

PERRY CITY COUNCIL MEETING  
PERRY CITY OFFICES  
December 11, 2025

7:00 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen, Council Member Dave Walker (7:05PM), Council Member Toby Wright, Council Member Blake Ostler, Council Member Ashley Young and Council Member Nathan Tueller

OFFICIALS ABSENT: None

CITY STAFF PRESENT: City Recorder/Finance Director Shanna Johnson, City Administrator Bob Barnhill, Chief Scott Hancey, City Attorney Bill Morris, Public Works Director Zach Allen, Officer Tyler Bell, Sergeant Mark Jordan and Deputy Recorder Misty Moesser

OTHERS PRESENT: Ken Chugg, Brittney Chugg, Brett Jones, Boyd Young, Becky Young, Jeannine Jensen, Blake Broadhead (Planning Commission), Adam Long, Bill Bowden, Tom Murdock, and Heidi Murdock.

ON-LINE: None

**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**

**A. Approval of the 2026 Meeting Schedule**

City Recorder/Financial Director Shanna Johnson presented the annual meeting schedule for 2026. She noted that the Planning Commission had already reviewed it and would wait to determine if they would hold a July meeting until closer to the date due to it falling during the Fourth of July week.

**MOTION:** Council Member Wright made a motion to approve the 2026 Meeting Schedule. Council Member Tueller seconded the motion.

**ROLL CALL:** Council Member Walker, ABSENT

Council Member Wright, Yes

Council Member Tueller, Yes

Council Member Young, Yes

Council Member Ostler, Yes

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

**B. Approval of the Fiscal Year 2026 Impact Fee Plan**

Ms. Johnson explained that each year the City must detail how it plans to spend collected impact fees. She noted that the current plan identifies projects such as expanding evidence storage for the police department and EMS storage for fire impact fees. She clarified that the new state law requires listing the year in which the city plans to spend project money, what project the money will fund, and how it connects to the capital facilities plans.

Council Member Ostler inquired about the process of tracking impact fee funds and their allocation. Ms. Johnson explained that their accountant provides the balance information, and they assign projects to those funds. She emphasized that while this plan doesn't set fees in stone, it demonstrates that the city is collecting impact fees for specific purposes that must be spent within six years.

**MOTION:** Council Member Wright made a motion to approve the 2026 Impact Fee Plan. Council Member Tueller seconded the motion.

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

**Motion Approved. 5 Yes, 0 No**

**C. Resolution 2025-23 Amending Paid Holidays**

Ms. Johnson requested an amendment to the holiday policy, explaining that after Juneteenth occurred, employees expressed a preference for Pioneer Day as a set holiday instead. The proposed changes would remove Juneteenth, add Pioneer Day, clarify that there would be one floating holiday for staff to vote on, specify the hours earned based on employment category, and extend the use period for floating holidays from one month to three months.

Council Member Blake Ostler asked for clarification about employment categories, specifically about full-time employees who work fewer than 40 hours. Ms. Johnson explained that their policy allows full-time status at 35 hours, though most employees work 40 hours or more. She clarified that employees working 30 hours or more receive medical benefits per ACA requirements.

There was some discussion about the value of having the City Council decide personnel policies like holiday schedules. Ms. Johnson explained that because the personnel policy was originally passed as a resolution, any amendments require council approval as well.

**MOTION:** Council Member Tueller made a motion to approve Resolution 2025-23. Council Member Walker seconded the motion.

**ROLL CALL:** Council Member Walker, Yes

Council Member Wright, Yes  
Council Member Tueller, Yes  
Council Member Young, Yes  
Council Member Ostler, Yes

**Motion Approved. 5 Yes, 0 No**

**D. Ordinance 25-Q Zone Change Request from Agriculture to R 1/3 with Development Overlay Zoning District with a Developmental Agreement**

City Administrator Bob Barnhill presented a zone change request involving three adjacent properties totaling around 28 acres. The applicant requested a zone change from Agriculture to R1/3 with a development overlay district and development agreement. The proposed plan included 84 single-family homes and 8 town homes with varying lot sizes (minimum 6,500 square feet). The main issues discussed included:

1. Emergency access concerns - The proposed emergency access route did not align with future roadways and was not a full city-standard road. While the fire marshal approved the minimum standards for this access, the Planning Commission had concerns about long-term viability.
2. Water concerns - There were questions about handling irrigation water, groundwater, and potential wetlands.

The Planning Commission recommended denial with a 6-0 vote, citing these concerns.

The applicant, Brett Jones, acknowledged the concerns about access but requested that if the Council did not approve the current plan, that they consider approving just an R1/3 rezone for the western portion where they could develop the first 30 lots without the access issues.

Bill Bowden, owner of the property where a potential road could go in the future asked if he could ask the developer for some of their land in exchange for the land needed for the road. Mayor Jeppsen explained that it was a possible solution and that the City prefers that developers and land owners come to agreements between each other, rather than having to bring the city into it.

After extensive discussion about road access, density, and zoning requirements, the Council decided to send the application back to the Planning Commission to work with the Developer on changes.

