

Tuesday, March 17, 2015
PERRY CITY COUNCIL MEETING AMENDED AGENDA
Note: the March 19, 2015 City Council Meeting has been cancelled

The Perry City Council will hold a meeting on the Thursday identified above, starting at approximately 8:00 PM in the City Council Room at 3005 South 1200 West in Perry. Agenda items may vary depending on length of discussion, cancellation of scheduled items, or agenda alteration. Numbers and/or times are estimates of when agenda items will be discussed. Action on public hearings will always be later in the same meeting or at a subsequent meeting. Every agenda item shall be a discussion and/or action item, unless otherwise indicated.

Approx. 8:00 PM

1. Call to Order and Opening Ceremonies

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

2. Executive Session if needed

3. Approx. 8:10PM – Procedural Issues

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

4. Approx. 8:15 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 Hearing Ordinance 15-E Amending the City Administrator Job Description
- B. Public Comments

5. Approx. 8:20 PM – Action Items (Roll Call Vote)

- A. Approval of the Warrants
- B. Ordinance 15-C Adopting the 2015 Perry Municipal Code
- C. Ordinance 15-E Amending the City Administrator Job Description
- D. Resolution 15-02 Amending Staff Pay Scale
- E. Resolution 15-03 Approving a City Administrator Employment Contract
- F. CDBG Application
- G. Appointments City Boards (Planning Commission, Special Uses & Appeals, Wastewater, Economic Development, Flood Control)

6. Approx. 8:50 PM – Council/Mayor Reports

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

7. Approx. 9:00 PM-Executive Session if needed

8. Approx. 9:30 PM – Adjournment (The March 19, 2015 City Council meeting has been cancelled, the next regular meeting is on Thurs., April 2, 2015 at 7:00 PM, after a 6:00 PM Work Session)

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 11th day of March, 2015. Any Individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461).0 day of June, 2014.

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
Brigham City Corp.								
6106	Brigham City Corp.	03/09/2015	walmart sales tax	03/04/2015	23,455.92	23,455.92	03/09/2015	
Total Brigham City Corp.:					23,455.92	23,455.92		
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		
Intertech Communications Electric Inc								
11873	Intertech Communications Electric	3182	New Wiring For the City	02/20/2015	1,503.33	1,503.33	03/09/2015	
11873	Intertech Communications Electric	3182	New Wiring For the City	02/20/2015	1,223.33	1,223.33	03/09/2015	
11873	Intertech Communications Electric	3182	New Wiring For the City	02/20/2015	561.67	561.67	03/09/2015	
11873	Intertech Communications Electric	3182	New Wiring For the City	02/20/2015	100.00	100.00	03/09/2015	
11873	Intertech Communications Electric	3182	New Wiring For the City	02/20/2015	561.67	561.67	03/09/2015	
Total Intertech Communications Electric Inc:					3,950.00	3,950.00		
MAVERIK FLEET CARD SERVICES								
11288	MAVERIK FLEET CARD SERVIC	03/09/2015	GAS PURCHASE	02/09/2015	125.82	125.82	03/09/2015	
11288	MAVERIK FLEET CARD SERVIC	03/09/2015	GAS PURCHASE	02/09/2015	67.52	67.52	03/09/2015	
11288	MAVERIK FLEET CARD SERVIC	03/09/2015	GAS PURCHASE	02/09/2015	186.09	186.09	03/09/2015	
11288	MAVERIK FLEET CARD SERVIC	03/09/2015	GAS PURCHASE	02/09/2015	370.73	370.73	03/09/2015	
11288	MAVERIK FLEET CARD SERVIC	03/09/2015	GAS PURCHASE	02/09/2015	1,335.72	1,335.72	03/09/2015	
11288	MAVERIK FLEET CARD SERVIC	03/09/2015	GAS PURCHASE	02/09/2015	35.49	35.49	03/09/2015	
Total MAVERIK FLEET CARD SERVICES:					2,121.37	2,121.37		
Molgard Law Offices								
11773	Molgard Law Offices	03/09/2015	attorney fees	03/05/2015	2,250.00	2,250.00	03/09/2015	
Total Molgard Law Offices:					2,250.00	2,250.00		
Zions Bank								
11510	Zions Bank	03/09/2015	Utopia	03/09/2015	9,146.31	9,146.31	03/09/2015	
Total Zions Bank:					9,146.31	9,146.31		
Grand Totals:					43,835.63	43,835.63		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
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Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Detail report.

Paid and unpaid invoices included.



