

Thursday, April 28, 2016

PERRY CITY COUNCIL MEETING AGENDA

The Perry City Council will hold a meeting on the Thursday identified above, starting at approximately 7:00 PM after a 6:00 PM Work Session, 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. 6:00 PM - Work Session

- Fiscal Year 2016-2017 Budget Planning

Approx. 7:00 PM

1. Call to Order and Opening Ceremonies

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

2. Procedural Issues

- A. Conflicts of Interest Declaration(s), If Any
- B. Pass out Warrants to Council Members (and Possible Discussion)
- C. Appointments
- D. Business License(s)
 - None

3. Approx. 7:10PM Presentations

- A. City Highlights

4. Approx. 7:15 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 Comments

5. Approx. 7:30 PM – Action Items (Roll Call Vote)

- A. Approval of the Warrants
- B. Ordinance 16-B Amending the Large Animal Ordinance
- C. Resolution 16-05 Performance Review Policies and Process
- D. Approval of Bid for Evans Canyon Storm Drain and Detention Basin Project

6. Approx. 7:55PM – Discussion Items

- A. Green Waste
- B. Wastewater Treatment Plant

7. Approx. 8:10 PM – Minutes & Council/Mayor Reports (Including Council Assignments)

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

- A. Approval of Consent Items
 - March 24, 2016 City Council Meeting Minutes
 - April 14, 2016 City Council Work Session Minutes
 - April 14, 2016 City Council Meeting Minutes
- B. Mayor's Report
- C. Council Reports
- D. Staff Comments
- E. Items for Next City Newsletter

8. Approx. 8:30 PM – Executive Session (if needed)

9. Approx. 9:00 PM – Adjournment (next regular meeting on Thurs., May 12, 2016 at 7:00 PM)

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: the Perry City Offices, Centennial Park, Perry City Park; and was faxed/emailed to the Ogden Standard-Examiner, Box Elder News Journal; and posted on the State Public Meeting Notice Website on this 21st day of April 2016. Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461).

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
5th West Rental & Repair								
9811	5th West Rental & Repair	85511	Mower	04/05/2016	3,100.00	3,100.00	04/20/2016	
Total 5th West Rental & Repair:					3,100.00	3,100.00		
Brigham City Corp.								
6106	Brigham City Corp.	04/20/2016	interlocal storm water	04/14/2016	117.60	117.60	04/20/2016	
6106	Brigham City Corp.	04/20/2016	walmart sales tax	04/14/2016	14,305.49	14,305.49	04/20/2016	
Total Brigham City Corp.:					14,423.09	14,423.09		
H. Craig Hall/Attorney At Law								
12050	H. Craig Hall/Attorney At Law	440	attorney fees	04/01/2016	3,000.00	3,000.00	04/14/2016	
Total H. Craig Hall/Attorney At Law:					3,000.00	3,000.00		
Jones & Associates								
11552	Jones & Associates	17207	miscellaneous	04/01/2016	33.00	33.00	04/19/2016	
11552	Jones & Associates	17207	Three Mile Creek Gun Range	04/01/2016	457.00	457.00	04/19/2016	
11552	Jones & Associates	17207	Culinary Water	04/01/2016	262.50	262.50	04/19/2016	
11552	Jones & Associates	17207	Storm Drain	04/01/2016	210.00	210.00	04/19/2016	
11552	Jones & Associates	17207	Evans Canyon	04/01/2016	457.50	457.50	04/19/2016	
11552	Jones & Associates	17207	Evans Canyon	04/01/2016	2,252.00	2,252.00	04/19/2016	
11552	Jones & Associates	17207	IFFP Updates, Revisions	04/01/2016	997.50	997.50	04/19/2016	
Total Jones & Associates:					4,669.50	4,669.50		
Polydyne Inc.								
11400	Polydyne Inc.	1037712	clarifloc	03/30/2016	2,124.00	2,124.00	04/20/2016	
Total Polydyne Inc.:					2,124.00	2,124.00		
Republic Services								
10200	Republic Services	0493-2000001	garbage service	03/31/2016	16,064.77	16,064.77	04/19/2016	
Total Republic Services:					16,064.77	16,064.77		
Utah Local Governments Trust								
10333	Utah Local Governments Trust	04/19/2016	Perry Willard WWTP	04/12/2016	9,506.00	9,506.00	04/19/2016	
Total Utah Local Governments Trust:					9,506.00	9,506.00		
Utah State Division of Finance								
10912	Utah State Division of Finance	04/20/2016	WWTP bond 000244A	03/31/2016	170,000.00	170,000.00	04/20/2016	
10912	Utah State Division of Finance	04/20/2016	loan payment 000244A	03/31/2016	154,050.00	154,050.00	04/20/2016	
10912	Utah State Division of Finance	04/20/2016	loan payment 000244B	03/31/2016	170,000.00	170,000.00	04/20/2016	
10912	Utah State Division of Finance	04/20/2016	loan payment 000244B	03/31/2016	154,050.00	154,050.00	04/20/2016	
Total Utah State Division of Finance:					648,100.00	648,100.00		
Grand Totals:					700,987.36	700,987.36		

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.

ORDINANCE 16-B

An Ordinance Amending the Chapter 15.07.020 of the Code of Ordinances of Perry City Pertaining to Large Animal Regulations.

WHEREAS, the Perry City is authorized by Utah State Statute to enact planning and zoning ordinances which provide for the health, safety and welfare of its citizens; and

WHEREAS, the Planning Commission on April 7, 2016 conducted a public hearing to receive public comment on the proposed amendments regarding the regulation of large animals; and

Whereas, the Planning Commission considered said proposed regulations and recommended to the city council that the proposed regulations be considered and adopted; and

Whereas, the City Councils has previously conducted a public hearing regarding the proposed ordinances and its provisions; and

WHEREAS, no adverse comments were received during said public hearing regarding the proposed changes:

NOW THEREFORE BE IT ORDAINED by the Municipal Council of Perry City that Chapter 15.07.020 of the Code of Ordinances be amended to read as follows:

SECTION I

Chapter 15.07.020 Zone Descriptions:

15.07.020.1 Agricultural (A)

15.07.020.2 Agricultural Limited (AL)

15.07.020.3 Rural Residential (R1A and RE1/2)

15.07.020.4 Blank

15.07.020.5 Low Density Residential 1/2 Acre (20,000Sf) (R1/2)

15.07.020.6 Low Density Residential 1/3 Acre (R1/3)

15.07.020.7 Low Density Residential 1/4 Acre (10,000 Sf) (R1)

15.07.020.8 Medium Density Residential (8,000 Sf) (R2)

15.07.020.9 Commercial (C)

15.07.020.10 Commercial - Principal (C1)

15.07.020.11 Interstate Commercial (IC)

15.07.020.12 Neighborhood Commercial (NC2 and NC3)

15.07.020.13 Mixed Use Commercial, Office, and Residential (MU-C, MU-O, and MU-R)

15.07.020.14 Manufacturing/Industrial (M/I)

15.07.020.15 Manufacturing/Industrial Limited (M/IL)

15.07.020.16 Environmentally Sensitive (ES)

15.07.020.17 Caveat Regarding Zone Descriptions (And Development Standards)

15.07.020.1 Agricultural (A)

The purpose of the Agricultural Zone is to promote and preserve conditions favorable to intensive agriculture. This zone is intended to include activities normally and customarily related to the production of livestock, crops, and related agricultural products and to protect the zone from the intrusion of uses detrimental to the continuation of intensive agricultural activities.

15.07.020.2 Agricultural Limited (AL)

The purpose of the limited agricultural zone is to promote and preserve in appropriate areas conditions favorable to light agriculture. This zone is intended to include activities normally and customarily related to the conduct of agriculture and to protect the zone from intrusions of uses, which will have an adverse effect on the continuation of light agricultural activities.

