

Thursday, June 23, 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 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. 7:00 PM

1. Call to Order and Opening Ceremonies

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

2. Approx. 7:05 PM 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. 7:10 PM 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. Resolution 16-10 Declaring Lots in Proposed Amended Perry City Center Subdivision as Surplus
- B. Resolution 16-11 Approving the Agreement for Sale, and Purchase of Real Property in Amended Perry City Center Subdivision

5. Approx. 7:25 PM – Action Items (Roll Call Vote)

- A. Approval of the Warrants
- B. Resolution 16-10 Declaring Lots in Proposed Amended Perry City Center Subdivision as Surplus
- C. Resolution 16-11 Approving the Agreement for Sale, and Purchase of Real Property in Amended Perry City Center Subdivision
- D. Resolution 16-13 Adopting Restrictions On the Use of Fireworks Within Certain Areas of the City
- E. Final Approval of Amended Perry City Center Subdivision Phase 2
- F. Final Approval of the Evans Canyon 1 Lot Subdivision

6. Approx. 7:45 PM – Discussion Items

- A. Fourth of July & Community Awards

7. Approx. 7:50 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
 - May 12, 2016 City Council Work Session Minutes
 - May 12, 2016 City Council Meeting Minutes
 - May 26, 2016 City Council Work Session Minutes
 - May 26, 2016 City Council Meeting Minutes
- B. Mayor's Report
- C. Council Reports
- D. Staff Comments
- E. Items for Next City Newsletter

8. Approx. 8:15 PM – Executive Session (if needed)

9. Approx. 9:00 PM – Adjournment (next regular meeting on Thurs., July 14, 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/mailed to the Ogden Standard-Examiner, Box Elder News Journal; and posted on the State Public Meeting Notice Website on this 16th day of June 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	87334	Mower	06/09/2016	2,200.00	2,200.00	06/15/2016	
Total 5th West Rental & Repair:					2,200.00	2,200.00		
Black & McDonald								
11660	Black & McDonald	76-687426	Maple Hills Street Lights	05/12/2016	6,908.00	6,908.00	06/06/2016	
Total Black & McDonald:					6,908.00	6,908.00		
Brigham City Corp.								
6106	Brigham City Corp.	06/13/2016	interlocal storm water	06/03/2016	117.60	117.60	06/13/2016	
6106	Brigham City Corp.	06/13/2016	walmart sales tax	06/03/2016	19,169.30	19,169.30	06/13/2016	
Total Brigham City Corp.:					19,286.90	19,286.90		
Dean Stokes Const.								
10372	Dean Stokes Const.	3070	Dale Young Bowry	05/31/2016	13,364.00	13,364.00	06/15/2016	
Total Dean Stokes Const.:					13,364.00	13,364.00		
H. Craig Hall/Attorney At Law								
12050	H. Craig Hall/Attorney At Law	454	attorney fees	06/01/2016	3,000.00	3,000.00	06/09/2016	
Total H. Craig Hall/Attorney At Law:					3,000.00	3,000.00		
Rocky Mountain Power								
2501	Rocky Mountain Power	06/13/2016	powe bill	05/12/2016	1,620.95	1,620.95	06/13/2016	
2501	Rocky Mountain Power	06/13/2016	powe bill	05/12/2016	85.96	85.96	06/13/2016	
2501	Rocky Mountain Power	06/13/2016	powe bill	05/12/2016	4,002.84	4,002.84	06/13/2016	
2501	Rocky Mountain Power	06/13/2016	powe bill	05/12/2016	57.60	57.60	06/13/2016	
2501	Rocky Mountain Power	06/13/2016	powe bill	05/12/2016	361.41	361.41	06/13/2016	
Total Rocky Mountain Power:					6,128.76	6,128.76		
Water Well Services								
10770	Water Well Services	06/15/2016	Allen Street Well	06/14/2016	12,870.00	12,870.00	06/15/2016	
Total Water Well Services:					12,870.00	12,870.00		
William M. Morris P.C.								
10434	William M. Morris P.C.	06/08/2016	Attorney fees	06/01/2016	2,085.00	2,085.00	06/08/2016	
Total William M. Morris P.C.:					2,085.00	2,085.00		
Zions Bank								
11510	Zions Bank	06/13/2016	Utopia	05/25/2016	9,515.82	9,515.82	06/13/2016	
Total Zions Bank:					9,515.82	9,515.82		
Grand Totals:					75,358.48	75,358.48		

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.

PERRY CITY RESOLUTION

No. 16-10

**AN RESOLUTION DECLARING LOTS 1, 2, 3, 4, 5 AND 6 OF
PPROPOSED AMENDED PERRY CITY CENTER
SUBDIVISION AS SURPLUS AND TO BE SOLD**

WHEREAS, properties known as proposed Amended Perry City Center Subdivision, Lots 1, 2, 3 ,4, 5, & 6 (“Surplus Property”) are considered “significant properties” as defined by Utah State Statute and Perry City Ordinance; and

WHEREAS, the Perry City Planning Commission has reviewed the proposed amended Perry City Center Subdivision and has forwarded it to the City Council with their favorable recommendation; and

WHEREAS, both Utah State Statute and Perry City Ordinances require that published notice be given or the intent to declare Significant Property as surplus and no longer needed for a public purpose; and

WHEREAS, pursuant to such requirements, said notice was published on June 8, 2016 and June 15, 2016 giving notice that a public hearing was to be held on June 23, 2016 to consider such proposal. A copy of the proposed resolution was available for inspection in the City Recorder’s Office for inspection by the general public during normal office hours, at least ten days prior to its final consideration; and

WHEREAS, pursuant to law, a public hearing to receive public comment and consider adoption of said proposed resolution was held on June 23, 2016 at 7:15 p.m. in the City Council Chambers located at 3005 South 1200 West, Perry, Utah; and

WHEREAS, after receiving public comment at the public hearing, the Perry City Council finds that it is in the best interests of the citizens of the Perry City to adopt this resolution ; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of Perry City, Utah as follows:

**SECTION I
DECLARATION OF SIGNIFICANT PROPERTY AS SURPLUS**

The Perry City Council, having reviewed the proposed declaration of surplus the above described lost of the proposed amended Perry City Center Subdivision hereby resolves as follows:

A. That it declares Lots 1, 2, 3, 4, 5, and 6 of the proposed amended Perry City Center Subdivision described in Exhibit "A" attached, hereto and incorporated herein for all purposes, as surplus and that the lots be sold for fair market value.

**SECTION II
FURTHER ACTION**

A. In addition to the foregoing, the Mayor and city staffs are authorized to take any and all steps necessary to carry out the intent of the City Council that the above-described lots be sold.

**SECTION III
SEVERABILITY**

If any provision of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**SECTION IV
EFFECTIVE DATE**

This Resolution shall take effect immediately upon posting, as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this _____ day of June 2016.

PERRY CITY COUNCIL

By: _____
Karen Cronin, Mayor

[SEAL]

VOTING:

Esther Montgomery	Yea	___	Nay	___
Brady Lewis	Yea	___	Nay	___
James Taylor	Yea	___	Nay	___
Nathan Tueller	Yea	___	Nay	___
Toby Wright	Yea	___	Nay	___

ATTEST:

Susan Obray
City Recorder

DEPOSITED in the office of the City Recorder this ____th day of June, 2016.