**MOTION:** Council Member Tueller made a motion send Ordinance 25-Q back to Planning Commission. Council Member Walker seconded the motion.

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

**Motion Approved. 5 Yes, 0 No**

**E. Ordinance 25-U Amendment to Development Agreement for Olsen Orchards located at approximately 1111 W 3600 S, Parcel #02-038-0004, Applicant: Pat Burns**

Mr. Barnhill presented an amendment to the Olsen Orchards development agreement, which was necessitated by a change required by UDOT. He explained that UDOT had initially approved realigning Hargis Hill Road to come into the highway at a 90-degree angle but later decided to close that access entirely. The amendment removes the highway access and relocates a single-family lot.

He shared that the Planning Commission had concerns about increased traffic on 3600 South due to the removed access and recommended the developer be required to construct a connection to 1200 West in Phase 1. However, the developer had indicated this would be challenging due to the need to build the road, install utilities, and grade almost the entire subdivision to make that connection.

Council members discussed the recommendation but felt it would be unreasonable to require the developer to build the road in Phase 1 when only one-third of the subdivision would be developed at that point.

Council Member Blake Ostler noted some corrections needed in the ordinance, including filling in dates, adding the name of another property owner (Thomas K. Wood), clarifying the lot relocation and storm drain description, and correcting a typographical error.

**MOTION:** Council Member Tueller made a motion to approve Ordinance 25-U. Council Member Walker seconded the motion.

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

**Motion Approved. 5 Yes, 0 No**

**F. Ordinance 25-V Adopting a Water Element as part of the General Plan**

Mr. Barnhill explained that the state legislature updated statutes requiring every city to include a water element in their general plan by the end of the year. The County had commissioned a countywide water study that Perry City could adopt to fulfill this requirement. While some elements of the study were not directly related to Perry, there were sections specific to their area.

Council Member Dave Walker expressed concern about the ordinance language that stated the city would adopt "relevant elements" of the county master plan without specifying which portions. Mr. Barnhill clarified that while section 8.7 specifically addressed the Willard region (which includes Perry), other general policies and background information might also be applicable. He noted that because it would be part of the general plan, it was meant to be general guidance rather than strictly binding.

**MOTION:** Council Member Tueller made a motion to approve Ordinance 25-V. Council Member Wright seconded the motion.

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

**Motion Approved. 5 Yes, 0 No**

**G. Ordinance 25-W Wildland Urban Interface Code**

City Attorney Bill Morris presented the Wildland Urban Interface (WUI) Code, explaining that House Bill 48 requires cities to pass this code before the end of the year, even though the state has not yet adopted the associated map. He explained that the ordinance would require buildings in WUI areas to be designed to be more fireproof.

Council Member Dave Walker questioned the requirement for the city to create a map that the state hasn't adopted yet. Bill explained that the city would adopt by reference whatever map the Division of Forestry Fire and State Lands eventually creates.

Council Member Toby Wright noted that as a contractor, he has already dealt with insurance companies requiring "silly" fire safety measures for residents in Perry that he believes do nothing for actual fire safety.

The ordinance needed corrections to identify the local fire authority (Brigham City) and remove a reference to Weber Fire District.

**MOTION:** Council Member Tueller made a motion to approve Ordinance 25-W with the correction. Council Member Wright seconded the motion.

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

**Motion Approved. 5 Yes, 0 No**

**ITEM 4: Discussion Items**

**A. Holiday Dinner & Office Schedule**

Ms. Johnson informed the Council about the holiday dinner on December 19th at 6 PM at the Lodge Event Center and the office schedule closure from December 24th to January 2nd. She noted that staff would be in and out during that time to handle required tasks, and the public could call an on-call number for emergency situations.

**B. Boundary Adjustment Public Hearing- December 22, 2025**

Ms. Johnson noted that there would be a special meeting on December 22nd for a boundary adjustment public hearing.

**C. Oath of Office in January**

Ms. Johnson mentioned that the oath of office for newly elected officials would be administered at the first meeting in January.

**D. Council Retreat**

Ms. Johnson asked the council members to send her available dates for scheduling a council retreat.

**ITEM 5: MINUTES & COUNCIL/MAYOR REPORTS (INCLUDING COUNCIL ASSIGNMENTS)**

**A. Approval of Consent Items**

- October 23, 2025 Work Session Meeting Minutes
- November 13, 2025 City Council Meeting Minutes
- November 18, 2025 Board of Canvassers Meeting Minutes

**MOTION:** Council Member Tueller made a motion to approve the consent items with the correction to the title of 2A of the Work Session Meeting Minutes. Council Member Wright seconded.

**All Council Members were in favor.**

**Motion Approved.**

**B. Mayor's Report**

Nothing to report.

**C. Council Reports**

Council Member Tueller provided an update on the sewer board. He reported that an applicant was interested in developing in Willard City's industrial park area, which would require significant capacity from the treatment plant. Based on the plant manager's assessment, the proposed development would initially double and eventually triple the BODs (Biochemical Oxygen Demand) capacity needs.