15.07.020.3 Rural Residential (R1A and RE1/2)

The purpose of the rural residential zone is to provide for and protect residential development in a semi-rural environment. The keeping of limited numbers of livestock and the raising of crops can be considered normal activities in the rural residential zone. The following clarifications apply to the R1A and RE1/2 zones:

1. One (1) large animal will be allowed per 40,000 sq. ft. of property on a parcel, with one additional large animal for every 20,000 sq. ft. of property. All initial 40,000 sq. ft. must be one continuous parcel. All sq. ft. must be contiguous (touching). (Example: Two large animals are allowed on 70,000 sq. ft. of property. Additional animals are not allowed on portions of property less than 20,000 sq. ft.). Large animals are considered: horses, cattle, and llamas. Large animals must be contained in a corral or stock fence. Corrals or stock fences must have a sixteen (16) foot minimum rear setback and eight (8) foot minimum side setback on a lot or parcel. If there is a main building, corrals or stock fences shall be sixteen (16) feet to the rear of the building and other applicable setbacks will apply. If there is no main building, corrals or stock fences must have a thirty (30) foot minimum front setback.
2. One (1) mid-size animal will be allowed per 20,000 sq. ft. of property on a parcel. All initial 20,000 sq. ft. must be one continuous parcel. All sq. ft. must be contiguous (touching). (Example: two mid-size animals are allowed on 50,000 sq. ft. of property. Additional animals are not allowed on portions of property less than 20,000 sq. ft.). Mid-size animals are considered sheep and goats. Mid-size animals must be contained in a corral or stock fence. Corrals or stock fences must have a sixteen (16) foot minimum rear setback and eight (8) foot minimum side setback on a lot or parcel. If there is a main

building, corrals or stock fences shall be sixteen (16) feet to the rear of the building and other applicable setbacks will apply. If there is no main building, corrals or stock fences must have a thirty (30) foot minimum front setback.

3. Nine (9) small animals/fowl will be allowed per 20,000 sq. ft. of property on a parcel. (Example: Eighteen (18) small animals/fowl are allowed on 50,000 sq. ft. of property). Small animals/fowl are considered: turkeys, ducks, geese, pigeons, and rabbits. Small animals/fowl must be contained to the property. For chickens, refer to Perry City Municipal Ordinance 14-L.

15.07.020.4 Left Intentionally Blank

15.07.020.5 Low Density Residential 1/2 Acre (20,000 Sf) (R1/2)

The purpose of the low density residential zone is to provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. The regulations are intended to prohibit those uses which would be intrusive to activities and uses usually associated with single-family neighborhoods.

15.07.020.6 Low Density Residential 1/3 Acre (R1/3)

The purpose of the low density residential zone is to provide appropriate locations where low density residential neighborhoods may be established, maintained, and protected. The regulations are intended to prohibit those uses which would be intrusive to activities and uses usually associated with single-family neighborhoods.

NOTE: This zone allows a septic tank on a minimum 1/3 acre lot in the south annexed area of the city until such time as sewer collection lines are installed within 300 feet of a lot line, then the owner of said lot has one year to connect to the sewer collection lines.

15.07.020.7 Low Density Residential 1/4 Acre (10,000 Sf) (R1)

The purpose of the R-1 Zone, low density residential, is to provide appropriate locations where low density housing neighborhoods may be established, maintained and protected. The regulations are intended to prohibit those uses which would be intrusive to activities and uses usually associated with single-family neighborhoods.

15.07.020.8 Medium Density Residential (8,000 Sf) (R2)

The purpose of the medium density residential zone is to provide appropriate locations where medium density residential neighborhoods may be established, maintained and protected. The

regulations are intended to prohibit uses that would be intrusive to activities and uses usually associated with medium density neighborhoods.

15.07.020.9 Commercial (C)

The purpose of the commercial zone is to provide an appropriate area for intensive commercial and light manufacturing. Development standards must minimize potential negative visual impact and objectionable effects to adjacent zones.

NOTE: variables that determine if a proposed development should be included in the Manufacturing/Industrial Zone as opposed to the Commercial Zone include but are not limited to:

1. Number of employees
2. Square footage and height of building(s)
3. Square footage of hard space
4. Requirements for outside storage areas or service requirements
5. Potential negative environmental impact
6. Overall visual quality of the development

15.07.020.10 Commercial - Principal (C1)

This zone is unique to the area along the north border of Perry City, West of Highway 89 extending west to Interstate 15 and South from the border with Brigham City for approximately 2000 feet (as defined on the Zoning Map). The purpose of this zone is to provide space for development of business which focuses on retail and wholesale sales along with professional offices. The zone is considered prime business district and does not allow residential development or heavy commercial development such as processing plants, etc. Appropriate uses are defined in the Land Use Chart and will be approved through the Design Review process.

15.07.020.11 Interstate Commercial (IC)

The purpose of the Interstate Commercial Zone is to permit all commercial uses as listed in the Development and/or Inter-local Agreements between Perry City and the developers of the Pointe Perry Development. This zone applies only to the area of the Pointe Perry Development.

15.07.020.12 Neighborhood Commercial (NC2 and NC3)

The purpose of the neighborhood commercial zones is to permit the establishment of well designed retail commercial facilities along Highway 89 and minimize the effects of commercial development adjacent to residential uses (see Section 15.07.060 for specific zoning information and Chapter 15.29 for Conditional Use information).

15.07.020.13 Mixed Use Commercial, Office, and Residential (MU-C, MU-O, and MU-R)

The purpose of the mixed use zones is to provide an area for multi-family dwellings in combination with commercial uses such as offices or retail. Combining these uses will reduce traffic congestion by providing for an area adjacent to mass transit as well as making jobs available close to home.

15.07.020.14 Manufacturing/Industrial (M/I)

The purpose of the Manufacturing/Industrial Zone is to provide an area conducive to heavy manufacturing and industry that is in harmony with the environmental quality of the community.

15.07.020.15 Manufacturing/Industrial Limited (M/IL)

The purpose of the Manufacturing/Industrial Limited Zone is to provide an area conducive to specific manufacturing uses, heavy commercial uses and industry that is in harmony with the General Plan.

15.07.020.16 Environmentally Sensitive (ES)

The purpose of the Environmentally Sensitive Zone is to promote environmental planning of areas which have severe physical limitations and have a complex ecological and environmental balance, including limiting development in sloped terrain (see “Sloped Terrain and Foothill Development,” Chapter 15.09).

15.07.020.17 Caveat Regarding Zone Descriptions (And Development Standards)

Development standards must protect the Perry City water shed and water supply, limit erosion and storm water runoff, be compatible with existing wildlife winter range, accent the goals of the General Plan, not limit casual access to the foothills, and limit disruption of vegetation through a cut and fill process.

1. Grade is to be determined on individual lots and not averaged across the development.
2. Ratio of dwelling unit per existing grade:

Over 20% grade - no development

15 - 20% grade - 1 dwelling per 5 acres

10 - 15% grade - 1 dwelling per 2 acres

5 - 10% grade - 1 dwelling per 1 acre

0 - 5% grade - 1 dwelling per 1/2 acre

15.07.100.4 Additional Information (“Notes”) Regarding Land Use Chart

The following is additional information regarding the land use chart:

1. (Left Intentionally Blank)
 - a.
2. Sale of firearms and alcohol shall not be permitted within 1000 feet of any school or place of worship. A hotel or motel may have an “on premises” consumption of alcohol use that does not require more than seven percent (7%) of the floor space of the hotel or motel. Restaurants with “on premises” consumption of alcohol use are also permitted by conditional use in certain zones, as per the land use chart. Other than for a hotel/motel or a restaurant, as designated on the Land Use Chart, “on premises” consumption of alcohol is not available for any other business in any zone. No “on premises” alcohol business shall be permitted until a specific “on premises” alcohol business license ordinance has been adopted.
3. Minimum of fifty units or more. Storage Units shall not be defined as allowing “junk” , surplus or other various accumulations of items, supplies or materials. Only supplies directly related to daily business of a construction yard may be stored at the site. All other items, supplies and materials must be stored within designated storage units.
4. In the NC2 and NC3 zones, only Single Family Dwellings existing as of December 11, 2008 will be permitted for Boarding, Bed and Breakfast as a Conditional Use. In the MU-C, MU-O, MU-R zones, this type of use will be permitted by Design Review.
5. For the CI Commercial Zone and the Mixed Use Zones, Professional Office Space may only occupy a maximum of 25 percent of the total floor space of any development.

SECTION II

EFFECTIVE DATE

This ordinance shall become effective upon signing and its first publication.

PASSED AND APPROVED this ____ day of _____, 2016.

By: _____
Karen Cronin, Mayor

PERRY CITY COUNCIL

[SEAL]

Voting:

Brady Lewis	Yea___	Nay___
Esther Montgomery	Yea___	Nay___

James Taylor	Yea___	Nay___
Nathan Tueller	Yea___	Nay___
Toby Wright	Yea___	Nay___

Susan Obray, City Recorder

DEPOSITED in the Recorder's office this ____ day of _____, 2016.

POSTED this ____ day of _____, 2016.