RECORDED this ____th day of June, 2016.

Exhibit "A"

Proposed Perry City Center Amended Subdivision

PERRY CITY RESOLUTION

No. 16-11

**AN RESOLUTION APPROVING THE AGREEMENT FOR SALE AND
PURCHASE OF REAL PROPERTY IN AMENDED PERRY CITY
CENTER SUBDIVISION**

WHEREAS, properties known as proposed Amended Perry City Center Subdivision, Lots 1, 2, 3 ,4, 5, & 6 (“Surplus Property”) are considered “significant properties” as defined by Utah State Statute and Perry City Ordinance and have been declared surplus pursuant to Perry City Council Resolution 16-10; and

WHEREAS, the Perry City Planning Commission has reviewed the proposed amended Perry City Center Subdivision and has forwarded it to the City Council with their favorable recommendation; and

WHEREAS, such proposed amended subdivision contemplates and includes the realignment of property lines of Lots 6 and 7 and the relocation and granting of a non-exclusive easement for sanitary sewer presently owned by Perry City (Lot 7) (“City”) and Clinton Adrian Nelson (Lot 6) (“Owner”); and

WHEREAS, City and Owner have entered into a proposed Agreement for Sale and Purchase of Real Property. A copy of the proposed agreement is attached to this resolution as Exhibit “A”, incorporated herein for all purposes, was available for inspection in the City Recorder’s Office by the general public during normal office hours, at least ten days prior to its final consideration; and

WHEREAS, after receiving no adverse public comment, the Perry City Council finds that it is in the best interests of the citizens of the Perry City to adopt this resolution ; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of Perry City, Utah as follows:

SECTION I

APPROVAL OF AGREEMENT FOR SALE AND PURCHASE OF REAL PROPERTY

The Perry City Council, having reviewed the proposed Agreement for Sale and Purchase of Real Property (Exhibit “A”), the same is approved.

In addition to the foregoing, the Mayor and city staffs are authorized to take any and all steps necessary to carry out the intent of the City Council that the terms and conditions of the agreement be fulfilled.

**SECTION III
SEVERABILITY**

If any provision of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**SECTION IV
EFFECTIVE DATE**

This Resolution shall take effect immediately upon posting, as required by law, deposited and recorded in the office of the City Recorder, and accepted as required herein.

PASSED AND APPROVED this _____ day of June 2016.

PERRY CITY COUNCIL

By: _____
Karen Cronin, Mayor

[SEAL]

VOTING:

Esther Montgomery	Yea	___	Nay	___
Brady Lewis	Yea	___	Nay	___
James Taylor	Yea	___	Nay	___
Nathan Tueller	Yea	___	Nay	___
Toby Wright	Yea	___	Nay	___

ATTEST:

Susan Obray
City Recorder

DEPOSITED in the office of the City Recorder this _____th day of June, 2016.

RECORDED this _____th day of June, 2016.

Exhibit "A"

Proposed Perry City Center Amended Subdivision

Draft: June 12, 2016

Agreement for Sale and Purchase of Real Property

This Agreement for the Purchase and Sale of Real Property is made and entered this ___ day of June, 2016, by and between Perry City, a political subdivision of the State of Utah, ("City") and Clinton Adrian Nelson("Owner").

Whereas, City and Owner are the fee title owners of property graphically described in Exhibit "A"; and

Whereas, City is the owner of approximately 34,029 square feet of real property located at approximately 2550 South 900 West, Perry, Utah, ("Perry Property") more fully described in Exhibit "B", attached hereto and incorporated herein for all purposes; and

Whereas Owner is the owner of property consisting of approximately 19,912 square feet, located at approximately 2570 South 900 West, Perry, Utah, ("Nelson Property"), more fully described in Exhibit "C" attached hereto, and incorporated herein for all purposes; and

Whereas, City has previously conducted a public hearing to declare surplus the property described in Exhibit "B" and to establish a value for the property and the additional consideration that is required to establish just compensation and the fair market value of the property.

Now, therefore, based on the mutual covenants and promises contained herein, the parties agree as follows:

1. City shall convey by special warranty deed in favor of Owner, the property described in Exhibit "B" in favor of Owner under the following terms and conditions:
 - a. Agreed upon value of the property to be conveyed is approximately \$65,000.
 - b. Recording of a warranty deed as described in Exhibit "B"
 - c. Receipt of \$13,000 as additional consideration to reflect for fair market value of the property of \$65,000.
 - d. Payment of the 2016 Property taxes assessed against the property accrued to date of closing, if any.
 - e. Delivery of a commitment for title insurance (owner's policy) in favor of Owner in the amount of the purchase price.
 - f. After recording of the various deeds contemplated by this Agreement, City shall convey a non-exclusive easement for sanitary sewer purposes 7 ½ feet on each side of a centerline generally in area as indicated on Exhibit D, attached hereto, and incorporated herein for all purposes.
 - g. City agrees to relocate the existing overhead telephone line along the southeastern property line adjacent to Lot 7, underground along the same basic alignment. However,

if the Owner decides to relocate said line to another location to service Lot 7, City shall reimburse Owner for the cost of either realignment, whichever is less.

- 2. Owner shall convey by warranty deed in favor of City, the property described in Exhibit "C" under the following terms and conditions:
 - a. Agreed upon value of the property to be conveyed is approximately \$52,000.
 - b. Receipt of the Specially Warranty deed describe in Paragraph 1 above.
 - c. Payment of the 2016 Property taxes assessed against the property accrued to date of closing
 - d. Delivery of a commitment for title insurance (owner's policy) in favor of City in the amount of the purchase price.
 - e. Payment of the recording fees of said warranty deed.
 - f. Owner understands that on the Perry Property was previously a house. Efforts have been made by Perry to discover whether or not footings and foundation remain on the property. Such efforts did not discover such items. In the event that after possession of the property by Owner intact footings and foundation are discovered, City will pay the actual cost of removal, not to exceed \$2,500.00. All costs for the removal of said footing and foundation, if any, in excess of \$2,500.00, shall be the sole expense of Owner.

- 3. Closing of this transaction shall occur on or before July 1, 2016. Said closing shall take place at the office of the title company issuing the two title policies.

- 4. Each party agrees to pay one-half (1/2) of the closing costs for the transaction.

Dated this _____ day of _____, 2016.

