

PERRY CITY COUNCIL MEETING
PERRY CITY OFFICES
October 24, 2024

7:01 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Council Member Nathan Tueller (online), Council Member Toby Wright, and Council Member Ashley Young

OFFICIALS ABSENT: Council Member Dave Walker, Council Member Blake Ostler

CITY STAFF PRESENT: Shanna Johnson, City Recorder
Scott Hancy, Chief of Police
Bob Barnhill, City Administrator
Bill Morris, City Attorney
Commissioner Paul White, Planning Commission

OTHERS PRESENT: Brad Brown

ON-LINE: Nelson Phillips

ITEM 1: CALL TO ORDER

Mayor Jeppsen welcomed everyone and called the City Council meeting to order.

ITEM 2: PROCEDURAL ISSUES

A. Conflict of Interest Declaration

None.

ITEM 3: ACTION ITEMS

Action Item B was addressed before Action Item A.

A. Ordinance 24-H Amending Multi-Family Dwelling/Apartment Density Map & Subdivision Code

City Administrator, Bob Barnhill, discussed Ordinance 24-H, which would remove multi-family dwellings from the Neighborhood Commercial zone (NC2) and reduce maximum allowed height (35 feet tall from the crown of the highway, opposed to the current 35 feet from grade) for structures that are within 50 feet of the highway to manage potential out-of-place structures in typical single-family areas. The Planning Commission had addressed aspects related to the highway-side impact and recommended changes to enable smoother integration.

Council members held a discussion that highlighted preference, recommendation, and negotiation points, centering on whether to approve the ordinance or consider more insight including feedback from absent council members. Council Member Young shared that she liked the ordinance. Council Member Tueller felt that the ordinance seemed a bit “persnickety” and questioned whether it was fair that a commercial building in the NC2 zone could be built to the maximum height, but a townhouse would fall under different rules. He recommended that instead, adjustments could

involve a unit limit per building, considering readiness for future proposals. He also recommended that they table the ordinance until more council members are present.

MOTION: Council Member Young made a motion to approve Ordinance 24-H. Council Member Wright seconded the motion.

DISCUSSION: The Council held a discussion regarding what would happen if the ordinance did not get all three votes from the council members in attendance. City Attorney, Bill Morris stated that the item would then need to go back to the Planning Commission.

Council Member Young withdrew and amended her motion.

MOTION: Council Member Young made a motion to table for further discussion to allow input from the council members that were absent. Council Member Wright seconded the motion.

ROLL CALL: Council Member Walker, Absent
Council Member Ostler, Absent
Council Member Wright, Yes
Council Member Tueller, Yes
Council Member Young, Yes

Motion Approved. 3 Yes, 0 No

B. Ordinance 24-J Amending IC Zone and Density Map

Bob Barnhill presented background information on Ordinance 24-J, related to the Bear River Landing Apartments project, facilitating a potential developer change from apartments to townhomes with fewer units. Mr. Barnhill detailed historical context, explaining that originally the apartments were approved, and later permitted uses were removed to lock in growth. He also explained that the ordinance would amend the zoning map, to permit units to be built in the IC zone on the northern side of the property. He elaborated on the legislative nature of the decision to amend the code so a new application could be pursued, with the Planning Commission having unanimously recommended the ordinance after a public hearing. He shared that no public comments were made at the hearing.

Council Member Wright asked for clarification on details, and additional questions were asked by Council Member Tueller about zone flexibility with the proposed changes.

The council discussed whether a decision could be made considering the absence of two council members. Council Member Wright reported that neither Council Members Walker nor Ostler shared any concerns with him prior to the meeting.

MOTION: Council Member Young made a motion to approve. Council Member Wright seconded the motion.

ROLL CALL: Council Member Walker, Absent
Council Member Ostler, Absent
Council Member Wright, Yes

Council Member Tueller, Yes
Council Member Young, Yes

Motion Approved. 3 Yes, 0 No

ITEM 4: MINUTES & COUNCIL/MAYOR REPORTS (INCLUDING COUNCIL ASSIGNMENTS)

A. Approval of Consent Items

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MOTION: Council Member Wright made a motion to approve the consent items. Council Member Young seconded the motion.

Motion Approved. All Council Members were in favor.

B. Mayor's Report

None.

C. Council Reports

Council Member Wright inquired about details of the trunk or treat and whether each council member was providing a trunk or if it would be a group trunk. Council Member Young expressed that she felt each council member should bring their own trunk.

D. Staff Comments

Ms. Johnson reminded the council of the trunk or treat. Mr. Barnhill reported that the ombudsman came back with a decision that developers vested under the old code can choose the more favorable regulations that they want under the subdivision process that was required that the city adopted. He also reported that the 1200 West Historic Orchard Pathway is under contract and most of the work will be done in the spring. He also mentioned that a bid will be put out shortly for drilling Well #5 at the mouth of Perry Canyon.

E. Planning Commission Report

Commissioner Paul White reported that the Commission is working with a developer on a development agreement in south Perry that diverges from the current zoning. He also clarified some of the Planning Commission's thoughts on Ordinance 24-H, including trying to keep a "small town flavor" by keeping the views unblocked by large, tall townhouses.

ITEM 5: EXECUTIVE SESSION

Not needed.

ITEM 6: ADJOURNMENT

MOTION: Council Member Wright made a motion to adjourn the meeting.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 7:46 p.m.

Kevin Jeppsen, Mayor

Shanna Johnson, City Recorder

Misty Moesser, Deputy Recorder