15.07.020 Zone Descriptions

15.07.020.1 Agricultural (A)

15.07.020.2 Agricultural Limited (AL)

15.07.020.3 Rural Residential (R1A and RE1/2)

15.07.020.4 ~~Blank Rural Residential ½ Acre~~

15.07.020.5 Low Density Residential 1/2 Acre (20,000Sf) (R1/2)

15.07.020.6 Low Density Residential 1/3 Acre (R1/3)

15.07.020.7 Low Density Residential 1/4 Acre (10,000 Sf) (R1)

15.07.020.8 Medium Density Residential (8,000 Sf) (R2)

15.07.020.9 Commercial (C)

15.07.020.10 Commercial – Principal (C1)

15.07.020.11 Interstate Commercial (IC)

15.07.020.12 Neighborhood Commercial (NC2 and NC3)

15.07.020.13 Mixed Use Commercial, Office, and Residential (MU-C, MU-O, and MU-R)

15.07.020.14 Manufacturing/Industrial (M/I)

15.07.020.15 Manufacturing/Industrial Limited (M/IL)

15.07.020.16 Environmentally Sensitive (ES)

15.07.020.17 Caveat Regarding Zone Descriptions (And Development Standards)

15.07.020.1 Agricultural (A)

The purpose of the Agricultural Zone is to promote and preserve conditions favorable to intensive agriculture. This zone is intended to include activities normally and customarily related to the production of livestock, crops, and related agricultural products and to protect the zone from the intrusion of uses detrimental to the continuation of intensive agricultural activities.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.2 Agricultural Limited (AL)

The purpose of the limited agricultural zone is to promote and preserve in appropriate areas conditions favorable to light agriculture. This zone is intended to include activities normally and customarily related to the conduct of agriculture and to protect the zone from intrusions of uses, which will have an adverse effect on the continuation of light agricultural activities.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.3 Rural Residential (R1A and RE1/2)

The purpose of the rural residential zone is to provide for and protect residential development in a semi-rural environment. The keeping of limited numbers of livestock and the raising of

crops can be considered normal activities in the rural residential zone. The following clarifications apply to the R1A and RE1/2 zones:

1. One (1) large animal will be allowed per 40,000 sq. ft. of property on a parcel, with one additional large animal for every 20,000 sq. ft. of property. All initial 40,000 sq. ft. must be one continuous parcel. All sq. ft. must be contiguous (touching). (Example: Two large animals are allowed on 70,000 sq. ft. of property. Additional animals are not allowed on portions of property less than 20,000 sq. ft.). Large animals are considered: horses, cattle, and llamas. Large animals must be contained in a corral or stock fence. Corrals or stock fences must have a sixteen (16) foot minimum rear setback and eight (8) foot minimum side setback on a lot or parcel. If there is a main building, corrals or stock fences shall be sixteen (16) feet to the rear of the building and other applicable setbacks will apply. If there is no main building, corrals or stock fences must have a thirty (30) foot minimum front setback.
2. One (1) mid-size animal will be allowed per 20,000 sq. ft. of property on a parcel. All initial 20,000 sq. ft. must be one continuous parcel. All sq. ft. must be contiguous (touching). (Example: two mid-size animals are allowed on 50,000 sq. ft. of property. Additional animals are not allowed on portions of property less than 20,000 sq. ft.). Mid-size animals are considered sheep and goats. Mid-size animals must be contained in a corral or stock fence. Corrals or stock fences must have a sixteen (16) foot minimum rear setback and eight (8) foot minimum side setback on a lot or parcel. If there is a main building, corrals or stock fences shall be sixteen (16) feet to the rear of the building and other applicable setbacks will apply. If there is no main building, corrals or stock fences must have a thirty (30) foot minimum front setback.
3. Nine (9) small animals/fowl will be allowed per 20,000 sq. ft. of property on a parcel. (Example: Eighteen (18) small animals/fowl are allowed on 50,000 sq. ft. of property). Small animals/fowl are considered: turkeys, ducks, geese, pigeons, and rabbits. Small animals/fowl must be contained to the property. For chickens, refer to Perry City Municipal Ordinance 14-L.

15.07.020.4 Blank Rural Residential ½ Acre

~~The purpose of the rural residential zone is to provide for residential development in a semi-rural environment. The keeping of one large animal per half acre, limited numbers of small animals/fowl and the raising of crops can be considered normal activities in this rural residential zone. The following clarifications apply to a RE zone:~~

- ~~1. One (1) large animal will be allowed per 20,000 sq of property on a parcel. (Example: Two large animals are allowed on 50,000 sq. of property. Additional animals are not allowed on portions of property less than 20,000 sq.) Large Animals are considered: Horses, cattle, sheep, goats, pigs, etc. Large animals must be contained in a corral or stock fence. If there is no main building, corrals or stock~~

- ~~fences must have a thirty (30) foot minimum front setback, sixteen (16) foot minimum rear setback and eight (8) foot minimum side setbacks on a lot or parcel. If there is a main building, corrals or stock fences shall be sixteen (16) feet from the building and other setbacks will apply.~~
- ~~2. Nine (9) small animals/fowl will be allowed per 20,000 sq. of property on a parcel. (Example: Eighteen (18) small animals/fowl are allowed on 50,000 sq. of property.) Under special conditions, additional small animals/fowl may be allowed with the approval of a conditional use permit (reviewed on a yearly basis) and following the process for its issuance. Small animals/fowl are considered: Chickens, turkeys, ducks, geese, pigeons, peacocks, rabbits, mink, ferrets, or other small domesticated fur bearing animals.~~
- ~~3. Special Conditions that will be considered to allow more small animals/fowl would include but not be limited to: available housing or shelters (coops, pens, barns, etc.), fencing, control of animals/fowl, consent of neighbors and lack of complaints.~~

~~Adopted by Ord. 15-C on 3/17/2015~~

15.07.020.5 Low Density Residential 1/2 Acre (20,000 Sf) [\(R1/2\)](#)

The purpose of the low density residential zone is to provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. The regulations are intended to prohibit those uses which would be intrusive to activities and uses usually associated with single-family neighborhoods.

~~Adopted by Ord. 15-C on 3/17/2015~~

15.07.020.6 Low Density Residential 1/3 Acre [\(R1/3\)](#)

The purpose of the low density residential zone is to provide appropriate locations where low density residential neighborhoods may be established, maintained, and protected. The regulations are intended to prohibit those uses which would be intrusive to activities and uses usually associated with single-family neighborhoods.

NOTE: This zone allows a septic tank on a minimum 1/3 acre lot in the south annexed area of the city until such time as sewer collection lines are installed within 300 feet of a lot line, then the owner of said lot has one year to connect to the sewer collection lines.

~~Adopted by Ord. 15-C on 3/17/2015~~

15.07.020.7 Low Density Residential 1/4 Acre (10,000 Sf) [\(R1\)](#)

The purpose of the R-1 Zone, low density residential, is to provide appropriate locations where low density housing neighborhoods may be established, maintained and protected. The

regulations are intended to prohibit those uses which would be intrusive to activities and uses usually associated with single-family neighborhoods.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.8 Medium Density Residential (8,000 Sf) (R2)

The purpose of the medium density residential zone is to provide appropriate locations where medium density residential neighborhoods may be established, maintained and protected. The regulations are intended to prohibit uses that would be intrusive to activities and uses usually associated with medium density neighborhoods.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.9 Commercial (C)

The purpose of the commercial zone is to provide an appropriate area for intensive commercial and light manufacturing. Development standards must minimize potential negative visual impact and objectionable effects to adjacent zones.

NOTE: variables that determine if a proposed development should be included in the Manufacturing/Industrial Zone as opposed to the Commercial Zone include but are not limited to:

1. Number of employees
2. Square footage and height of building(s)
3. Square footage of hard space
4. Requirements for outside storage areas or service requirements
5. Potential negative environmental impact
6. Overall visual quality of the development

Adopted by Ord. 15-C on 3/17/2015

15.07.020.10 Commercial – Principal (C1)

This zone is unique to the area along the north border of Perry City, West of Highway 89 extending west to Interstate 15 and South from the border with Brigham City for approximately 2000 feet (as defined on the Zoning Map). The purpose of this zone is to provide space for development of business which focuses on retail and wholesale sales along with professional offices. The zone is considered prime business district and does not allow residential development or heavy commercial development such as processing plants, etc. Appropriate uses are defined in the Land Use Chart and will be approved through the Design Review process.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.11 Interstate Commercial (IC)

The purpose of the Interstate Commercial Zone is to permit all commercial uses as listed in the Development and/or Inter-local Agreements between Perry City and the developers of the Pointe Perry Development. This zone applies only to the area of the Pointe Perry Development.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.12 Neighborhood Commercial (NC2 and NC3)

The purpose of the neighborhood commercial zones is to permit the establishment of well designed retail commercial facilities along Highway 89 and minimize the effects of commercial development adjacent to residential uses (see Section 15.07.060 for specific zoning information and Chapter 15.29 for Conditional Use information).