Owner

Curtis Adrian Nelson

Perry City

By_____
Karen Cronin
Its: Mayor

Attest:

City Recorder

Exhibit "A"
Map of Property to be Conveyed

Exhibit "B"
Lot to Be Conveyed to Clinton Adrian Nelson
Perry City Center Subdivision Phase 2 Amended – Lot 6

BEING PART OF THE NORTHWEST QUARTER OF SECTION 2, T8N, R2W, SLB&M
AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE PROPOSED LOT 6 OF THE
PERRY CITY CENTER SUBDIVISION PHASE 2 – AMENDED SAID POINT BEING
N89°42'25"W 3393.08 FEET ALONG THE SECTION LINE, SOUTH 677.87 FEET TO THE
SOUTHWEST CORNER OF CRYSTAL CANYON SUBDIVISION PHASE 2 AMENDED,
S16°47'19"W 11.05 FEET, S70°10'33"E 18.20 FEET, AND S14°37'53"W 102.66 FEET FROM
THE NORTHEAST CORNER OF SAID SECTION 2, RUNNING THENCE S74°23'11"E
237.84 FEET TO THE WEST LINE OF 900 WEST STREET; THENCE S16°30'51"W 92.98
FEET ALONG SAID WEST LINE; THENCE N74°46'07"W 131.23 FEET; THENCE
S16°31'36"W 116.38 FEET; THENCE N75°22'07"W 99.68 FEET; THENCE N14°37'53"E
211.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 34,029 SQUARE FEET AND 0.781 ACRES.

Exhibit "C".
To Be Conveyed to Perry City

Original Description – Lots 6R, 7R, and part of 5R

BEING PART OF THE NORTHWEST QUARTER OF SECTION 2, T8N, R2W, SLB&M
AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 7R OF THE PERRY CITY CENTER
SUBDIVISION PHASE 2 AS RECORDED IN THE BOX ELDER COUNTY RECORDERS
OFFICE NUMBER 280315, BOOK 1097, PAGE 1692 AND RUNNING THENCE
N75°36'07"W 169.74 FEET; THENCE N16°08'51" 118.15 FEET; THENCE S75°00'07"E
169.99 FEET; S16°17'36"W 116.38 FEET TO THE POINT OF BEGINNING.

CONTAINING 19,912 SQUARE FEET AND 0.46 ACRES.

Exhibit D

Map indicating the Approximate Location of New Sanitary Sewer Easement.

PERRY CITY

RESOLUTION NO. 16-13

**A RESOLUTION ADOPTING RESTRICTIONS ON THE USE OF FIREWORKS
WITHIN CERTAIN AREAS OF THE CITY**

WHEREAS, in 2011 the Utah Legislature modified the State law by amending the types of fireworks that may be discharged in Utah; and

WHEREAS, in 2012 State law changed the dates allowed for discharge; and

WHEREAS, there currently is, and may be in the future, a high risk of fire during the times when fireworks are allowed to be discharged; and

WHEREAS, the City's Fire Marshall has recommended that fireworks be prohibited in the certain areas of the City which present unique hazards for the ignition of trees and significant challenges in fighting fires; and

WHEREAS, the City Council finds it is in the best interest of the municipality and the general health, safety and welfare of the public that this Resolution should be passed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THIS MUNICIPALITY AS FOLLOWS:

1. Definition. All terms relating to fireworks used in this resolution shall have the same meaning as they are defined in *Utah Code Ann.* § 53-7-202 of the Utah Fire Prevention Act.

2. Sale, Discharge and Possession of Certain Fireworks Restricted.

a. It is unlawful for any person to sell or offer for retail sale, to ignite, or to discharge, or to have in their possession any fireworks in this municipality, other than class C common Utah State approved explosives used in accordance with, and only on the dates allowed, by *Utah Code Ann.* § 53-7-220 through 225; the rules adopted pursuant thereto; and this Resolution, except as otherwise permitted by State law;

b. Due to unusually hazardous fire conditions in certain portions of the municipality, the discharge of any and all fireworks is prohibited within those certain areas of the City more particularly identified on Exhibit "A," attached hereto and incorporate herein by reference.

3. Public Displays. This resolution and restrictions contained herein do not apply to the City's 4th of July Civic Celebration because of adequate fire prevention preparations.

4. Enforcement.

a. Every officer charged with enforcement of State and municipal laws, including the Fire Marshal, is hereby charged with the responsibility to enforce this Resolution;

b. Fireworks possessed, sold or offered for sale in violation of this Resolution may be seized and destroyed and the license of the person selling or offering fireworks for sale may be revoked.

5. Punishment. Violation of this Resolution shall be a Class B misdemeanor punishable by both fine and imprisonment as set forth in Utah law.

6. Effective Date. This Resolution shall take effect immediately upon passing and shall expire unless extended by an affirmative vote of the City Council at 11:59 p.m. on September 30, 2016.

PASSED AND APPROVED this _____ day of June, 2016.

By: _____
Karen Cronin, Mayor

[SEAL]

VOTING:

Esther Montgomery	Yea	_____	Nay	_____
Brady Lewis	Yea	_____	Nay	_____
James Taylor	Yea	_____	Nay	_____
Nathan Tueller	Yea	_____	Nay	_____
Toby Wright	Yea	_____	Nay	_____

-

ATTEST:

Susan O Bray
City Recorder

DEPOSITED in the office of the City Recorder this _____ day of June, 2016.

RECORDED this _____ day of June, 2016.

Exhibit “A”

Areas Restricted for Use of Fireworks

EVANS CANYON ONE LOT SUBDIVISION

PERRY CITY

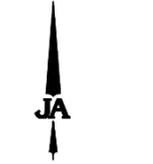
A PART OF THE NORTHWEST 1/4 OF SECTION 36, T.9N., R.2W., S.L.B.& M.
PERRY CITY, BOX ELDER COUNTY, UTAH



PARCEL LINE DATA		
LINE	LENGTH	DIRECTION
L1	17.63'	S08°21'29"W
L2	12.96'	S00°54'14"W

PARCEL CURVE DATA					
SEGMENT	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C1	18.98'	180.00'	6°02'30"	18.97'	S03°55'26"W

SCALE: 1" = 30'



SURVEYOR'S CERTIFICATE
I, BRENT W. SLATER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 165428 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, I FURTHER CERTIFY THAT THIS PLAT OF EVANS CANYON ONE LOT SUBDIVISION FOR PERRY CITY, BOX ELDER COUNTY, UTAH HAS BEEN DRAWN TO THE DESIGNATED SCALE, AND BY THE AUTHORITY OF THE CITY AND PRIVATE OWNERS, HAVE AMENDED THIS PLAT TO INCLUDE A STREET AND 7 LOTS AS SHOWN ON THE PLAT, AND IS IN ACCORDANCE WITH INFORMATION AND DATA OBTAINED FROM RECORDS IN THE BOX ELDER COUNTY RECORDERS OFFICE, AND FROM A SURVEY CONDUCTED ON THE GROUND.
SIGNED THIS _____ DAY OF _____, 2015.
BRENT W. SLATER, P.L.S.

