

PERRY CITY COUNCIL MEETING
PERRY CITY OFFICES
August 27, 2026

7:00 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen, Council Member Toby Wright, Council Member Dave Walker, Council Member Ashley Young and Council Member Nathan Tueller

OFFICIALS ABSENT: Council Member Blake Ostler

CITY STAFF PRESENT: City Administrator Bob Barnhill, City Recorder/Finance Director Shanna Johnson, City Attorney Bill Morris and Deputy Recorder Misty Moesser

OTHERS PRESENT: Robert Hinchee

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. Ordinance 26-J Zone Change from R1A to R1 (approximately ¼ acre) located at 1371 W 3030 S and 1405 W 3030 S, Parcel #02-034-0118, Applicant: Stanford Young

City Administrator Bob Barnhill presented the zone change request. The total property is approximately 1.5 acres, zoned R1A, and the applicant requested that approximately 0.25 acres in the northeast corner be rezoned to R1, consistent with existing R1 zoning on an adjacent corner parcel in the same area. Mr. Barnhill noted that if the property were subdivided, the applicant would be required to install sidewalk and utility laterals. He shared that the Planning Commission held a public hearing with no public comments and recommended approval with a 5-0 vote.

Council Member Walker asked about the viability of future flag lots on the remaining R1A portion of the property. Mr. Barnhill confirmed that the 32-foot access corridor left by the applicant would be sufficient for two flag lot driveways, noting that 30 feet is the minimum required. He indicated no significant obstacles were anticipated for such a future development.

MOTION: Council Member Tueller made a motion to approve Ordinance 26-J Zone Change from R1A to R1. Council Member Wright seconded the motion.

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

Motion Approved. 4 Yes, 0 No

B. Ordinance 26-K Zone Change from mixed R1, C1 & NC2 to R1A located at 1670 S Hwy 89, Parcel #03-159-0270, Applicant: Robert Hinchee

Mr. Barnhill presented the zone change request for a 2.75-acre property at the north end of town along Highway 89. The property currently carries a split zoning of C1 (commercial), NC2 (neighborhood commercial 2), and R1. The applicant indicated the property has been difficult to sell under its current zoning because prospective buyers interested in keeping animals are precluded from doing so. The R1A zone would allow for animal-keeping subject to acreage-based restrictions. The future land use map designates the highway frontage as neighborhood commercial and the back portion as mixed use. The Planning Commission recommended approval with a 5-0 vote.

The applicant addressed the Council, noting the property has been in agricultural use for a very long time. He pointed out that the proximity to irrigation infrastructure and a significant grade drop near the highway frontage would make conventional commercial or high-density residential development costly and complicated.

Council Member Walker expressed concern that the proposed change runs counter to the city's long-term land use plan, which envisions commercial and mixed-use development along the highway corridor. He noted that going from commercial and residential zoning back toward agricultural seemed to move in the opposite direction of what the city had planned, and that neighboring residents might find it unexpected to have animals introduced into the area. He also questioned whether the property was viable for near-term development under its existing or planned zoning, particularly given the road access challenges.

Mr. Barnhill acknowledged that while the future land use map does point toward commercial and mixed-use, the mixed-use designation is intentionally flexible and context-dependent. He noted that many smaller commercial lots along the highway corridor may not develop independently and often require assemblage with adjacent parcels to be commercially viable.

Council Member Tueller offered a counterpoint, stating that he does not view a reduction in zoning density as inherently problematic. He noted that the R1A designation does not permanently foreclose future development — the zoning could be changed again — and that allowing agricultural use in the interim is consistent with the city's general character. He added that similar zone changes had been approved in the past in comparable situations.

MOTION: Council Member Tueller made a motion to approve Ordinance 26-K Zone Change from mixed R1, C1 & NC2 to R1A. Council Member Wright seconded the motion.

ROLL CALL: Council Member Wright, Yes
Council Member Tueller, Yes
Council Member Walker, No
Council Member Young, Yes
Council Member Ostler, ABSENT

Motion Approved. 3 Yes, 1 No

C. Ordinance 26-D Development Agreements

Mr. Barnhill presented Ordinance 26-D, which clarifies the development agreement process and establishes nonbinding policies to help guide future decisions. The ordinance adds an informal pre-review process involving representatives from the Planning Commission, City Council, and City staff

to identify concerns early and help applicants understand the City's expectations before going before the Planning Commission.

The policies emphasize that when a developer receives an additional benefit, such as increased density, the community should receive a meaningful benefit in return that goes beyond what is already required by City code. Priorities include parks, trails, open space, and orchard preservation, as well as improved architecture, streetscapes, and commercial development integrated with residential areas. The ordinance also clarifies that additional residential density is a benefit to the developer and does not count as a community benefit by itself.

Council Members Tueller and Walker expressed support, with Tueller questioning whether the pre-review process could create an additional step. Mr. Barnhill explained that the intent is to streamline the process and reduce confusion. The ordinance also incorporates the existing multifamily density map policy into City code. The Planning Commission unanimously recommended approval.