Adopted by Ord. 15-C on 3/17/2015

15.07.020.13 Mixed Use Commercial, Office, and Residential (MU-C, MU-O, and MU-R)

The purpose of the mixed use zones is to provide an area for multi-family dwellings in combination with commercial uses such as offices or retail. Combining these uses will reduce traffic congestion by providing for an area adjacent to mass transit as well as making jobs available close to home.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.14 Manufacturing/Industrial (M/I)

The purpose of the Manufacturing/Industrial Zone is to provide an area conducive to heavy manufacturing and industry that is in harmony with the environmental quality of the community.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.15 Manufacturing/Industrial Limited (M/IL)

The purpose of the Manufacturing/Industrial Limited Zone is to provide an area conducive to specific manufacturing uses, heavy commercial uses and industry that is in harmony with the General Plan.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.16 Environmentally Sensitive (ES)

The purpose of the Environmentally Sensitive Zone is to promote environmental planning of areas which have severe physical limitations and have a complex ecological and environmental balance, including limiting development in sloped terrain (see "Sloped Terrain and Foothill Development," Chapter 15.09).

Adopted by Ord. 15-C on 3/17/2015

15.07.020.17 Caveat Regarding Zone Descriptions (And Development Standards)

Development standards must protect the Perry City water shed and water supply, limit erosion and storm water runoff, be compatible with existing wildlife winter range, accent the goals of the General Plan, not limit casual access to the foothills, and limit disruption of vegetation through a cut and fill process.

1. Grade is to be determined on individual lots and not averaged across the development.
2. Ratio of dwelling unit per existing grade:

Over 20% grade – no development

15 – 20% grade – 1 dwelling per 5 acres

10 – 15% grade – 1 dwelling per 2 acres

5 – 10% grade – 1 dwelling per 1 acre

0 – 5% grade – 1 dwelling per 1/2 acre

Adopted by Ord. 15-C on 3/17/2015

15.07.100.4 Additional Information (“Notes”) Regarding Land Use Chart

The following is additional information regarding the land use chart:

1. ~~(Blank) For any lot in the RE ½ Zone or for 40,000 square feet or larger lots in the R1/2, R1/3, R1A, R1 or R2 zones, domesticated animals shall be permitted, by Conditional Use Permit, with an annual review, or as needed.~~
 - ~~a. One (1) large animal or nine (9) small animals/fowl per 20,000 square feet of property may be kept. Portions of less than 20,000 square feet, will not be considered acceptable.~~
 - ~~b. Large animals are considered: Horses, Cattle, Sheep, goats, llamas, or pigs. Large animals must have a corral or fence. They may not be fenced in the front yard.~~
 - ~~c. Small animals/fowl are considered: Chickens, ducks, geese, pigeons, peacocks, rabbits and other small fur bearing animals.~~
 - ~~d.a. Special conditions that will be considered to allow more small animals would include but not be limited to: housing or shelters available (coops, barns, pens, etc.) fencing, control of animals/fowl, complaints, and/or written consent of neighbors. A request for more than nine (9) small animals/fowl will be allowed only by Planning Commission approval of a Conditional Use Permit with a yearly review.~~
2. Sale of firearms and alcohol shall not be permitted within 1000 feet of any school or place of worship. A hotel or motel may have an “on premises” consumption of alcohol use that does not require more than seven percent (7%) of the floor space of the hotel or motel. Restaurants with “on premises” consumption of alcohol use are also permitted by conditional use in certain zones, as per the land use chart. Other than for a hotel/motel or a restaurant, as designated on the Land Use Chart, “on premises” consumption of alcohol is not available for any other business in any zone. No “on premises” alcohol business shall be permitted until a specific “on premises” alcohol business license ordinance has been adopted.
3. Minimum of fifty units or more. Storage Units shall not be defined as allowing “junk”, surplus or other various accumulations of items, supplies or materials. Only supplies directly related to daily business of a construction yard may be stored at the site. All other items, supplies and materials must be stored within designated storage units.
4. In the NC2 and NC3 zones, only Single Family Dwellings existing as of December 11, 2008 will be permitted for Boarding, Bed and Breakfast as a Conditional Use. In the MU-C, MU-O, MU-R zones, this type of use will be permitted by Design Review.
5. For the CI Commercial Zone and the Mixed Use Zones, Professional Office Space may only occupy a maximum of 25 percent of the total floor space of any development.

Proposed

15.05.070 Perry City Land Use Charts

- [15.05.070.1 Agricultural Uses](#)
- [15.05.070.2 Residential Uses](#)
- [15.05.070.3 Municipal Uses](#)
- [15.05.070.4 Recreational Uses](#)
- [15.05.070.5 Educational And Religious Uses](#)
- [15.05.070.6 Medical Uses](#)
- [15.05.070.7 Commercial Uses](#)
- [15.05.070.8 Special Commercial Uses](#)
- [15.05.070.9 Light Commercial Uses](#)
- [15.05.070.10 Manufacturing- Industrial Uses](#)

15.05.070.1 Agricultural Uses

Agricultural Uses	A	AL	R 1 A	RE 1/2	R 1/2	R 1/3	R1	R2	ES	C	C1	NC2	NC3	MU-C	MU-O	MU-R	M/I L	M/I
Accessory Uses and Buildings	P	P	P*	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Agricultural Experiment Station	P*	P*	~	~	~	~	~	~	~	P*	~	~	~	~	~	~	P*	P*
Animal Hospital	P*	~	~	~	~	~	~	~	~	P*	~	C	C	~	~	~	~	P*
Animal Kennel/ Cattery Breeding Establishments	P*	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Animal Training Schools	P*	P*	~	~	~	~	~	~	~	~	~	~	P*	~	~	~	~	~
Apiaries	P	P	~	~	~	~	~	~	P*	~	~	~	~	~	~	~	~	~
Aviaries	P	P	P*	P*	~	~	~	~	P*	~	~	~	~	~	~	~	~	~
Dairy or Creamery	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Domesticated Animals, Family Food-Production/Pleasure <i>(See Note 1)*</i>	P	P	P	P C	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Egg Candling and Sales	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Fertilizer and Soil Condition Manufacturing and Sales	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~	~
Field Crops, Row Crops, Orchards, Hay Chopping	P	P	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	P	P*
Grazing	P	P	P*	~	~	~	~	~	~	~	~	~	~	~	~	~	P*	P*
Fruit and Vegetable-Wholesale	P	P	~	~	~	~	~	~	~	P*	~	P	P	~	~	~	~	~
	P	P	~	~	~	~	~	~	~	P*	P*	P	P	P*	~	~	~	~

15.07.020 Zone Descriptions

15.07.020.1 Agricultural

15.07.020.2 Agricultural Limited

15.07.020.3 Rural Residential

15.07.020.4 Rural Residential 1/2 Acre

15.07.020.5 Low Density Residential 1/2 Acre (20,000 Sf)

15.07.020.6 Low Density Residential 1/3 Acre

15.07.020.7 Low Density Residential 1/4 Acre (10,000 Sf)

15.07.020.8 Medium Density Residential (8,000 Sf)

15.07.020.9 Commercial (C)

15.07.020.10 Commercial (C1)

15.07.020.11 Interstate Commercial

15.07.020.12 Nc2 And Nc3 -Neighborhood Commercial

15.07.020.13 Mu-C Mu-O Mu-R Mixed Use Commercial, Office, And Residential

15.07.020.14 M/I- Manufacturing/Industrial Limited

15.07.020.15 M/I L- Manufacturing/Industrial Limited

15.07.020.16 Environmentally Sensitive

15.07.020.17 Caveat Regarding Zone Descriptions (And Development Standards)

15.07.020.1 Agricultural

The purpose of the Agricultural Zone is to promote and preserve conditions favorable to intensive agriculture. This zone is intended to include activities normally and customarily related to the production of livestock, crops, and related agricultural products and to protect the zone from the intrusion of uses detrimental to the continuation of intensive agricultural activities.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.2 Agricultural Limited

The purpose of the limited agricultural zone is to promote and preserve in appropriate areas conditions favorable to light agriculture. This zone is intended to include activities normally and customarily related to the conduct of agriculture and to protect the zone from intrusions of uses, which will have an adverse effect on the continuation of light agricultural activities.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.3 Rural Residential

The purpose of the rural residential zone is to provide for and protect residential development in a semi-rural environment. The keeping of limited numbers of livestock and the raising of crops can be considered normal activities in the rural residential zone.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.4 Rural Residential 1/2 Acre

The purpose of the rural residential zone is to provide for residential development in a semi-rural environment. The keeping of one large animal per half acre, limited numbers of small animals/fowl and the raising of crops can be considered normal activities in this rural residential zone. The following clarifications apply to a RE zone:

1. One (1) large animal will be allowed per 20,000 sq of property on a parcel. (Example: Two large animals are allowed on 50,000 sq. of property. Additional animals are not allowed on portions of property less than 20,000 sq.) Large Animals are considered: Horses, cattle, sheep, goats, pigs, etc. Large animals must be contained in a corral or stock fence. If there is no main building, corrals or stock fences must have a thirty (30) foot minimum front setback, sixteen (16) foot minimum rear setback and eight (8) foot minimum side setbacks on a lot or parcel. If there is a main building, corrals or stock fences shall be sixteen (16) feet from the building and other setbacks will apply.
2. Nine (9) small animals/fowl will be allowed per 20,000 sq. of property on a parcel. (Example: Eighteen (18) small animals/fowl are allowed on 50,000 sq. of property.) Under special conditions, additional small animals/fowl may be allowed with the approval of a conditional use permit (reviewed on a yearly basis) and following the process for its issuance. Small animals/fowl are considered: Chickens, turkeys, ducks, geese, pigeons, peacocks, rabbits, mink, ferrets, or other small domesticated fur bearing animals.
3. Special Conditions that will be considered to allow more small animals/fowl would include but not be limited to: available housing or shelters (coops, pens, barns, etc.), fencing, control of animals/fowl, consent of neighbors and lack of complaints.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.5 Low Density Residential 1/2 Acre (20,000 Sf)

The purpose of the low density residential zone is to provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. The regulations are intended to prohibit those uses which would be intrusive to activities and uses usually associated with single-family neighborhoods.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.6 Low Density Residential 1/3 Acre

The purpose of the low density residential zone is to provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. The regulations are intended to prohibit those uses which would be intrusive to activities and uses usually associated with single-family neighborhoods.

NOTE: This zone allows a septic tank on a minimum 1/3 acre lot in the south annexed

area of the city until such time as sewer collection lines are installed within 300 feet of a lot line, then the owner of said lot has one year to connect to the sewer collection lines.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.7 Low Density Residential 1/4 Acre (10,000 Sf)

The purpose of the R-1 Zone, low density residential, is to provide appropriate locations where low density housing neighborhoods may be established, maintained and protected. The regulations are intended to prohibit those uses which would be intrusive to activities and uses usually associated with single-family neighborhoods.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.8 Medium Density Residential (8,000 Sf)

The purpose of the medium density residential zone is to provide appropriate locations where medium density residential neighborhoods may be established, maintained and protected. The regulations are intended to prohibit uses that would be intrusive to activities and uses usually associated with medium density neighborhoods.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.9 Commercial (C)

The purpose of the commercial zone is to provide an appropriate area for intensive commercial and light manufacturing. Development standards must minimize potential negative visual impact and objectionable effects to adjacent zones.

NOTE: Variables that determine if a proposed development should be included in the Manufacturing/Industrial Zone as opposed to the Commercial Zone include but are not limited to:

1. Number of employees
2. Square footage and height of building(s)
3. Square footage of hard space
4. Requirements for outside storage areas or service requirements
5. Potential negative environmental impact
6. Overall visual quality of the development

Adopted by Ord. 15-C on 3/17/2015

15.07.020.10 Commercial (C1)

This zone is unique to the area along the north border of Perry City, West of Highway 89 extending west to Interstate 15 and South from the border with Brigham City for approximately 2000 feet (as defined on the Zoning Map). The purpose of this zone is to provide space for development of business which focuses on retail and wholesale sales

along with professional offices. The zone is considered prime business district and does not allow residential development or heavy commercial development such as processing plants, etc. Appropriate uses are defined in the Land Use Chart and will be approved through the Design Review process.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.11 Interstate Commercial

The purpose of the Interstate Commercial Zone is to permit all commercial uses as listed in the Development and/or Inter-local Agreements between Perry City and the developers of the Pointe Perry Development. This zone applies only to the area of the Pointe Perry Development.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.12 Nc2 And Nc3 -Neighborhood Commercial

The purpose of the neighborhood commercial zones is to permit the establishment of well designed retail commercial facilities along Highway 89 and minimize the effects of commercial development adjacent to residential uses (see Section 15.07.060 for specific zoning information and Chapter 15.29 for Conditional Use information).

Adopted by Ord. 15-C on 3/17/2015

15.07.020.13 Mu-C Mu-O Mu-R Mixed Use Commercial, Office, And Residential

The purpose of the mixed use zones is to provide an area for multi-family dwellings in combination with commercial uses such as offices or retail. Combining these uses will reduce traffic congestion by providing for an area adjacent to mass transit as well as making jobs available close to home.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.14 M/I- Manufacturing/Industrial Limited

The purpose of the Manufacturing/Industrial Zone is to provide an area conducive to heavy manufacturing and industry that is in harmony with the environmental quality of the community.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.15 M/I L- Manufacturing/Industrial Limited

The purpose of the Manufacturing/Industrial Limited Zone is to provide an area conducive to specific manufacturing uses, heavy commercial uses and industry that is in harmony with the General Plan.

Adopted by Ord. 15-C on 3/17/2015

15.07.020.16 Environmentally Sensitive

The purpose of the Environmentally Sensitive Zone is to promote environmental planning of areas which have severe physical limitations and have a complex ecological and environmental balance, including limiting development in sloped terrain (see "Sloped Terrain and Foothill Development," Chapter 15.09).

Adopted by Ord. 15-C on 3/17/2015

15.07.020.17 Caveat Regarding Zone Descriptions (And Development Standards)

Development standards must protect the Perry City water shed and water supply, limit erosion and storm water runoff, be compatible with existing wildlife winter range, accent the goals of the General Plan, not limit casual access to the foothills, and limit disruption of vegetation through a cut and fill process.

1. Grade is to be determined on individual lots and not averaged across the development.
2. Ratio of dwelling unit per existing grade:

Over 20% grade - no development
15 - 20% grade - 1 dwelling per 5 acres
10 - 15% grade - 1 dwelling per 2 acres
5 - 10% grade - 1 dwelling per 1 acre
0 - 5% grade - 1 dwelling per 1/2 acre

Adopted by Ord. 15-C on 3/17/2015

CONTRACT AGREEMENT

This contract made and entered into the _____ day of **April** in the year **2016** between **PERRY CITY CORPORATION**, hereinafter called the OWNER and **WILK-N-SON CONSTRUCTION, INC.**, hereinafter called the CONTRACTOR.

Part I--Statement of Work

CONTRACTOR shall furnish all materials, equipment and personnel necessary to construct the **EVANS CANYON STORM DRAIN AND DETENTION BASIN PROJECT** ("WORK"). The WORK shall be accomplished in accordance with the Plans, Technical Specifications, General Conditions and Special Conditions ("SPECIFICATIONS") prepared by JONES AND ASSOCIATES, Consulting Engineers ("ENGINEER").

SPECIFICATIONS are incorporated herein by reference.

Part II--Period of Performance

The CONTRACTOR shall complete all work under this contract on or before **June 30, 2016**.

Contractor and Owner recognize that time is of the essence and that Owner will suffer financial loss if the Work is not completed within the time specified above, plus any approved extensions as outlined in the General Conditions. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty), Contractor shall pay Owner **\$ 1,000.00 per day for each day that expires after the completion time** specified in this agreement until the Work is substantially complete. After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Time or any proper extension thereof granted by Owner, Contractor shall pay Owner **\$ 1,000.00 for each day that expires after the contract completion time** for completion and readiness for final payment until the Work is completed and ready for final payment.

Part III- Consideration

For and in consideration of the performance of this contract, the CONTRACTOR shall be paid: **\$154,337.89 (Unit price contract-- Contract Price to be adjusted based on actual quantity of the work)**

Part IV--Special Provisions

- A. Wage Rate--N/A.
- B. Terms and Conditions
- (1) All provisions of the General Conditions of the Contract, **EJCDC Document C-700** shall be applicable to this contract except as may be modified by the joint written consent of owner and contractor.
 - (2) CONTRACTOR shall deliver to the OWNER required Bonds and Certificates of Insurance naming the OWNER, **PERRY CITY CORPORATION, and it's elected and appointed officials, employees, volunteers, agents, and others working on behalf of the OWNER** as additional insured.
 - (3) Indemnification: CONTRACTOR at it's own expense, agrees to protect, indemnify, pay on behalf of, defend and hold harmless the OWNER, it's elected and appointed officials, employees and volunteers and their agents from all claims, demands, judgments, expenses, and all other damages of every kind and nature, made, rendered, or incurred by or in behalf of any person or persons whomsoever, including the parties hereto and their employees, which may arise out of any act or failure to act, work or other activity related in any way to this project under this contract, by the CONTRACTOR, contractor's agents, employees, subcontractors, or suppliers in the performance and execution of this contract as outlined in Section 6.2 of the General Conditions.
 - (4) Utah Code Annotated Section 63G-12-302(3) states: "Beginning July 1, 2009, a public employer may not enter into a contract for the physical performance of services within the state with a contractor unless the contractor registers and participates in the Status Verification System to verify the work eligibility status of the contractor's new employees that are employed in the State."