BOUNDARY DESCRIPTION
BEING PART OF THE NORTHWEST QUARTER OF SECTION 36, T9N, R2W, SLB&M AND FURTHER DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 13 OF ANSLEY SUBDIVISION SAID POINT BEING S00°34'47"W ALONG THE SECTION LINE 891.13 FEET, EAST 1984.61 FEET TO THE ORIGINAL POINT OF BEGINNING OF THE ANSLEY SUBDIVISION, S01°01'14"W 60.01 FEET, S08°21'29"W 17.63 FEET, S07°01'09"W 69.82 FEET, S07°28'02"W 137.51 FEET, S06°15'10"W 71.77 FEET, S08°55'29"W 170.88 FEET, S04°57'06"W 30.58 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 36 AND RUNNING THENCE S83°03'22"E 110.20 FEET TO THE WEST LINE OF 100 WEST; THENCE ALONG SAID WEST LINE S06°56'38"W 87.46 FEET TO THE DEDICATED RIGHT-OF-WAY LINE OF ORCHARD VIEW ESTATES; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING 2 COURSES: 1) 18.98 FEET ON A 180.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 06°02'30" CHORD BEING S03°55'26"W 18.97 FEET AND 2) S00°54'14"W 12.96 FEET TO THE SOUTH BOUNDARY LINE OF ANSLEY SUBDIVISION; THENCE ALONG SAID BOUNDARY LINE THE FOLLOWING 2 COURSES: 1) N89°05'50"W 108.62 FEET AND 2) N04°57'06"E 130.79 FEET TO THE POINT OF BEGINNING AND THE SAID SOUTHWEST CORNER OF SAID LOT 13.
CONTAINING 13,545 SQUARE FEET AND 0.31 ACRES.

OWNER'S DEDICATION
WE, THE UNDERSIGNED OWNERS OF THE HEREOF DESCRIBED TRACT OF LAND HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT EVANS CANYON ONE LOT SUBDIVISION AND HEREBY DEDICATE, GRANT AND CONVEY TO PERRY CITY, BOX ELDER COUNTY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES FOREVER AND ALSO DEDICATE TO PERRY CITY THOSE STRIPS AS EASEMENTS FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY PERRY CITY. SIGNED ON THE BELOW NOTED DAY
MAYOR _____ DATE _____
PERRY CITY CORPORATION

CORPORATE ACKNOWLEDGEMENT
STATE OF _____ COUNTY OF _____
ON THIS _____ DAY OF _____, 2016 PERSONALLY APPEARED BEFORE ME _____ WHOSE (Name of Document Signer)
IDENTITY IS PROVEN ON THE BASIS OF SATISFACTORY EVIDENCE AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY HE/SHE IS THE MAYOR OF PERRY CITY CORPORATION AND THAT SAID OWNER'S DEDICATION WAS SIGNED FREELY AND VOLUNTARILY BY HIM/HER IN BEHALF OF PERRY CITY CORPORATION FOR THE PURPOSES THEREIN MENTIONED.
NOTARY PUBLIC _____
STAMP _____ MY COMMISSION EXPIRES _____, 20____

- LEGEND**
- SECTION CORNER BOX ELDER CO. MONUMENT
 - BOUNDARY DESCRIPTION LINE
 - PROPERTY LINE
 - P.U.E. LINE
 - DESCRIPTION TIES
 - SECTION LINE
 - ROAD CENTERLINE
 -

PERRY CITY PUBLIC WORKS DIRECTOR
I HEREBY CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES PREREQUISITE TO APPROVAL BY THE TREMONTON CITY COUNCIL OF THE FOREGOING PLAT AND DEDICATION HAVE BEEN COMPLIED WITH.
PERRY CITY PUBLIC WORKS DIRECTOR _____ DATE _____, 2016

PERRY CITY PLANNING COMMISSION APPROVAL
APPROVED THIS _____ DAY OF _____ A.D., 2016 BY THE PERRY CITY PLANNING COMMISSION.
CHAIRMAN _____

PERRY CITY ATTORNEY
I HAVE EXAMINED THIS PLAT AND IN MY OPINION IT CONFORMS WITH THE CITY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.
DATE _____, 2016 CITY ATTORNEY _____

PERRY CITY COUNCIL APPROVAL
THIS IS TO CERTIFY THAT THIS PLAT AND THE DEDICATION OF THIS PLAT, ALONG WITH THE DEDICATION OF ALL EASEMENTS AND STREETS WERE DULY APPROVED AND ACCEPTED BY THE CITY COUNCIL OF PERRY CITY, UTAH THIS _____ DAY OF _____, A.D., 2016.
MAYOR _____
ATTEST: _____ CITY RECORDER

PERRY CITY ENGINEER
I HAVE EXAMINED THE FOREGOING PLAT AND CONCUR WITH THE LEGAL DESCRIPTION AND LINES OF SURVEY AS THEY ARE PRESENTED. IN MY OPINION THIS PLAT MEETS THE APPLICABLE ORDINANCES PREREQUISITE TO APPROVAL BY THE PERRY CITY COUNCIL.
DATE _____, 2016 CITY ENGINEER _____

Prepared By: **JONES & ASSOCIATES CONSULTING ENGINEERS**
1716 East 5600 South
South Ogden, Utah 84403 (801) 476-9767

COUNTY RECORDER
ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED _____, AT _____ IN BOOK _____ OF OFFICIAL RECORDS, PAGE ____ RECORDED FOR _____
COUNTY RECORDER _____
BY: _____ DEPUTY

1 PERRY CITY COUNCIL WORK SESSION
2 PERRY CITY OFFICES
3 May 12, 2016

6:00 PM

4
5 OFFICIALS PRESENT: Mayor Karen Cronin presided and conducted the meeting.
6 Esther Montgomery, Toby Wright, Brady Lewis, Jim Taylor

7
8 OFFICIALS EXCUSED: Nathan Tueller

9
10 CITY STAFF PRESENT: Greg Westfall, City Administrator
11 Shanna Johnson, Chief Deputy Recorder
12 Greg Braegger, Public Works Director

13
14 OTHERS PRESENT: Amy Davis, Corey Bennion

15
16 **ITEM 1: CALL TO ORDER**

17 Mayor Cronin called City Council work session to order.

18
19 **A. FISCAL YEAR 2016-2017 BUDGET WORK SESSION**

20 Mayor Cronin advised that we will be looking at the final 2 budgets to be reviewed sewer
21 collections and wastewater treatment. She asked Shanna Johnson to go over the collections
22 portion of the Sewer Fund and Greg Westfall to go over the Wastewater Treatment portion
23 of the fund.
24

Department	FY2016 Current Budget	FY2016 Trend	FY2017 Draft Tentative Budget
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Sewer Collections	\$132,473.01	\$113,945.98	\$166,318.91
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Shanna reviewed changes to the sewer collections budget:

- Wages and benefits have been calculated to allow for a performance increase and to cover a small benefit increase.
- Office Expense and Supplies decreased slightly based on trend.
- Utilities increased by \$225 to allow for inflation.
- Professional and Technical increase by \$1,100 to pay for 1/3 of a firewall and backup storage for the city servers.
- \$500 was added to the Wal-Mart lift station to help pay for maintenance.
- Improvements Other Than Buildings – was decreased due to lack of use.
- City Center Improvements – is a new line item added for \$30,000 for sewer infrastructure in the City Center Subdivision. The improvements are needed to make the lots saleabe.
- Depreciation decreased slightly based on the depreciation schedule.