MOTION: Council Member Wright made a motion to approve Ordinance 26-D Development Agreements. Council Member Walker seconded the motion.

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

Motion Approved. 4 Yes, 0 No

D. Ordinance 26-H Waterwise Landscaping

Mr. Barnhill provided background on the state's Waterwise Landscaping program, which provides rebate payments per square foot for the removal of grass and replacement with water-wise landscaping. To qualify for the program, cities must adopt certain landscaping regulations for new construction. The Council had previously declined to adopt these provisions, though it did adopt a prohibition on grass in park strips for new construction, which remains in place.

The specific provisions under consideration would require: no more than 20 percent of landscaped area be lawn for commercial and multifamily developments (excluding active recreation areas); no more than 50 percent of front and side yards be lawn for residential new construction; and no lawn in strips less than 8 feet in width. Backyards would not be regulated.

Mr. Barnhill noted a new piece of relevant information: Pine View Water has significantly reduced its water allocation. As of the prior year, the allotment is 0.38 acre feet per connection, regardless of lot size — a reduction of approximately 50 percent from year-2000 levels for a quarter-acre lot, and proportionally more restrictive for larger lots. This raised the concern that homeowners may default to culinary water for outdoor irrigation if their Pineview allotment proves insufficient.

Mr. Barnhill also confirmed that a review of recent commercial and multifamily site plans showed those projects already substantially comply with the proposed standards, and that single-family projects would require only modest adjustments.

Mr. Barnhill shared that the Planning Commission recommended approval with a 4-1 vote, with the dissenting commissioner citing the restrictions as overly burdensome on private landscaping.

Council Member Tueller raised philosophical objections to participating in the state subsidy program, expressing concern about taxpayer-funded incentives for private landscaping choices. He acknowledged the importance of water conservation but indicated he would prefer the city adopt its own water-wise standards independently, rather than tying Perry's ordinance to a state rebate structure that may create long-term complications or dependency. He suggested that the park strip restriction already in code may be the more appropriate and targeted intervention.

Council Member Walker stated he was inclined to support the ordinance given that residents had specifically requested access to the program, and that the reality of water scarcity in Utah made the provisions reasonable. He acknowledged the philosophical concern about subsidies but noted the practical value to residents who want to convert their landscaping but face significant upfront costs.

City Attorney Bill Morris noted that similar programs in other states, including California, have encountered complications when subsequent property owners do not wish to maintain the water-wise landscaping conditions agreed to by prior owners, and that such disputes are a known risk of the program structure.

MOTION: Council Member Walker made a motion to approve Ordinance 26-H Waterwise Landscaping. Council Member Young seconded the motion.

ROLL CALL: Council Member Wright, No
Council Member Tueller, No
Council Member Walker, Yes
Council Member Young, No
Council Member Ostler, ABSENT

Motion Failed. 1 Yes, 3 No

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

A. Approval of Consent Items

- August 13, 2026 City Council Meeting Minutes

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

All Council Members were in favor.

B. Mayor's Report

Mayor Jeppsen raised three items for Council awareness:

Orchard Trail use: noting possible agricultural vehicle use and suggesting the City monitor the trail for wear or complaints.

Safety manager position: reporting interest from potential candidates and noting that the Council needs to discuss the position's direction and the City's current contract with Brigham City.

Cell tower inquiries: reporting increased interest from cell tower companies and a proposal for a tower at either Dale Young Park or Mountain View Park. He noted that the City must receive market value for any property lease or sale and is researching appropriate market rates.

C. Council Reports

Council Member Wright reported that he registered for the Box Elder County Summit and encouraged other Council Members to attend.

Council Member Walker reported that the mountain bike park is in good condition, with minor maintenance needed. Additional signage has been ordered, and the advisory committee will need to be organized to help with ongoing maintenance. He also discussed possible water access for dust control as part of a future grant application.

Council Member Tueller reported on the wastewater treatment plant operations, including ongoing repairs and options for effluent distribution. He also noted a possible change in solid waste disposal and asked that staff follow up regarding the potential cost savings or logistical benefits.

D. Staff Comments

City Recorder Shanna Johnson recognized Deputy Clerk Anita for recently completing the Utah Certified Clerk certification, administered through Southern Utah University.

E. Planning Commission Report

None

ITEM 8: CLOSED SESSION

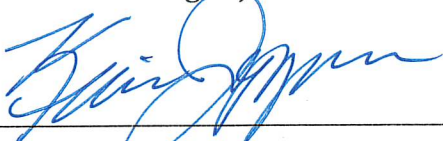
Not needed.

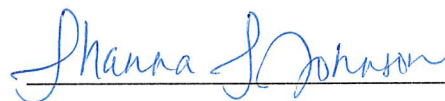
ITEM 9: ADJOURNMENT

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

Motion Approved. All Council Members were in favor.

The meeting adjourned at 8:35PM.



Kevin Jeppsen, Mayor

Shanna Johnson, City Recorder

Misty Moesser, Deputy Recorder

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