Owner:
PERRY CITY CORPORATION
3005 S 1200 W
Perry, UT 84302

Contractor:
WILK-N-SON CONSTRUCTION, INC.
2995 South Scott Lane
West Haven, UT 84401

Signature _____

Signature _____

Title _____

Title _____

Attest _____



CONSULTING ENGINEERS

NOTICE OF AWARD

TO: **WILK-N-SON CONSTRUCTION, INC**
2995 South Scott Lane
West Haven, UT 84401

PROJECT DESCRIPTION: **PERRY CITY EVANS CANYON STORM DRAIN AND DETENTION
BASIN PROJECT**

The owner has considered the bid submitted by you for the above-described work in response to its Notice Inviting Bids dated **April 19, 2016** and information for Bidders.

You are hereby notified that your bid has been accepted for construction of the work in the amount of:
\$154,337.89.

You are required under the terms of the Notice Inviting Bids and the Information for Bidders to execute the Contract Agreement, furnish the required bonds and certificates of insurance, and provide documentation of participation in the Federal and State Status Verification System within 10 calendar days from the date of this Notice to you. If you fail to execute said Agreement and furnish bonds and certificates of insurance within 10 days from the date of this Notice, said Owner will be entitled to consider all your rights arising out of the Owner's acceptance to your bid to be abandoned and as a forfeiture of your Bid Bond. The Owner will be entitled to such rights as may be granted by law.

You are required to return an acknowledged copy of this Notice of Award to the Owner.

Dated this _____ day of **April, 2016.**

BY: _____

TITLE: _____

ACCEPTANCE OF NOTICE

Receipt of the foregoing Notice of Award is hereby acknowledged

BY: Wilk-N-Son Construction, Inc.

This _____ day of **April, 2016.**

BY: _____

TITLE: _____

1 PERRY CITY COUNCIL MEETING
2 PERRY CITY OFFICES
3 March 24, 2016
4

6:59 PM

5 OFFICIALS PRESENT: Mayor Karen Cronin presided and conducted the meeting. Nathan
6 Tueller, Toby Wright, James Taylor, Brady Lewis, Esther
7 Montgomery

8
9 CITY STAFF PRESENT: Greg Westfall, City Administrator
10 Shanna Johnson, Chief Deputy Recorder

11
12 OTHERS PRESENT: Tate Elegante, Stephen Bailey, Darren Whitaker, Ethan Gee, Austin Bunnell,
13 Jameson Bunnell, Jaron Elegante, Shara Holt, Shawn Godfrey, Keaton Godfrey, Ryan Tingey,
14 Christian Watkins

15 **ITEM 1: CALL TO ORDER**

16 Mayor Cronin called the regular City Council meeting to order.

17 **A. INVOCATION**

18 Council Member Montgomery offered the invocation.

19 **B. PLEDGE OF ALLEGIANCE**

20 Council Member Tueller led the audience in the Pledge of Allegiance.

21 **C. REVIEW AND ADOPT THE AGENDA**

22
23 **MOTION:** Council Member Wright made a motion to amend and accept the agenda moving Item 5F
24 to a discussion item rather than an action item. Council Member Taylor seconded the motion.

25 **ROLL CALL:** Council Member Taylor, Yes Council Member Tueller, Yes
26 Council Member Wright, Yes Council Member Montgomery, Yes
27 Council Member Lewis, Yes
28 **Motion Approved.** 5 Yes, 0 No.

29
30 **ITEM 2: PROCEDURAL ISSUES**

31 **A. CONFLICT OF INTEREST DECLARATION**

32 None.

33
34 **B. PASS OUT WARRANTS TO COUNCIL MEMBERS (AND POSSIBLE DISCUSSION)**

35 Shanna Johnson passed out the warrants.

36
37 Council Member Taylor asked what the payment for clarifloc is. Mayor Cronin said this is a
38 chemical used at the wastewater treatment plant. Shanna said this is for phosphorous treatment
39 and a portion of this will be covered by the phosphorous removal grant.

40
41 **C. APPOINTMENTS**

42 Mayor Cronin presented the appointment of Earl Pannebaker to serve on the Special Uses and
43 Appeals Board. She said that this board has special requirement for who can serve on the board,
44 one of which requires that you have 4 years of planning commission experience. Mayor Cronin said
45 Mr. Pannebaker has this experience. She said that the board meets at least once a year and they are
46 looking at having their meeting next month, so we are working to get a full board assembled.

1
2 **MOTION:** Council Member Taylor made a motion to approve the Appointment of Earl Pannebaker
3 to serve on the Special Uses and Appeals Board. Council Member Tueller seconded the motion.

4 **ROLL CALL:** Council Member Taylor, Yes Council Member Tueller, Yes
5 Council Member Wright, Yes Council Member Montgomery, Yes
6 Council Member Lewis, Yes

7 **Motion Approved.** 5 Yes, 0 No.
8

9 **D. BUSINESS LICENSE(S)**

- 10 • None
11

12 **ITEM 3: PRESENTATIONS**

13 **A. CITY HIGHLIGHTS**

14 Mayor Cronin reported that Utopia connections have started and based on the report received from
15 Utopia today there has been a 10% take rate in the 9 days that the services have been available. She
16 said that this is the highest take rate in that short of time of any City at start up. She advised that is
17 only the completed applications, they have other applications in progress.
18

19 Mayor Cronin reported that we have received a sizeable grant from the Friends of the NRA. She
20 said that we should be hearing whether or not grant funds were awarded from the tourism board in
21 the next couple of weeks.
22

23 Mayor Cronin said that she and Greg attended the Transportation Action Program Committee
24 meeting yesterday. During this meeting they make recommendations for transportation projects
25 based on project submittals received all the way from North Salt Lake to Brigham City. Mayor
26 Cronin said that they are only able to fund a small portion of the project submittals. She reported
27 that Perry City submitted 2 projects applications.

28 Greg Westfall stated that one project was to widen and add a bike trail along the North end of 1200
29 West heading toward Wal-Mart. He advised the project cost was estimated at approximately
30 \$500,000. He said originally our project was not considered but after they approved several
31 projects there was just enough money left to fund our project and they did recommend this to move
32 forward to the next level for board approval.

33 He said that second project is the 1200 West road and trail heading south to Willard. He said this
34 project is estimated to cost \$2.1M. This project was initially recommended for approval by the staff,
35 but after some jockeying there was a motion to remove the project, which after further discussion
36 failed. He reported that there was a subsequent motion to approve the project and this passed. He
37 reported that this equates to \$2.6M between the two projects and explained that the projects will
38 need to go to one more board for approval, which Mayor Cronin sits on as a voting member. He
39 said that the City is hopeful that these projects will be approved.

40 Council Member Taylor asked about the timeframe for the funding. Greg answered that this is
41 scheduled to be funded in 5 years but if funding becomes available it could be awarded within the
42 next 18 months so the City will want to get prepared.

43 Mayor Cronin thanked City Engineer, Brett Jones, and his team at Jones and Associates for their help
44 in getting the project information ready and in the meeting.
45

46 Mayor Cronin announced that the National Honor Society and the FBLA from Box Elder High School
47 are currently stuffing over 2000 eggs for our annual Easter Egg Hunt.
48
49
50

51 **ITEM 4: PUBLIC HEARINGS AND PUBLIC COMMENTS**

1 **A. PUBLIC HEARING REGARDING ORDINANCE 16-A STORM DRAIN CAPITAL FACILITIES**
2 **PLAN AMENDMENT**

3 Brett Jones reviewed the proposed amendment to the Storm Drain Capital Facilities Plan advising
4 that they plan to add a regional detention basin project in the Evans Canyon area that will
5 consolidate several smaller detention basins into one large basin. He said that in order to use
6 impact fees for the project we need to amend and add the project to the capital facilities plan.
7

8 **MOTION:** Council Member Montgomery made a motion to open the public hearing for Ordinance
9 16-A. Council Member Wright Seconded the motion.

10 **ROLL CALL:** Council Member Taylor, Yes Council Member Tueller, Yes
11 Council Member Wright, Yes Council Member Montgomery, Yes
12 Council Member Lewis, Yes

13 **Motion Approved.** 5 Yes, 0 No.
14

15 No comments were made.
16

17 **B. PUBLIC HEARING REGARDING RESOLUTION 16-03 FISCAL YEAR 2015-2016 BUDGET**
18 **AMENDMENT**

19
20 **MOTION:** Council Member Lewis made a motion to close the public hearing for Ordinance 16-A
21 and open a public hearing for Resolution 16-03 Budget Amendment. Council Member Montgomery
22 Seconded the motion.