Department	FY2016 Current Budget	FY2016 Trend	FY2017 Draft Tentative Budget
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1

Wastewater Treatment Plant	\$1,040,668.71	\$1,015,577.55	\$1,040,301.71
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Greg Westfall reviewed the Wastewater Treatment Plant (WWTP) Budget: He said he attended the WWTP meeting and they discussed the need for a lot of equipment to replace i.e. motors, chains, sprockets, etc. He said a lot of the original proposal was to increase line items by 30-40%. He said that he worked with the WWTP Board to help create a budget where they took savings from certain line items and moved these funds to other line items needing to be increased. He said that Fiscal Year 2017 Proposal is the budget that came from the WWTB. He said this includes:

- \$95,000 for Payroll
- \$51,000 for Benefits
- \$100,000 for Equipment Supplies & Maintenance
- Utilities and Phones has dropped \$15,000
- Phosphorous Removal has decreased due to the study being finalized and only requiring treatment for 3 months out of the year. This went from \$22,500 to \$5,000
- Travel and Training was proposed by the Board to remain the same as the current fiscal year \$5,500.
- Professional & Technical decreased from \$16,600 to \$12,000
- Disposal increased by \$500 to allow for any increase in rates
- Depreciation increased based on schedule
- Interest remained the same based on the bond schedule
- Vehicle Expense was left the same

Mayor Cronin advised that there are two budget line items that have been adjusted:

1. Benefits: This was reduced to actual costs, based on the benefit agreements and insurance premiums offered for the employees.
2. Training and Travel: was reduced based on the fact that call outs are no longer being paid from this line item, these have been rolled into the Lead Operators wage and was given to him via a pay increase back in November. Per Perry City policy \$600 is allowed for training per employee. She said there are 2 employees thus there is a budget line item of \$1,200.

Mayor Cronin indicated that an email was sent to Willard City to inform them of these adjustments.

Council Member Taylor asked if both Mayors made the adjustments. Mayor Cronin said no, Perry City made the adjustments based on the fact that the employees at the Wastewater Treatment Plant are Perry City employees and the adjustments are based on Perry City Policy.

2

Department	FY2016 Current Budget	FY2016 Trend	FY2017 Draft Tentative Budget
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1

WWTP Cont'd.	\$1,040,668.71	\$1,015,577.55	\$1,040,301.71
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Council Member Taylor asked if there was a list of needed equipment that drove the increase to the equipment budget. Greg said no, there is one large ticket item for chains that have to be installed by a crane and cost \$30,000 if you remove these they are back to the basic budget. Council Member Taylor asked how often the chains must be replaced. Greg said ever 5 years.

Shanna advised that the budget reduced by approximately 1% due to the fact that Phosphorous treatment is no longer needed every month. She said based off the adjusted budget proposal Willard City would reimburse \$126,713.24 in operations and maintenance reimbursement. Shanna said if we were to go off of the proposal prior to adjustment Willard would reimburse \$129,200.

Shanna reviewed the revenues compared to expenditures for the Sewer Fund stating that projected revenues are at \$1,206,620.62, which match the adjusted proposed budget of \$1,206,620.62. She stated that if we add back in the additional monies for benefits and training we would need and additional \$7,314 to be transferred from the General Fund. Mayor Cronin explained that Perry City is already subsidizing the Sewer fund with \$129,000 in general fund monies.

Council Member Wright asked if there is a way to let this budget go through as proposed, stating he is not sure \$4,000 is worth the fight. Shanna advised that there is a difference of \$7,300.

Mayor Cronin said that Greg Westfall has done a really good job in helping the board understand the budget process. Council Member Montgomery said she is very impressed.

2

3 Mayor Cronin said that concludes our budget review and recognized Shanna Johnson for all
4 her hard work.

5

6 Shanna Johnson said that she has highlighted a few items in the budget workbook
7 indicating budgets that have changed due to depreciation needed based on a new asset
8 schedule received from the accountant. She said there is still currently a 9.28% fund
9 balance remaining after projected expenditures.

10

11 Mayor Cronin said the goal was to be at 10% fund balance and the city is very close to
12 achieving this. She stated that she believes that some funds will carry over from the
13 current fiscal year and this should help to get the fund balance to 10%.

14

15 Mayor Cronin indicated that she has asked Greg Braegger to put together an overview of
16 what street projects are needed. She said it was a little bit scary when she and staff started

1 looking at the maintenance schedule and what is needed to keep the City from having to do
2 a full reconstruction of roads. Mayor Cronin said she asked Mr. Braegger to put together a
3 3 year maintenance plan. Greg Westfall and Greg Braegger gave a presentation on the
4 maintenance needed (see attached).

5
6 Mayor Cronin advised that if you add up the maintenance costs and you divided it by the
7 \$180,000 in B&C Road monies received each year, it will take the City 16 years to complete
8 projects needed. Greg Westfall explained that these projects should be completed in the
9 next 3 years. Mayor Cronin said in an effort to be proactive with the maintenance of our
10 roads the City needs another source of revenue to be utilized for roads. She said if the city
11 fails to maintain the roads it faces four times the cost for a reconstruct of the road. She said
12 one way that other cities are generating the revenue needed for maintenance is by
13 implementing a Transportation Utility Fee. These would be restricted funds only to be
14 used for road maintenance; it can be assessed per household per month. Mayor Cronin
15 said that Provo, Pleasant View, and Fruit Heights have implemented these fees. They have
16 not been challenged. The Mayor said this is a legal and in her opinion responsible way to
17 accomplish the maintenance needed for City streets. She said that City Engineer can do a
18 much more detailed assessment of the projects and revenues needed and establish what an
19 appropriate fee would be. She said the alternative is not completing certain projects and at
20 some point facing the need to reconstruct roads. Greg Westfall said this is a growing
21 problem statewide.

22
23 Council Member Taylor asked if this would be presented to the voters. Mayor Cronin said
24 this would be a Council decision, but if the voters were not happy with the decision they
25 could put forth a referendum to repeal the decision. Council Member Taylor asked what a
26 ball park figure would be for the fee. Mayor Cronin said that for \$5 a month, the City would
27 have an extra \$100,000 in revenue per year for streets. Mayor Cronin said that would take
28 our project list down to a 10 year schedule instead of 16 year plan. She said that this is a
29 very proactive and responsible thing to do.

30
31 Mayor Cronin asked the Council if they would like to move forward and have the City
32 Engineers put together a detailed plan. The Council was in favor of researching this
33 further.

34
35 Greg Westfall reported on culinary water projects for FY2017. He said there is \$400,000
36 worth of projects that the City can fund on its own. Mayor Cronin said that we have gone
37 from 750 gallons per minute from two wells to 250 gallons. Greg said hopefully with the
38 planned projects we can rejuvenate the wells and increase their capacity. He said the other
39 wells are doing fine and producing 1300 gallons per minute. He said if the City needs to
40 shut down one well for several days to perform state compliance maintenance, etc. the City
41 would start running out. Mayor Cronin said in an effort to bring the wells back to
42 producing 750 gallons per minute we plan to refurbish the wells. She said the City is
43 unsure if the refurbishments will accomplish this, as we do not know if the water is
44 available in the aquifer to draw up. Greg advised that future projects for the City include
45 drilling a new well and getting a new water tank. These projects will cost \$3.5M. He said
46 this is a standard price, and the projects will be needed in order to increase our supply of

1 water in order to accommodate new large developments. He said that the City would need
2 to bond for this project and the monthly household water rate would increase by \$6.00 a
3 month for 30 years.