Tueller noted that with approved developments between Willard and Perry (approximately 600 in Perry and 1,000 in Willard), the treatment plant would soon reach capacity. He explained that the board is considering getting estimates for updating the plant to handle future growth.

**D. Staff Comments**

Nothing to report.

### **E. Planning Commission Report**

Planning Commissioner Blake Broadhead reported that the Planning Commission had been working on the items approved during this meeting. He mentioned that they had also passed a preliminary subdivision that would soon come before the Council. Additionally, the Commission had been receiving training on development agreements to better understand expectations for both the Commission and developers.

### **ITEM 6: CLOSED SESSION**

**MOTION:** Council Member Walker made a motion to close the public meeting and open a closed session to discuss the character, professional competence, or physical or mental health of an individual, strategy regarding pending or reasonably imminent litigation and strategy to discuss the deployment of security personnel, devices or systems. Council Member Tueller seconded the motion.

Closed Session opened at 8:43PM.

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

**Motion Approved. 5 Yes, 0 No.**

**MOTION:** Council Member Walker made a motion at 9:52PM to close the closed session and move back into the public meeting. Council Member Wright seconded the motion.

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

**Motion Approved. 5 Yes, 0 No.**

### **ITEM 7: Additional Action Item**

#### **A. Action to Approve Settlement Agreement with UTA**

This action item was tabled without objection.

#### **B. Resolution 2025-24 Police Dispatch Services**

**MOTION:** Council Member Walker made a motion to approve Resolution 2025-24. Council Member Tueller seconded the motion.

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

**Motion Approved. 5 Yes, 0 No**

**ITEM 8: ADJOURNMENT**

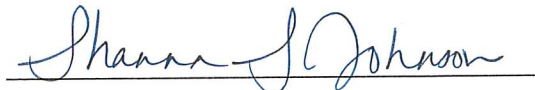
**MOTION:** Council Member Walker made a motion to adjourn the meeting.

**Motion Approved. All Council Members were in favor.**

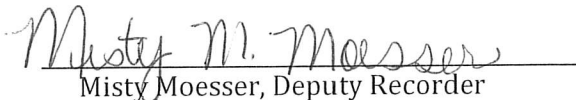
The meeting adjourned at 9:54PM.



Kevin Jeppsen, Mayor



Shanna Johnson, City Recorder



Misty Moesser, Deputy Recorder



## SWORN STATEMENT SUPPORTING CLOSURE OF MEETING

I, the presiding member of the Perry City Council, which met on December 11, 2025.

Appropriate notice was given of the Council's meeting as required by ' 52-4-202.

A quorum of the Council was present at the meeting and voted by at least a two-thirds vote, as detailed in the minutes of the open meeting, to close a portion of the meeting to discuss the following:

- ☒ ' 52-4-205(1)(a) regarding the character, professional competence, or physical or mental health of an individual
- ☐ ' 52-4-205(1)(b) regarding strategy sessions to discuss collective bargaining
- ☒ ' 52-4-205(1)(c) regarding strategy regarding pending or reasonably imminent litigation
- ☐ ' 52-4-205(1)(d) regarding strategy sessions to discuss the purchase, exchange, or lease of real property
- ☐ ' 52-4-205(1)(e) regarding strategy sessions to discuss the sale of real property
- ☒ ' 52-4-205(1)(f) regarding deployment of security personnel, devices, or systems
- ☐ ' 52-4-205(1)(g) regarding investigative proceedings regarding allegations of criminal misconduct

The content of the closed portion of the Council meeting was restricted to a discussion of the matter(s) for which the meeting was closed.

With regard to the closed meeting, the following was publicly announced and recorded, and entered on the minutes of the open meeting at which the closed meeting was approved:

- a) the reason or reasons for holding the closed meeting;
- b) the location where the closed meeting will be held; and
- c) the vote of each member of the public body either for or against the motion to hold the closed meeting.

The recording and any minutes of the closed meeting will include:

- a) the date, time, and place of the meeting;
  - b) the names of members present and absent; and
- the names of all others present except where such disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting.

Pursuant to ' 52-4-206(5), a sworn statement is required to close a meeting under ' 52-4-205(1)(a) or ' 52-4-205(1)(f), but a record by tape recording or detailed minutes is not required:

- ☒ A record was not made. (52-4-205(1)(a) and (f))
- ☒ A record was made by: ☒ Audio recording ☐ Detailed written minutes (52-4-502(1)(c))

Pursuant to ' 52-4-206(1), a recording is required for a meeting closed under ' 52-4-205(1)(b), 52-4-205(1)(c), ' 52-4-205(1)(d), ' 52-4-205(1)(e), and ' 52-4-205(1)(g) was made:

- ☐ Detailed written minutes of the content of a closed meeting although not required, are permitted and were kept of the meeting.

I hereby swear or affirm under penalty of perjury that the above information is true and correct to the best of my knowledge.

  
Presiding Member

12-14-2025  
Date of Signature

ATTEST:

  
City Recorder

12-16-2025  
Date of Signature