23 **ROLL CALL:** Council Member Taylor, Yes Council Member Tueller, Yes
24 Council Member Wright, Yes Council Member Montgomery, Yes
25 Council Member Lewis, Yes

26 **Motion Approved.** 5 Yes, 0 No.
27

28 Shanna Johnson reviewed the proposed amendment stating that each year around this time the
29 Three Mile Creek Shooting Sports Complex evaluates revenues received and so far their collected
30 revenues are \$4,388 better than planned and we would like to add these funds to their budget and
31 make them available for spending. Shanna reviewed the below proposed changes to budget:
32

Budget Changes - Gun Range				
GL Account		Change		Details
		Increase	Decrease	
4111	Staff Hours	\$202.00		Due to staff need, based on payroll projections
4113	Benefits		\$2,030.00	
4224	Office Supplies	\$935.00		Based on Trend
4225	Equipment/ Supplies		\$150.00	Based on Trend
4226	Bldg. Grounds & Maint.	\$500.00		Tourism Grant funds being used for a storage shed, proposed increase based on projected cost.
4229	Range Mtgs. & Promotions	\$2,500.00		Money to be used for NRA Matches and for a brochure for the 2016 season.
4337	Prof & Technical	\$9,300.00		Proposed increase to allow for a Master Plan (\$8,000), State negotiation (\$1000), and Trend.
Total		\$13,437.00	\$2,180.00	
Change		\$11,257.00		

1 Shanna explained that the \$4,388 in additional revenue will help to fund these budget changes and
2 it is proposed that the City bring in fund balance to cover the remainder. Shanna advised that this
3 fund balance would have been generated from funds not used the previous year. She explained that
4 in Fiscal Year 2015 the Three Mile Creek Shooting Sports Complex budget ended \$5,998 better than
5 plan and they collected \$2,582.61 more than we had anticipated in revenues.

6 Council Member Lewis asked how much in fund balance would be needed. Shanna advised \$6,896.
7 Council Member Taylor asked how much of the budget is made up of grant funds. Shanna said there
8 is \$8,250 in tourism grant funds already included in the budget.

9
10 Mayor Cronin opened it up to the public for comment.

11
12 No comments were made.

13
14 **MOTION:** Council Member Taylor made a motion to close the public hearing for Resolution 16-03.
15 Council Member Lewis seconded the motion.

16 **ROLL CALL:** Council Member Taylor, Yes Council Member Tueller, Yes
17 Council Member Wright, Yes Council Member Montgomery, Yes
18 Council Member Lewis, Yes

19 **Motion Approved.** 5 Yes, 0 No.
20

21 C. PUBLIC COMMENTS

22 **Steven Bailey:** said he is representing his son Kurt Bailey. He stated that Kurt sent a letter via
23 email to the Council on Monday and he wanted to confirm that it was received. Mayor Cronin said
24 the Mayor and Council do not engage during the public comments. Mr. Bailey read from the letter
25 which thanked the Council for not reappointing the former Chief of Police. The letter from Kurt
26 Bailey also noted concerns regarding the previous Chief and the appointment of the current Interim
27 Police Chief.

28 Steven Bailey said that Kurt Bailey recommends that the City do their due diligence in the hiring of
29 a Police Chief for the Police Department and that Perry City obeys all laws including GRAMA laws.
30 He said that the Police Chief should not be interested in having his officers be a main source of
31 revenue such as the Mantua Police Department. He said that the citizens and visitors should not be
32 unprotected and they should not receive citations unnecessarily. He said it important that Perry
33 City have open, honest and experienced Police Chief.

34
35 **Ryan Tingey:** said he appreciates all that the elected officials do and he hopes that the new
36 members are enjoying their new spots on the Council. He encouraged them to keep up the good
37 work.

38
39 Mayor Cronin recognized the scouts in the audience with Perry City pins.
40

41 ITEM 5: ACTION ITEMS

42 A. APPROVAL OF THE WARRANTS

43 Council Member Tueller asked about the warrant for payable to Utah Local Government Trust.
44 Shanna explained that this is our auto premium. Shanna Johnson advised that there is a warrant
45 pre-approval for a new 2016 Ford F150 truck for the Wastewater Treatment Plant and for a pre-
46 approval for a warrant payable to Fifth West Rental and Repair for some equipment (lawn mowers
47 and decks) for the Parks and Streets departments. Mayor Cronin said that mower and decks were
48 budgeted. Council Member Talyor asked when the purchase will show up on warrants. Shanna
49 advised next month. Council Member Taylor asked if the deck is part of the lawn mower. Greg
50 Westfall explained this is a mower deck that goes behind the tractor to mow along the sides of the
51 roads. Council Member Taylor asked if the City purchases these new every year. Mayor Cronin
52 answered that these are purchased about every 2 years.

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MOTION: Council Member Taylor made a motion to approve the warrants as presented. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Taylor, Yes Council Member Tueller, Yes
Council Member Wright, Yes Council Member Montgomery, Yes
Council Member Lewis, Yes

Motion Approved. 5 Yes, 0 No.

B. ORDINANCE 16-A STORM DRAIN CAPITAL FACILITIES PLAN AMENDMENT

Mayor Cronin explained that when we originally created the capital facilities plan for Storm Drain we were not aware of the possibility of this project. She said this came forth during the year (based on a new subdivision being developed) and we would like to amend the capital facilities plan to include the project. Mayor Cronin said although we did not know about this project a year ago, it is being recommended by the City Engineer and Public Works staff as a project that should be completed. She said this Ordinance amends our Capital Facilities plan to include the project.

MOTION: Council Member Montgomery made a motion to approve Ordinance 16-A Amending the Storm Drain Capital Facilities Plan. Council Member Wright seconded the motion.

DISCUSSION: Council Member Taylor asked what percentage of the project can be funded by impact fees. Mayor Cronin answered 100%.

ROLL CALL: Council Member Taylor, Yes Council Member Tueller, Yes
Council Member Wright, Yes Council Member Montgomery, Yes
Council Member Lewis, Yes

Motion Approved. 5 Yes, 0 No.

C. RESOLUTION 16-03 FISCAL YEAR 2015-2016 BUDGET AMENDMENT

Mayor Cronin explained that Resolution 16-03 will amend the current year’s budget bringing in the additional revenues from this year as well as some of the funds not utilized by the Three Mile Creek Shooting Sports complex last year to spend on projects at the shooting sports complex this budget year.

MOTION: Council Member Montgomery made a motion to approve Resolution 16-03 Amending the Fiscal Year 2015-2016 Budget. Council Member Tueller seconded the motion.

ROLL CALL: Council Member Taylor, Yes Council Member Tueller, Yes
Council Member Wright, Yes Council Member Montgomery, Yes
Council Member Lewis, Yes

Motion Approved. 5 Yes, 0 No.

D. APPROVAL OF A REGIONAL DETENTION BASIN PROJECT TO BE PAID FOR WITH IMPACT FEES

Mayor Cronin advised that this item is to approve the project that was just added to the Storm Drain Capital Facilities plan and funds to be allocated for the project. She said this project is impact fee eligible. Council Member Tueller asked if this is the regional basin that will be located along the highway. Brett Jones confirmed that this would be the regional basin located at 1850 South Highway 89. He explained that this would replace the small detention basins along 1850 South from the Highway to 100 West, which are undersized and have the potential for flooding. Council Member Tueller asked if the lots adjacent to the new regional basins are residential lots. Brett said yes, they are owned by the property owner who is deeding the land to the City for the regional basin project. Council Member Taylor asked what happens with the current detention ponds. Brett stated that these would be abandoned and this detention basin (currently located in the Ansley Subdivision) is owned by the City and will become a saleable lot. The other basins are privately owned and will be turned over to the owners for their use. Brett said the other benefit to the project is that the storm line coming from Evans Canyon is really meant for flood flow coming from

1 mountains, but residents have been connecting into it. He said this project will free this line back
2 up, with a new line which is a lot better for the system. He said that is why we are able to use
3 impact fees because it is for the new development. Council Member Wright asked if there is a fence
4 that will be installed around the basin. Brett said we are currently not planning to fence this. He
5 said the current depth is probably a safe depth. He said another problem is that the fence would
6 have to be in close proximity to the basin and it could be more of hazard if a kid got over the fence,
7 got in the pond and could not get back out. Council Member Lewis asked if there is an amount
8 associated with the approval of the project. Mayor Cronin said no. Shanna Johnson explained that
9 this will go out for competitive bid and the amount will be disclosed after the close of the bidding
10 process the bid will come back to the City Council for approval.

