

PERRY CITY COUNCIL MEETING
PERRY CITY OFFICES
February 26, 2026

7:01 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen, Council Member Dave Walker, 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, Public Works Director Zach Allen, Sergeant Mark Jordan, Public Works Employee Taylor Clark, City Attorney Bill Morris and Deputy Recorder Misty Moesser

OTHERS PRESENT: Jacob Andrew, Travis Moesser, Brett Jones, Jason Garn and Evelynn Garn

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

B. Appointments

a. Flood Control Appointments- Chairman & Vice Chairman

City Recorder Shanna Johnson provided information about the flood control board appointments. She indicated that Kevin Pebley would be serving as chairman, with Mike Harper as vice chairman. Ms. Johnson explained that all appointees had previously served on the board and were simply changing positions. Bryce Thurgood, the former chairman, had moved, creating the need for Kevin Pebley to move into the chairman role. She noted that Mike Harper had been an active board member and would serve well in the vice chairman position.

Council Member Wright, who also serves on the flood control board, expressed confidence in the appointments, stating they would represent the City and County well. He noted that there were good projects ongoing with the board.

MOTION: Council Member Wright made a motion to appoint Kevin Peeley as Chairman and Michael Harper as Vice Chairman of the Box Elder and Perry City Flood Control Board. 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 3: PRESENTATIONS

A. Flood Control Board Report

Matt Robertson from Jones and Associates presented a comprehensive report on the Perry City/Box Elder County Flood Control District activities. Mr. Robertson explained that he had been working with the flood district for approximately 9-10 years and provided historical context about the district's formation following the 1984 flooding.

Mr. Robertson detailed the district's responsibilities for managing flood control on main tributaries including Perry Canyon, Evans Canyon, and Mathias Canyon. He explained that the district coordinates closely with the City and public works on yearly maintenance projects to clean debris basins and drainages.

The presentation covered recent major projects, including the expansion of the Evans Canyon debris basin completed in 2023 at a cost of \$50,000, which increased capacity by 2.5 times. A significant new debris basin was constructed in Mathias Canyon, completed in November 2024 for approximately \$500,000. This project addressed a critical concern about debris flow protection for homes built in the area since the 1990s.

Mr. Robertson provided historical photographs showing flood damage from 1984 and infrastructure improvements made over the years, including the piping of 3 Mile Creek in 1985-86 with 60-inch diameter pipe to prevent future flooding issues.

Council Member Walker inquired about maintenance responsibilities for drainage diversions near 2400 South, particularly regarding clearance of culverts under the canal. Mr. Robertson acknowledged this hadn't been on their maintenance radar but agreed to bring it to the board's attention for future consideration.

Council Member Tueller asked about the drainage path from Mathias Canyon, and Mr. Robertson explained the dual routing system that allows water to either go to Evans Canyon or west toward existing storm drainage systems.

B. Annual Trainings

- a. Open Meetings Act**
- b. Ethics and Rules of Procedure**
- c. Work Conduct**

City Attorney Bill Morris provided annual training on the Open Meetings Act, ethics, rules of procedure, and workplace conduct. He reviewed the purpose and key provisions of the Open Meetings Act, including definitions of a meeting and quorum, public notice requirements, minutes and recording standards, criteria for closed meetings, and enforcement provisions, emphasizing that no final action may be taken in a closed session.

He also briefly reviewed ethics standards, including the longstanding \$50 gift limit.

The workplace conduct portion addressed protected classes under federal and state law, relevant legislation such as Title VII and the ADA, types of sexual harassment, workplace violence awareness, complaint procedures, and reporting expectations.

ITEM 4: ACTION ITEMS

A. Ordinance 25-Q Amended Zone Change Request from Agricultural to R 1/3 located at approximately 1472 W Davis Drive, Parcel #s 03-157-0119, 03-124-0156 & 03-157-0124; Applicant: Brett Jones

City Administrator Bob Barnhill presented the zone change request for three properties totaling about 28 acres, seeking to change from agricultural zoning to R1/3 (one-third acre residential). He explained this was a simplified version of a previous application that had included a development agreement.

Mr. Barnhill detailed the current zoning context, showing agricultural zoning in the area with residential development to the south. He noted that utilities are available along 2250 South, but access limitations would restrict development to 30 total residential units under current fire code requirements.

The staff report highlighted code section 15-7-80.2, which encourages conservation of open space and limits the highest density residential zone for map amendments to RE-1/2 or R-1/2, unless the City Council approves an exception at its sole discretion. He shared that Planning Commission had recommended approval with a 5-1 vote, implementing this exception language.

Council Member Blake Ostler questioned what justification planning commission found for granting the exception. Planning Commissioner Travis Moesser explained that the developer stated there was no market for larger lots and that smaller lots were needed for affordability, which seemed reasonable to the commission.