FOR OFFICE USE ONLY

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

BUSINESS LICENSE APPLICATION

Check all that Apply:

Original application Renewal Application

Change of: Address Ownership Business name

VISA
Knobby \$30.95

Business information - Please type or print clearly:

Applicant's Name Jennette Stimson

Business Name Knobby LLC DBA TBD

Business Address 2360 S Hwy 89 #3 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 50 E 2500 N #101 City North Logan State UT Zip 84341

Bus. Phone (435) 757-0621 Business Start Date March 30

Email Address: Jennette@Knobby.com (required) Sales Tax # 13901203-002-STC

Website Address: www.knobby.com

Is the Applicant the Property Owner? Yes No

If No, Property Owner's Name Brad Barto Phone (801) 728-0454

Describe Business: Retail clothing + general merchandise

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)

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

**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-E

An Amendment to Ordinances relating to the City Administrator.

WHEREAS, Perry City, Utah, (hereinafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84 authorizes the City to provide for safety, preserve health, promote prosperity, peace, and good order;

WHEREAS, the Perry City Council, has specifically reviewed and considered the ordinances relating to the position of City Administrator; and

WHEREAS, the Perry City Council has determined that changes should be made to ordinances relating to the position of City Administrator; and.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Perry City that:

Section 1. Repealer. Any prior city ordinances or compensation schedules for the compensation of the referenced positions are hereby repealed, effective immediately.

Section 2. Enactment. *Title 2 Chapter 02. 05* of the *Perry City Municipal Code* is amended to read as follows:

2.05 City Administrator

- 2.05.010 Creation, Appointment, And Removal
- 2.05.020 Qualifications
- 2.05.030 Office Of The City Administrator
- 2.05.040 Limitations
- 2.05.050 Compensation

2.05.010 Creation, Appointment, And Removal

The office and position of “City Administrator” is hereby created and the appointment or removal for such shall be made by the Governing Body as a group, the Mayor and the members of the City Council each having one vote, and with the Mayor’s vote and at least three Council Members’ votes being required to take any action (to appoint, remove or take other action). The appointment to this office and position shall be subject to the terms and conditions of any contract or agreement between the City and appointee made contemporaneous with or subsequent to the appointment.

2.05.020 Qualifications

Any candidate for the office and position of City Administrator shall:

1. Have at least a four-year college degree (or graduate degree) in a field relating to public administration, political science, legal studies or law, or public policy, or equivalent.
2. Have at least two years experience working in state or local government.
3. Preference may be given to those candidates that have supervisory experience, relevant certificate or licenses, demonstrate experience in policy implementation, and other similar experience.
4. Comply with other requirements or preferences as required by law, ordinance, or policy established by the City Council.
5. Live within a 30 minute response time to the City office, unless otherwise negotiated.

2.05.030 Office Of The City Administrator

The office of City Administrator shall be under the supervision of the Governing Body. The City Administrator shall perform (or in some instances, supervise the performing of) the following duties:

1. Administer and exercise supervisory control of departments, offices, or divisions of the City, and subordinate officers and employees of the City as assigned by the Mayor;
2. Manage the day-to-day operations of the City as directed by the Mayor and Council;
3. Investigate, examine, or inquire into the affairs or operations of any department, office, division, or commission of the City as needed or authorized by the Mayor and Council;
4. Recommend to the Mayor the hiring, disciplining or terminating of any City employee, or appointed officer;
5. Conduct performance evaluations for subordinates, recommend pay increases for City employees, and initiate pay adjustments as prescribed by ordinance or policy;
6. If a licensed attorney, the City Administrator may fill the role of City Attorney for all civil law issues (including reviewing and/or drafting contracts, agreements, ordinances, resolutions, etc., and supervising any prosecuting attorney, special litigation attorney, etc.);
7. Assist in the formulation, administration, and enforcement of all laws, the municipal code, and other ordinances, policies and procedures as directed by the Mayor and Council;
8. Assist in the preparation of the annual budget;
9. Have authority to sign checks and financial instruments on behalf of (substituting for) the Mayor for routine and Council-approved payments, including payroll, bills, invoices and other financial obligations (with the City Treasurer or Deputy Treasurer also signing);
10. Exercise general supervision over all public buildings, parks and other public property under the control and jurisdiction of the City, and ensure proper operation and maintenance of all City offices and facilities;
11. Attend Council meetings as necessary, and act as parliamentarian (as needed);
12. Employ consultants and professional counsel to aid administration as authorized by the Mayor and Council;
13. Examine performance requirements, delivery schedules, and estimates of costs of various contracts involving the City, to ensure completeness and accuracy;
14. Prepare or supervise the preparation of bids, specifications, progress reports and other items that may be required in connection with existing or proposed contracts as directed by the Mayor and Council;

15. Review bids and proposals from other agencies for conformity to contract requirements and help determine acceptable bids and proposals;
16. Assist in negotiating various contracts;
17. Monitor City contracts for compliance, expiration, and renewal as directed by the Mayor;
18. Assist in affairs relating to other entities, agencies, governments, or municipalities as directed by the Mayor and Council;
19. Assist with Public relations and media affairs by preparing and issuing communications or and news releases and by directing media operation operated by the municipality as directed by the Mayor;
20. Oversee a proper and effective relationship with the local justice court, as directed by the Mayor and Council; and
21. Perform such other duties as may be delegated or assigned to the City Administrator.