11
12 **MOTION:** Council Member Lewis made a motion to approve the Regional Detention Basin Project
13 to be paid for with impact fees. Council Member Wright seconded the motion.

14 **ROLL CALL:** Council Member Taylor, Yes Council Member Tueller, Yes
15 Council Member Wright, Yes Council Member Montgomery, Yes
16 Council Member Lewis, Yes
17 **Motion Approved.** 5 Yes, 0 No.

18
19 **E. MATT HANSEN LOT LINE ADJUSTMENT**
20 Greg Westfall advised that this lot line adjustment has been before the Planning Commission and it
21 has been recommended for approval. He explained that two lots currently owned by Matt Hansen
22 (Lot 13 and Lot 15) will be combined to make one large lot and will become Lot 31. He said he
23 spent about an hour with Matt Hansen talking with him about the pros and cons of combining the
24 lots i.e. property tax values, the process to change them back to 2 lots, etc. Greg said he is pretty
25 well informed of the details associated with the lot line adjustment and would like to move forward
26 with the process. Greg said the Planning Commission unanimously recommended this request be
27 approved. Council Member Taylor asked for a quick rundown of the pros and cons. Greg said that
28 it helps the property owner with property taxes and if they ever want to refinance. He said that the
29 con is that if they ever want to separate the lots again it is a more difficult process than combining.
30 Council Member Taylor asked if there are any City issues. Greg said no.

31
32 **MOTION:** Council Member Lewis made a motion to approve Item 5E Matt Hansen Lot Line
33 Adjustment. Council Member Taylor seconded the motion.

34 **ROLL CALL:** Council Member Taylor, Yes Council Member Tueller, Yes
35 Council Member Wright, Yes Council Member Montgomery, Yes
36 Council Member Lewis, Yes
37 **Motion Approved.** 5 Yes, 0 No.

38
39 ❖ **DISCUSSION ITEMS:**

40 **F. PERRY-WILLARD WASTEWATER TREATMENT AMENDMENTS**

41 Mayor Cronin said as noted before Council Members Tueller and Wright have been working with
42 two of Willard City’s Council Members and the attorneys to draft some language to clarify and
43 amend the current inter-local agreement. Mayor Cronin stated her understanding that the changes
44 have been discussed and drafted but is not yet in final form. Council Member Tueller agreed
45 explaining that the final draft is not quite ready, there are a few corrections needed but this will be
46 coming forth and should be on its way to them tonight. Greg Westfall said the good thing is that the
47 Mayor and Council should get this with plenty of time to review before action at the next meeting.
48 Council Member Tueller said that they did not want to try to push this through tonight without time
49 for review by the elected officials. He said that Willard is going through the same process and this
50 will also allow them time for review. Mayor Cronin said one other thing that the City will do by next
51 meeting, is that we will put the document in Resolution form. Council Member Tueller said it has

1 been a good process and has been good working with Willard on the changes. Council Member
2 Wright said he hopes we can move forward and not sideways. Mayor Cronin expressed
3 appreciation for the work and time that has been put in by Council Members Tueller and Wright
4 and the Willard City Council Members. She said we look forward to the next meeting and being able
5 to get this back on as an action item.

6 **ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS**

7
8 **A. APPROVAL OF CONSENT ITEMS**

9 • **February 25, 2016 City Council Meeting Minutes:**

10 Council Member Montgomery noted that she sent some minor grammatical changes to
11 Shanna Johnson.

12
13 **MOTION:** Council Member Montgomery made a motion to approve the February 25, 2016 City
14 Council Meeting Minutes with the minor grammatical corrections. Council Member Tueller
15 seconded the motion.

16 **ROLL CALL:** Council Member Taylor, Yes Council Member Tueller, Yes
17 Council Member Wright, Yes Council Member Montgomery, Yes
18 Council Member Lewis, No

19 **Motion Approved.** 4 Yes, 1 No.

20
21 **B. MAYOR'S REPORT:** Mayor Cronin advised that the Annual Easter Egg Hunt will take place on
22 Saturday, March 26th. She said that the volunteers will be at Perry Park at 8:00am to keep
23 guard as the Easter Bunny hides the eggs and the hunt will start right at 9:00am. She warned
24 that if you come at 9:02am you will have missed it. The Mayor informed the Council that the
25 Utah League of Cities and Towns conference is on April 7-8 and if they are interested in
26 attending they need to let her know quickly so that they can be registered. She stated that
27 there is a Range Safety Officer training coming up and said to let her know if anyone wants to
28 participate. Council Member Tueller asked if the Grant Award amount from the Friends of the
29 NRA can be released. Mayor Cronin explained that they just received this grant and they have
30 not yet read through the award completely so she is not sure yet of the full award amount. She
31 said they applied for \$21,000.

32
33 **C. COUNCIL REPORTS:** Council Member Wright recognized the quick work by Greg Braegger in
34 getting a stop sign that had fallen repaired and back up. He expressed his appreciation for the
35 Public Works efforts in keeping the City safe.

36
37 **D. STAFF COMMENTS:**

38 Shanna Johnson said she will be reviewing budget projections for Fiscal Year 2016-2017. She
39 said that this is a working document and the numbers are subject to change.

40
41 Shanna Johnson provided a budget update for Fiscal Year 2016 through February.
42 She reported that we have received 77% of planned revenues in the General Fund, 67% through
43 the fiscal year. Perry City has collected 57% of the utilities funds due and after the planned
44 transfer from fund balance; it will show that the City is right on target. The Sewer revenue is
45 55% collected and once reimbursements are collected from Willard City and the State
46 Phosphorous grant, and we make the transfer of Municipal Energy Tax from the General fund the
47 Sewer fund will be fine. Shanna reported that the utilities non-operations funds are reflective of
48 impact and connection fees and we are currently showing 91% of planned revenues have been
49 collected. She said that this shows we have higher than anticipated building permits.

1 She reported that the City has only spent 56% of the General Fund 67% through the year. The
2 trending shows us spending \$1.9M by the end of the fiscal year and we budgeted a little over
3 \$2M. She stated if we were to look at revenue trends for the General fund, we are projected to
4 receive \$2.4M which includes our fund balance, so currently the fund balance that will be carried
5 forward into Fiscal Year 2017 is projected to be at 20%. Utility fund spent 46.2% of its budget.
6 The Sewer Fund has spent 45.7% which is low, but will increase once our Wastewater Treatment
7 Facility bond payment is made. Shanna stated she has looked at trends for the Sewer Fund and it
8 appears that we will end the year within budget. Shanna noted that expenses are currently low
9 but we are heading into the summer months and as infrastructure projects are completed these
10 percentages will increase. She reported that the sales tax received for the month of February was
11 5.4% better than that collected in February 2015 and year to date sales tax revenues are 4%
12 higher than the prior year.

13 Shanna said she has been working on revenue projections for the Fiscal Year 2016-2017
14 (FY2017) Budget. She advised that as she works with the Mayor to prepare budgets they look at
15 the previous year’s actuals, the current year’s actual and year end projections, and comes up with
16 a budget based off these numbers.

17
18 Shanna reviewed the projected FY2017 General Fund revenues as follows:

19	• Taxes:	\$1,617,650
20	• Licensing:	\$ 119,074
21	• Intergovernmental:	\$ 279,095
22	• Charges for Service:	\$ 65,875
23	• Miscellaneous:	\$ 31,400
24	• Transfers Out:	
25	o Sewer Fund	-\$ 142,628
26	o Capt. Project	-\$ 25,000
27	• Avail. Fund Balance	\$ 457,178
28	Total GF Revenues:	\$2,402,644
29		

30 Shanna stated that they will begin to review proposed expenditures at the next meeting.

31
32 **E. ITEMS FOR NEXT NEWSLETTER**

- 33 • Perry City Clean Up (dumpster locations)
- 34 • Promontory School Fund Raiser

35
36 Mayor Cronin advised that the first Fourth of July Committee meeting will take place next
37 Wednesday at 4pm. She encouraged the Council Members to let her know if they would like to help
38 with any of the events. She also encouraged everyone to submit nominations for City Awards.

39
40 **ITEM 8: EXECUTIVE SESSION (if needed)**

41 No Executive Session took place.

42 **ITEM 9: ADJOURNMENT**

43
44 **MOTION:** Council Member Montgomery made a motion to adjourn the council meeting. Council
45 Member Taylor seconded the motion.

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

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48 The meeting adjourned at 8:06pm.

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Susan O Bray, City Recorder

Karen Cronin, Mayor

Shanna Johnson, Chief Deputy Recorder