Council Member Walker noted his previous support for the conservation subdivision approach that had been proposed earlier, which included trails, parks, and other amenities that would benefit the City. He expressed concern about losing those benefits with a straight zone change.

Council Member Tueller supported the fee-in-lieu approach given the proximity to Dale Young Park, but preferred ensuring density didn't go below current policy standards to maintain compatibility with neighboring properties.

Developer Brett Jones explained his pivot from the conservation subdivision approach due to access limitations and uncertainty about community support for that approach. He indicated willingness to pursue conservation subdivision with fee-in-lieu if that was the Council's preference but expressed concern about additional fees making the project economically unfeasible.

After extensive discussion about various approaches including development agreements, conservation subdivisions, and fee-in-lieu arrangements, the Council reached consensus on pursuing

a conservation subdivision approach with R1/2 base zoning allowing quarter-acre lots with fee-in-lieu payments similar to the West Meadows development.

The application was tabled to allow the developer to work with staff on a revised proposal incorporating the council's direction for a conservation subdivision approach with appropriate fee-in-lieu provisions.

B. Resolution 2026-04 Interlocal for United Policing Services Between Tremonton City and Perry City

Mayor Jeppsen explained that questions and comments from the recent town hall meeting and website submissions were being compiled and reviewed. Since Tremonton City had not yet taken action on this item, he proposed tabling the resolution to allow time to address the issues raised by residents.

The resolution was tabled until the next meeting to allow for review of public input and coordination with Tremonton City's action on the matter.

C. Resolution 2026-06 Amending Perry City Policies Regarding Retirement Savings Plans and Approving a Utah Retirement Systems Service Agreement

Ms. Johnson explained that URS was introducing two new Roth savings plans (Roth 401k and Roth 457) that would allow employees to contribute post-tax dollars that would grow tax-free for retirement withdrawals. The city already offered traditional 401k and 457 plans but not the Roth versions.

Ms. Johnson clarified that this would provide additional employee benefits without new costs to the City. The existing 2% employer match on 4% employee contributions would continue, with employer contributions going to traditional accounts while employee Roth contributions would be post-tax.

Council Member Ostler asked about the difference between 401k and 457 plans, with Ms. Johnson explaining that 457 plans offer more withdrawal flexibility. He also confirmed that the employer match percentages would remain the same regardless of which plan employees chose.

MOTION: Council Member Wright made a motion to approve Resolution 2026-06 with the correction of the date from 2019 to 2026. 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

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

A. Approval of Consent Items

- February 7, 2026 City Council Retreat Meeting Minutes
- February 12, 2026

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

All Council Members were in favor.

Motion Approved.

B. Mayor's Report

Mayor Jeppsen noted that Perry City had been featured frequently in the Box Elder News Journal recently, with generally positive coverage. He mentioned being slightly misquoted regarding the city's position on the fire contract with Brigham City, but indicated it was minor.

C. Council Reports

Council Member Walker reported positive progress on bike park sponsorships, with good response from local businesses and organizations. He expected to provide budget figures to the City Recorder within a couple of weeks.

Council Member Wright commented on the flood control presentation, noting it provided valuable historical context. He mentioned there were additional projects being considered for the next year or two and confirmed that the drainage issues raised by Council Member Walker would be addressed by the flood district.

D. Staff Comments

None

E. Planning Commission Report

Planning Commissioner Travis Moesser reported on the February 5th meeting discussion of Ordinance 26-B, an omnibus amendment to land use code that was primarily administrative in nature to align with current state code updates. The Commission reviewed changes to flag lot requirements, tree definitions, streetlight and parking requirements, and ADU maximum square footage caps.

He shared that the Commission also received open meetings training from legal counsel and discussed development agreement priorities for fee-in-lieu funds, including cemetery land or funding, strategic park improvements, open space preservation, and trail improvements.

Commissioner Moesser noted their next meeting had been canceled and the Commission would convene again in April.

ITEM 6: CLOSED SESSION

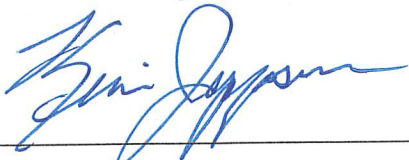
Not needed

ITEM 7: ADJOURNMENT

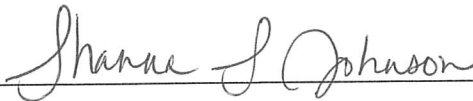
MOTION: Council Member Walker made a motion to adjourn the meeting.

Motion Approved. All Council Members were in favor.

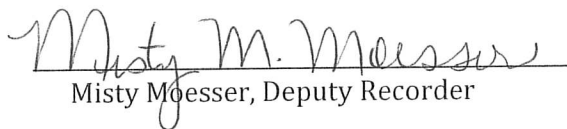
The meeting adjourned at 8:59PM.



Kevin Jeppsen, Mayor



Shanna Johnson, City Recorder



Misty Moesser, Deputy Recorder