4
5 Greg reported that in terms of conservation out of 1700 homes in Perry there are only
6 1000 that are connected to Pineview secondary water. He said the other challenge is that
7 we do not charge a lot for water overages, and it costs quite a bit to hook up to the
8 secondary water system. He reviewed two types of water users:

- 9
- 10 • Those that have access to Pineview – allowed 10,000 gallons at base rate
- 11 • Those who don't have access to Pineview – allowed 15,000 gallons at base rate

12
13 He said that we currently charge an overage rate of \$0.95 per 1,000 gallons over the
14 monthly base allotment of water. He recommended a tiered option which overage charges
15 for the first 10,000 gallons over for those with Pineview and 15,000 gallons over for those
16 without Pineview would still only be charged at \$0.95 per 1,000 gallons, but would
17 increase to \$2 for each 1,000 gallons thereafter.

18
19 Mayor Cronin asked if the Council had any concerns with this approach. There were no
20 comments against this. She advised that they will discuss this further in the next meeting.

21
22 **ITEM 2: ADJOURNMENT**

23 Mayor Cronin closed the work session.

24
25 The meeting adjourned at 7:00pm.

26
27
28
29 _____
30 Susan Obray, City Recorder

Karen Cronin, Mayor

31
32
33
34 _____
35 Shanna Johnson, Chief Deputy Recorder

1 PERRY CITY COUNCIL MEETING
2 PERRY CITY OFFICES
3 May 12, 2016

7:00 PM

4
5 OFFICIALS PRESENT: Mayor Karen Cronin presided and conducted the meeting. Toby
6 Wright, Esther Montgomery, Brady Lewis, James Taylor

7
8 OFFICIALS EXCUSED: Nathan Tueller

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

12
13 OTHERS PRESENT: Amy Davis (Intermountain Healthcare), Cory Bennion (Box Elder Mosquito
14 Abatement), Shara Holt, Lawrence Gunderson

15 **ITEM 1: CALL TO ORDER**

16 Mayor Cronin called the City Council meeting to order.

17 **A. INVOCATION**

18 Council Member Taylor offered the invocation.

19 **B. PLEDGE OF ALLEGIANCE**

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

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

22
23 **MOTION:** Council Member Lewis made a motion to approve the agenda. Council Member
24 Montgomery seconded the motion.

25 **ROLL CALL:** Council Member Lewis, Yes Council Member Taylor, Yes
26 Council Member Wright, Yes Council Member Montgomery, Yes
27 **Motion Approved.** 4 Yes, 0 No.

28
29 **ITEM 2: PROCEDURAL ISSUES**

30 **A. CONFLICT OF INTEREST DECLARATION**

31 None.

32
33 **B. PASS OUT WARRANTS TO COUNCIL MEMBERS (AND POSSIBLE DISCUSSION)**

34 Shanna Johnson passed out the warrants.

35
36 **C. APPOINTMENTS**

37 Mayor Cronin reported that staff has been busy working to find qualified applicants for the Chief of
38 Police positions. She advised that we had 9 applicants out of those 5 were chosen to be interviewed
39 by a 3 member panel. She said that these interviews took place in late March, during the interviews
40 one gentleman rose to the top of each interview panelist's radar. Mayor Cronin and the Interim
41 Brigham City Police Chief, Dennis Vincent, conducted a second interview with this applicant and she
42 completed reference checks. She said at the end of the process it is her recommendation that the
43 City Council approve the appointment of Ryan Arbon as Perry City Chief of Police and approve his
44 compensation package that has been discussed among the Council Members. She stated that Ryan
45 was not able to attend the meeting tonight as he is working, but was able to meet with each Council
46 Member prior to the meeting.

1
2 **MOTION:** Council Member Montgomery made a motion to approve the appointment of Ryan Arbon
3 as the Perry City Chief of Police. Council Member Taylor seconded the motion.

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

6 **Motion Approved.** 4 Yes, 0 No.
7

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

- 9 • Sharp Shooters

10 Darren Thompson explained that he will doing light collision repair, detailing paint, fixing
11 scratches, rock chips, mostly for dealers, but also for friends and family. Mayor Cronin noted that
12 this is a commercial building but it is not anticipated that there will be a lot of visiting clientele.
13 Council Member Lewis asked where the business is located. Greg Westfall advised that the business
14 is located just south of Maddox. Greg said that Darren has done a lot of work to get through this
15 process. He came to the Council in the past and asked for an exception on the building permit that
16 he had with water and sewer connections. This was granted by the City and he has since gone
17 through the building process, putting in a bathroom, water lines, and sewer lines. Greg said he
18 brought this up to fire code, passing his fire inspection, which included installing sprinklers and
19 some drywall work. Greg said he has really done everything above board and it is the staff's
20 recommendation that this business license be approved.
21

22 **MOTION:** Council Member Lewis made a motion to approve the Business License for Sharp
23 Shooters. Council Member Taylor seconded the motion.

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

26 **Motion Approved.** 4 Yes, 0 No.
27

28 **ITEM 3: PRESENTATIONS**

29 **A. CITY HIGHLIGHTS**

30 Mayor Cronin reported that last weekend the State Rifle and Pistol Association met in Perry for one
31 of their monthly board meetings. At that meeting they donated two steel targets that are valued at
32 \$400-\$500 each to the gun range. She announced that June 11, 2016 is the Smith and Edwards
33 Range Day. She said that this is a Saturday. They plan to have food vendors, and will also be selling
34 some items from the store. She stated that you buy punch passes online at Smith and Edwards'
35 website or at the store. She said one of the new sponsor is Ruger guns and she has been told that
36 they do not attend many of these events, but because of the popularity of this event, they do plan
37 attending this one. Mayor Cronin said the concept is that the vendors bring out their new models of
38 hand guns, rifles, and other products for the public to try. She said punch cards are purchased to
39 cover the cost of the ammunition. She said that this provides the opportunity to try out the new
40 products in a safe environment. She reported that the City was contacted by another company that
41 would like to do something similar at a later date.
42

43 **B. IHC InstaCare**

44 Amy Davis of Intermountain Health Care reported on the opening of their new IHC InstaCare
45 Facility in Brigham City on May 16, 2016. She advised that this will be located near the Brigham
46 City hospital in the building that was previously division of Workforce Services. She said that they
47 will provide urgent care services 7 days a week from 8am to 8pm. She reported that they will have
48 X-Ray and Lab on site.
49

50 **C. Mosquito Abatement**

1 Cory Bennion gave a report on the Box Elder County Mosquito Abatement, Mosquito Prevention,
2 Protection and fun facts (see attached flyers). He noted that residents can call a week prior to
3 having a family party or event and get their neighborhood sprayed for mosquitoes.
4

5 **D. Fiscal Year 2016-2017 Tentative Budget**

6 Mayor Cronin reported that the City is required at the first meeting in May to file a Tentative Budget
7 with the City Council. She said the Mayor, Council, and Staff have been working on this for a couple
8 weeks and although it is a budget it is tentative and can still be changed up through final approval.
9

