 5,
5 2015 City Council Meeting with the noted corrections. Council Member Montgomery
6 seconded the motion.

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

10 **B. Todd Christensen:** reported that some of the telecommunication projects are
11 underway. He noted that the wireless access point was not working in the council
12 room. Shanna said she would check with Susan about the wiring problem and wireless
13 access.

14
15 **C. Peter Gerlach:** had nothing to report as he noted that the street signage has already
16 been discussed.

17 **D. Jana Nelson:** had nothing to report. Mayor Cronin said that she received questions
18 about the possibility of a cemetery in Perry and she referred the caller to Jana.

19 **E. Esther Montgomery:** said that she went to a trails meeting in Brigham City along with
20 the Wasatch Front Council and representatives from Brigham City, Box Elder County,
21 and Willard. The meeting was very productive with everyone there collaborating to
22 connect the trails in the entire southeast portion of Box Elder County. They drafted a
23 mission statement and set goals.

24 **F. Brady Lewis:** excused.

25 **G. Mayor Cronin:** said she had a request to see if the City is interested in purchasing
26 some property located near the gravel pit. The parcel is very long and narrow and near
27 the city’s access easement. There were some issues with a contractor in a past
28 development.

29
30 **H. ITEMS FOR NEXT CITY NEWSLETTER**

31 Council Member Christensen said he had some ideas regarding the rental of soccer fields in an
32 effort to have consistency. He said he would get a write up to the mayor that can be used to inform
33 all of the leagues involved.

34 Shanna noted that Easter is April 5, and asked if the Council would like something included
35 regarding the Easter Egg Hunt. It was decided that full details will be in a newsletter closer to the
36 date of the activity.

37
38 **ITEM 8: ITEMS FOR FUTURE MEETINGS**

1 None discussed.

2 **ITEM 9: EXECUTIVE SESSION**

3 **MOTION:** Council Member Christensen moved to close the Public Meeting and open an
4 Executive Session to discuss Potential Litigation and the Character and Fitness of an
5 Individual. Council Member Nelson seconded the motion.

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

9 The public meeting closed at 9:19pm.

10 **MOTION:** Council Member Montgomery moved to close the Executive Session, reopen the
11 Public Meeting, and extend the Public Meeting by 20 minutes. Council Member Nelson
12 seconded the motion.

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

16
17 The public meeting resumed at 10:01pm.

18
19 **MOTION:** Council Member Montgomery moved to close the Public Meeting and reopen an
20 Executive Session to discuss Potential Litigation and the Character and Fitness of an
21 Individual. 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 The public meeting closed at 10:04pm.

26 **MOTION:** Council Member Montgomery moved to close the Executive Session and reopen
27 the Public Meeting. Council Member Nelson seconded the motion.

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

31
32 The public meeting resumed at 10:18pm.

33
34 **ITEM 5C. APPOINTMENTS CITY BOARDS (PLANNING COMMISSION, SPECIAL USES &**
35 **APPEALS, WASTEWATER, ECONOMIC DEVELOPMENT, FLOOD CONTROL)**

1 **MOTION:** Council Member Montgomery moved to authorize Mayor Cronin to inform
2 Mayor Braegger of Willard that the Perry City Council has decided to rotate the
3 appointments of its board members serving on the Perry-Willard W.W.T.P. (Wastewater
4 Treatment Plant) Board and thus is relieving 2 of the board members of their
5 appointments, duties, and responsibilities, with one of the board members being the Perry-
6 Willard joint appointed board member effective immediately. Council Member Nelson
7 seconded the motion.

8 **ROLL CALL:** Council Member Christensen, No Council Member Montgomery, Yes
9 Council Member Gerlach, Yes Council Member Nelson, Yes
10 **Motion Approved.** 3 Yes, 1 No.
11

12 Mayor Cronin asked our legal counsel, Malone Molgard, (per the inter-local agreement)
13 what the specifications are for appointing a new board member. Malone advised that the
14 appointee must live in Perry City. Mayor Cronin announced that she has talked with Greg
15 Hansen to see if he was available and interested if the need arose to appoint someone to
16 the board, he said he would be willing to serve on the board. Mayor Cronin said she thinks
17 that the City needs to consider terms for the board. She recommended the appointment of
18 Greg Hansen to serve on the Wastewater Treatment Board with a term of no more than 2
19 years. She said that this would fill the Perry City appointed Board Member. Malone
20 clarified that this would fill one of the positions, based on the previous motion to remove
21 and rotate two members. Malone said that the other vacancy for the joint Board Member
22 must be selected with Willard City, therefore will be appointed at a later date.
23

24 **MOTION:** Council Member Nelson moved to authorize the appointment of Greg Hansen to
25 serve a Waste Water Treatment Plant Board member for up to 2 years. Council Member
26 Gerlach seconded the motion.

27 **ROLL CALL:** Council Member Christensen, No Council Member Montgomery, Yes
28 Council Member Gerlach, Yes Council Member Nelson, Yes
29 **Motion Approved.** 3 Yes, 1 No.
30

31 **ITEM 9: Adjournment**
32

33 **MOTION:** Council Member Nelson moved to adjourn the meeting. All council members
34 were in favor.

35 The meeting adjourned at approximately 10:22pm.