2.05.040 Limitations

The City Administrator shall not accept outside employment or contract work without prior written approval from the Mayor and Council.

A Member of the Governing Body may not serve as City Administrator. The City Administrator shall not simultaneously serve as City Recorder, City Treasurer or director/head of a department other than the Administrative Services Department (referred to as “special positions”), and if an individual is serving in a special position when appointed as City Administrator, then said individual is deemed to be removed from said special position and the special position is deemed to be vacant (and can then be filled according to applicable law). Any vacancy within the office and position of City Administrator shall be filled as soon as possible according to Section 2.05.010 herein. This chapter only serves to create a new office as authorized by Utah Code Annotated §10-9-901. Nothing in this chapter shall be construed to limit the powers of the Mayor or Council, nor is this chapter a change in form of government under Utah Code Annotated §10-3-830.

2.05.050 Compensation

Compensation for this office and position shall be in accordance with Chapter 2.17 of the Perry City Municipal Code. The pay range for this position will depend upon qualifications and experience and will be as outlined in the compensation schedule (staff pay scale) adopted by the Governing Body.

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

Section 4: 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.

City Recorder DATE: _____

Resolution 15-02

A Perry City Resolution Amending City Staff Pay Scale.

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 a pay scale for Office Administrative/Clerical Employees that does not currently include a pay scale for the Office of City Administrator; and

WHEREAS, the previously, the pay scale for the City Administrator was included in the Perry City Municipal Code and changing the pay of the City Administrator required an amendment of the Perry City Municipal Code; and

WHEREAS, the City Council finding it appropriate to amend the City pay scale for Office Administrative/Clerical to include a pay scale for the City Administrator; and

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

Section 1. Perry City Administrative/Clerical Pay scale.

Office Administrative / Clerical (Each level builds on the skill needs and requirements of the previous level.)

\$9.50 to \$12.25/hr

Seasonal Help

Basic skills and abilities to assist in all office administrative duties

\$10.50-\$14.25/hr

Office / Clerical Level 1 i.e. Data Entry Clerk

Customer Service Experience

Productive Use of Microsoft Word

Type 30+ wpm

2 years office experience

\$13.25-\$18.75/hr

Office / Clerical Level 2 i.e. Treasurer, Business License Clerk

Productive use of Caselle applications as applicable to job duties

Certification and/or equivalent job related education or relating to job duties, i.e. Treasurer Cert, Business License Cert,

Demonstrated skilled use of Microsoft Word, Excel, and Powerpoint

Demonstrated proficiency in taking minutes in a timely fashion

Knowledge and proficiency of use, filing, and retrieval of city policies, ordinances, and minutes

Type 40+ wpm (If doing minutes requires minimum of 50 wpm)

3 years office experience

\$19.50-\$24.98/hr

Office / Clerical Level 3 i.e. City Recorder, Deputy City Recorder/HR Director/Finance Specialist

Advanced use of Caselle

Certification and/or equivalent education relating to job duties, i.e. Municipal Clerk, Human Resources, Budget & Finance Specialist

Demonstrated skilled use of Microsoft Word, Excel, and Powerpoint

Knowledge and proficiency in codification of city policies, ordinances, and resolutions

Extensive experience with collecting data for GRAMMA requests and ability to direct others in helping with such requests

Type 50+ wpm

6 years office experience

May require supervisory and administrative duties

\$40,000 - \$65,000/yr

City Administrator

4 yr. College Degree or Graduate Degree in a field related to public administration, political science, legal studies, or equivalent

2 years experience working in state or local government

Management Experience preferred

*For Non-Exempt Employees: Overtime is any time worked in excess of 80 hours per pay period. No overtime is allowed except as approved by the Mayor.

Section 2. 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:

COUNCIL MEMBERS: VOTING

City Recorder

	Aye	Nay
CHRISTENSEN	_____	_____
GERLACH	_____	_____
MONTGOMERY	_____	_____
LEWIS	_____	_____

JANA NELSON

— —

City Recorder

GERLACH
MONTGOMERY
LEWIS
JANA NELSON