10 She reviewed the budget timeline outlining work session that have taken place, an upcoming public
11 hearing scheduled for May 26th and the plan to have a final budget passed prior to June 22nd on
12 June 9, 2016.
13

14 Shanna Johnson presented the Tentative Budget for Fiscal Year 2016-2017 (see attached
15 presentation).
16

17 Shanna advised that the budget presentation reviews the major funds (general and enterprise
18 funds) and the budget packet which was available to the Mayor, Council and public reviews all
19 funds including the Fleet Lease, Debt Service and Capital Project funds.
20

21 **ITEM 4: PUBLIC HEARINGS AND/OR PUBLIC COMMENTS**

22 **A. PUBLIC COMMENTS**

23 Shara Holt said she works for Box Elder News Journal and requested the city to let her know of
24 anyone that deserves to be applauded or any human interest stories so she can report these in the
25 Box Elder News Journal. Council Member Montgomery reported that this week she has received a
26 grant from Deseret Industries which will provide books to give to kids at Promontory School. She
27 said that the grant was given to Promontory School for their library and because their collection is
28 full she was able to use the funds to create a bring one, take one library here at the City. Mayor
29 Cronin also reported that the City will be participating again in the Play Unplugged activities and
30 just received BRAG Tags today, the program starts June 1st.
31

32 **ITEM 5: ACTION ITEMS**

33 **A. APPROVAL OF THE WARRANTS**

34 Council Member Lewis asked why the Sewer Bond payment is split and listed twice. Shanna
35 Johnson advised that the Council has seen the Sewer Bond payment come across once before. She
36 had paid too much interest so this was sent back and reissued. She explained that when the bond
37 was refinanced to give an upfront credit of interest (due to the delay of our permit caused by
38 Phosphorous concerns); they split the bond in two. She said she was not sure why they did this, but
39 now the City pays two different bond payments for the same exact amount, totaling what the
40 original bond payment would have been (based on the bond schedule).
41

42 **MOTION:** Council Member Lewis made a motion to approve the warrants. Council Member
43 Montgomery seconded the motion.

44 **ROLL CALL:** Council Member Lewis, Yes Council Member Taylor, Yes
45 Council Member Wright, Yes Council Member Montgomery, Yes
46 **Motion Approved.** 4 Yes, 0 No.
47

48 **B. (NO ITEM LISTED ON AGENDA)**
49

50 **C. RESOLUTION 16-06 ACKNOWLEDGING RECEIPT OF AND ADOPTION OF THE TENTATIVE**
51 **FISCAL YEAR 2016-2017 BUDGET**
52

1 **MOTION:** Council Member Montgomery made a motion to approve Resolution 16-06. Council
2 Member Wright seconded the motion.

3 **ROLL CALL:** Council Member Lewis, Yes Council Member Taylor, Yes
4 Council Member Wright, Yes Council Member Montgomery, Yes
5 **Motion Approved.** 4 Yes, 0 No.
6

7 **ITEM 6: DISCUSSION ITEMS**

8 **A. GREEN WASTE**

9 Mayor Cronin reported that based on the Council discussion at the last meeting she has made an
10 administrative decision to man the Green Waste area on Friday afternoons from 2-6pm and on
11 Saturday from 8am to noon. She said that she has worked with Greg Westfall and Greg Braegger
12 and the Public Works Department will be able to facilitate this. Mayor Cronin said at the advice of
13 City Attorney Craig Hall we will have a form that people will fill out their first time using the facility
14 that states that they will take legal responsibility if they dump anything that is of a hazardous
15 nature and be responsible for any costs associated with removing this form the Green Waste area.
16 She said the City will try keeping it open this year with no fee. The City will be covering the costs of
17 manning the location. Public Works will separate and burn the piles at the end of the season.
18 Mayor Cronin said that the City will continue this as a service as long as it is not abused. In the
19 event that it is abused the service will cease. Council Member Wright asked if this was for non-
20 commercial use. Mayor Cronin confirmed it is for residential use only and for Perry residents only.
21 Council Member Taylor asked if this is planned to be opened spring to fall. Mayor Cronin said they
22 plan to open in April thru the end of October. She said that the City is hoping that people will be
23 respectful in their use so that the City can continue to offer the service. Council Member
24 Montgomery asked if the forms will be available onsite. The Mayor said yes and the City will also
25 try to get the forms online. Mayor Cronin expressed her appreciation for Craig Hall's assistance
26 with this and the Public Works Department's willingness to provide employee coverage for the
27 area. She said that the City plans to open next week on Saturday. Council Member Taylor asked
28 what can be dumped. Mayor Cronin detailed allowed items as grass, weeds, leaves, small branches
29 (3 inches in diameter).
30

31 **B. WATER CONNECTION ORDINANCE**

32 Mayor Cronin reported as the City staff was looking at Pineview connections they found that there
33 are many people who have Pineview available to them, but yet are not connected and are using
34 culinary water. She stated the City is proposing an ordinance that would mandate residents with
35 access to secondary water to hook up to the system or be charged a yearly fine. Greg Westfall
36 advised that there are 1034 homes connected to Pineview, but there are over 1700 roof tops. He
37 said there are some neighborhoods that do not have secondary water available to them; therefore
38 there are roughly 500 homes that have access to Pineview but have not connected. She asked the
39 Council if they would be supportive of such an ordinance. Greg said there are two items to discuss
40 whether or not they would be in support of a fee or a fine for not connecting to Pineview and
41 encouraging conservation by increasing overage charges. Mayor said these are two different
42 approaches for encouraging conservation. Council Member Lewis asked if we are looking at doing
43 these separately or if it is proposed to combine these efforts. Mayor Cronin and Greg said
44 separately. Council Member Lewis said he does not agree with forcing people to buy anything. He
45 said he would be in support of residents paying more if they have excessive overages. Mayor
46 Cronin said the ordinance requiring connection is very similar to the ordinance the city passed
47 requiring those with access to sewer to connect. Council Member Montgomery asked what the
48 connection fee is for Pineview water. Greg said he was not sure but it is a very expensive to
49 connect. He said it is thousands of dollars. Mayor Cronin said that once connected you pay a yearly
50 tax for services. Council Member Lewis said he did not comfortable in passing an ordinance that
51 would create a \$1,000 or \$3,000 fee for residents but is in support of conservation and increasing
52 the overage fee. Greg said there is a challenge to both. He said there is that small few that may just

1 be going a little over the amount allowed in the base rate and then there are those that are going
2 way over. He said we need to find that balance of how we make it fair on both sides. Council
3 Member Wright asked how many residents have excessive use. Greg said there are 4 pages of users
4 using over 20,000 gallons and there are 30 names per page. He said some of these are at 80,000-
5 90,000 a month. Mayor Cronin said the other point of view is that if we use the culinary water in
6 ways that we could be using secondary water it affects the entire City, because everyone will have
7 to pay to drill another well. Council Member Lewis said that he feels the mandatory connection
8 would come into play if the overage fee does not help. Greg said at this point it is almost too late. He
9 said when you have a household that is using 80,000-90,000 gallons of water and they move to
10 Pineview you would have enough water to provide for 8 new homes in town. He said that is what
11 we are running up against is our growth and development and being able to provide culinary water
12 for that growth. Council Member Lewis said we definitely want to see growth but would rather use
13 the free market [to drive to conservation of culinary water]. Mayor Cronin stated growth helps us
14 with our sewer rates. She reminded the Council that the City transferring \$130,000 in general
15 funds to subsidize the sewer. She said that we want growth as it also promotes economic
16 development and businesses coming in. She said growth is a good thing but if we are limiting our
17 growth due to water supply it affects everybody. Mayor Cronin asked for any other thoughts.
18 Council Member Taylor stated he felt culinary water is a precious supply in Utah and we need to do
19 whatever we can to conserve. Mayor Cronin asked if he was thinking to implement 1 or both of the
20 fees. Council Member Taylor said both. Council Member Wright said this is a tough pill to swallow,
21 he said he feels that people would be forced into a large upfront cost and not a lot of people would
22 like that, but he thinks in the long run it would pay for itself especially if you are over every month
23 on culinary water use. He said that he would support looking at proposed conservation efforts.
24 Council Member Montgomery said she is interested getting more information on both. She said that
25 she would prefer working on an overage rate increase right away and possibly wait a bit longer on
26 the other effort until we see what results from the overage rate increase. Mayor Cronin said that
27 another possible option is to require any new developments to hook on and giving existing
28 developments a year to connect. Greg said that the new developments should be required for sure.
29 Mayor Cronin said she does not think that this is currently written in ordinance so we could work to
30 get this passed. She asked Council Member Lewis his thoughts on this suggestion. Council Member
31 Lewis was still not sure on requiring existing developments to connect, but could definitely jump on
32 requiring new developments. Council Member Montgomery asked if there were any other
33 incentives the City could offer to get people to connect. Greg said the staff can look at possible
34 incentives and get back with the Council. Council Member Taylor said that there are a lot of
35 secondary options throughout town stating that he has a different option than his neighbor down
36 the street. He asked if we can get what the connection fees may be. Mayor Cronin said staff will get
37 a copy of the connection fees and get back with the Council.

38

39 **C. STREET MAINTENANCE FEE**

40 Mayor Cronin said that they have discussed a street maintenance fee option during previous budget
41 discussions and asked if the Council wanted to move forward on this fee or what approach they
42 would like to take in maintaining the City streets. Council Member Lewis said he would be in
43 support of doing a study, presenting this to the public and letting them sound off on it. Council
44 Members Montgomery, Taylor and Wright agreed. Mayor Cronin said that as we study this we can
45 put a note in our newsletter, a note on our web page, and have a town hall meeting in an effort to
46 get information out to the public and gather input. Council Member Montgomery said once we have
47 the engineering and information she would absolutely be on board with this approach. She said it is
48 really hard to explain how complex or how expensive these projects are to the public. Greg said he
49 agrees but cautioned that there will be a cost associated with getting the information because of the
50 need of assistance from the engineers. Mayor Cronin said if we want to test the waters and have a
51 few town hall meetings we can do that. Otherwise we will need to wait until next fiscal year to start

1 getting engineer estimates. Council Member Wright and Taylor were in support of getting input
2 from the public now.

3
4 **ITEM 7: MINUTES & COUNCIL/MAYOR REPORTS**

5
6 **A. APPROVAL OF CONSENT ITEMS**

- 7 • **April 14, 2016 Work Session Minutes**
8 • **April 14, 2016 City Council Meeting Minutes**
9

10 Council Member Lewis said he was not here and asked if he should vote no. Greg said you can vote
11 yes if you are comfortable in doing so.

12
13 **MOTION:** Council Member Taylor made a motion to approve the April 14, 2016 Work Session and
14 City Council Meeting Minutes. Council Member Wright seconded the motion.

15 **ROLL CALL:** Council Member Lewis, Yes Council Member Taylor, Yes
16 Council Member Wright, Yes Council Member Montgomery, Yes
17 **Motion Approved.** 4 Yes, 0 No.
18

19 **B. MAYOR'S REPORT:** Mayor Cronin reported that she would be out of town for the next week
20 and the packet for the following meeting would be sent out until Monday, May 23rd. Mayor
21 Cronin said that she has talked with Council Member Montgomery and she has graciously
22 accepted the request for her to work closely with the Perry City C.E.R.T. Team. She said she
23 will work as a liaison representing the Mayor at these meetings. She said that they will be
24 having their C.E.R.T. chairman and officer elections on May 24th and the Council is invited to
25 attend if they are interested. She encouraged Council Members who are not currently a
26 C.E.R.T. member to attend a C.E.R.T. training in the fall. She reminded the Council that in the
27 event of an emergency whether they are C.E.R.T. members or not one of the responsibilities of
28 the Council is to be available and provide support as needed.
29

30 **C. COUNCIL REPORTS:** Council Member Montgomery reported that she has started to advertise
31 our bring one, take on library. She said it is still the best kept secret and need to get the word
32 out. She asked when Council pictures would be taken. Mayor Cronin said right after the
33 budget season and the Fourth of July.
34

35 **D. STAFF COMMENTS:**
36 None.
37

38 **E. ITEMS FOR NEXT NEWSLETTER**

- 39 • Green Waste
40 • Street Utility Fee
41 • Bring One, Take One Library
42 • Smith and Edwards Range Day
43 • Fourth of July
44

45 Mayor Cronin announced that they have taken a vote and the theme for the Fourth of July will be
46 "United We Stand". She also reminded the Council that June 30, 2016 will be the awards banquet
47 for community award winners, elected officials, and their spouses.

48 **ITEM 8: EXECUTIVE SESSION**

1 **MOTION:** Council Member Montgomery moved to close the Public Meeting and open an Executive
2 Session to discuss strategy regarding possible or imminent litigation. Council Member Lewis
3 seconded the motion.

4 **ROLL CALL:** Council Member Lewis, Yes Council Member Taylor, Yes
5 Council Member Wright, Yes Council Member Montgomery, Yes
6 **Motion Approved.** 4 Yes, 0 No.
7

8 The Regular Public Meeting closed at approximately 8:23pm.

9 **MOTION:** Council Member Wright moved to close the Executive Session and open the Public
10 Meeting. Council Member Montgomery seconded the motion.

11 **ROLL CALL:** Council Member Lewis, Yes Council Member Taylor, Yes
12 Council Member Wright, Yes Council Member Montgomery, Yes
13 **Motion Approved.** 4 Yes, 0 No.
14

15 The Regular Public meeting reopened at approximately 9:06pm.
16

17 **ITEM 9: ADJOURNMENT**
18

19 **MOTION:** Council Member Taylor made a motion to adjourn the council meeting.
20 **Motion Approved.** All Council Members were in favor.
21

22 The meeting adjourned at 9:07pm.
23
24
25

26 _____
27 Susan Obray, City Recorder
28

Karen Cronin, Mayor

29
30
31 _____
32 Shanna Johnson, Chief Deputy Recorder