

Thursday, November 14, 2019

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 – Regular Meeting

1. Call to Order and Opening Ceremonies

- A.** Thought, Reading or Invocation – Esther Montgomery
- B.** Pledge of Allegiance – Kevin Jeppsen

2. Approx. 7:05 PM Procedural Issues

- A.** Conflicts of Interest Declaration(s), If Any
- B.** Pass out Warrants to Council Members

3. 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

4. Approx. 7:20 PM – Action Items (Roll Call Vote)

- A.** Approval of Warrants
- B.** Discussion and/or Action to Assign a Street Name to 100 West from 2050 South to 2100 South
- C.** Resolution 2019-20 Repealing the Three Mile Creek Shooting Sports Complex Advisory Board

5. Approx. 7:35 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
 - October 10, 2019 City Council Meeting Minutes
 - October 24, 2019 City Council Meeting Minutes
- B.** Mayor's Report
- C.** Council Reports
- D.** Staff Comments
- E.** Planning Commission Report

6. Approx. 8:00 PM – Executive Session (if needed)

- A.** Discussion of the purchase, exchange, lease, or sale of real property, when public discussion would disclose the value of the property or prevent the authority from completing the transaction of the best possible terms.
- B.** Strategy session to discuss the character, professional competence, or physical or mental health of an individual.
- C.** Strategy session to discuss collective bargaining.
- D.** Strategy session regarding pending, or reasonably imminent litigation.
- E.** Strategy session to discuss the deployment of security personnel, devices, or systems.
- F.** Discussion of investigative proceedings regarding allegations of criminal misconduct.

7. Approx. 8:30 PM – Adjournment

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 emailed to the Ogden Standard-Examiner, Box Elder News Journal; and posted on the State Public Meeting Notice Website on this 17th day of October, 2019. 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.
Invoices with totals above \$2000.00 included.
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Box Elder County Treasurer's								
10480	Box Elder County Treasurer's	11/07/2019	Parcel Number 032830005	11/01/2019	131.33	131.33	11/07/2019	
10480	Box Elder County Treasurer's	11/07/2019	Parcel Number 020740014	11/01/2019	301.20	301.20	11/07/2019	
10480	Box Elder County Treasurer's	11/07/2019	Parcel Number 020290045	11/01/2019	92.00	92.00	11/07/2019	
10480	Box Elder County Treasurer's	11/07/2019	Parcel Number 020280025	11/01/2019	586.80	586.80	11/07/2019	
10480	Box Elder County Treasurer's	11/07/2019	Parcel Number 020250005	11/01/2019	240.40	240.40	11/07/2019	
10480	Box Elder County Treasurer's	11/07/2019	Parcel Number 020240001	11/01/2019	406.80	406.80	11/07/2019	
10480	Box Elder County Treasurer's	11/07/2019	Parcel Number 020290067	11/01/2019	1,276.40	1,276.40	11/07/2019	
Total Box Elder County Treasurer's :					3,034.93	3,034.93		
Brigham City Corp.								
6106	Brigham City Corp.	11/06/2019	walmart sales tax	11/01/2019	23,060.77	23,060.77	11/06/2019	
6106	Brigham City Corp.	11/06/2019	interlocal storm water	11/01/2019	117.60	117.60	11/06/2019	
Total Brigham City Corp.:					23,178.37	23,178.37		
C.R.B. Underground LLC								
11116	C.R.B. Underground LLC	1017-19	Repair Sewer Main	10/17/2019	4,500.00	4,500.00	10/25/2019	
Total C.R.B. Underground LLC:					4,500.00	4,500.00		
Caselle Inc								
10336	Caselle Inc	96943	Timekeeping Software	08/16/2019	3,950.00	3,950.00	10/25/2019	
Total Caselle Inc:					3,950.00	3,950.00		
Jones & Associates								
11552	Jones & Associates	19270	miscellaneous	10/01/2019	59.50	59.50	10/22/2019	
11552	Jones & Associates	19270	miscellaneous	10/01/2019	415.00	415.00	10/22/2019	
11552	Jones & Associates	19270	streets	10/01/2019	4,035.50	4,035.50	10/22/2019	
11552	Jones & Associates	19270	streets	10/01/2019	178.50	178.50	10/22/2019	
11552	Jones & Associates	19270	streets	10/01/2019	119.00	119.00	10/22/2019	
11552	Jones & Associates	19270	streets	10/01/2019	1,364.00	1,364.00	10/22/2019	
11552	Jones & Associates	19270	streets	10/01/2019	1,192.75	1,192.75	10/22/2019	
11552	Jones & Associates	19270	streets	10/01/2019	2,314.50	2,314.50	10/22/2019	
11552	Jones & Associates	19270	Culinary Water	10/01/2019	311.50	311.50	10/22/2019	
11552	Jones & Associates	19270	Storm Drain	10/01/2019	670.00	670.00	10/22/2019	
11552	Jones & Associates	19270	mapping	10/01/2019	982.50	982.50	10/22/2019	
11552	Jones & Associates	19270	mapping	10/01/2019	2,559.50	2,559.50	10/22/2019	
Total Jones & Associates:					14,202.25	14,202.25		
Keller Technology								
11436	Keller Technology	101	New Computers and Computer St	10/20/2019	2,822.00	2,822.00	10/25/2019	
Total Keller Technology:					2,822.00	2,822.00		
Rhett Robinson								
12577	Rhett Robinson	352	Storage Building For Gunrange	10/28/2019	5,000.00	5,000.00	10/30/2019	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total Rhett Robinson:					5,000.00	5,000.00		
Rocky Mountain Power								
2501	Rocky Mountain Power	10/30/2019	WWTP Power Bill	10/15/2019	4,972.12	4,972.12	10/30/2019	
2501	Rocky Mountain Power	10/30/2019	power bill	10/15/2019	1,688.19	1,688.19	10/30/2019	
2501	Rocky Mountain Power	10/30/2019	power bill	10/15/2019	4,993.67	4,993.67	10/30/2019	
2501	Rocky Mountain Power	10/30/2019	power bill	10/15/2019	393.99	393.99	10/30/2019	
2501	Rocky Mountain Power	10/30/2019	power bill	10/15/2019	104.25	104.25	10/30/2019	
2501	Rocky Mountain Power	10/30/2019	power bill	10/15/2019	128.12	128.12	10/30/2019	
Total Rocky Mountain Power:					12,280.34	12,280.34		
Sweep "N" Utah								
12588	Sweep "N" Utah	15337	Street Sweeper for City Roads	10/19/2019	2,782.50	2,782.50	10/25/2019	
12588	Sweep "N" Utah	15337	Street Sweeper For City Roads	10/19/2019	2,782.50	2,782.50	10/25/2019	
Total Sweep "N" Utah:					5,565.00	5,565.00		
The Bancorp Bank								
12149	The Bancorp Bank	456770	Vin1fdrf3ht3kda00989	10/31/2019	8,593.54	8,593.54	11/07/2019	
12149	The Bancorp Bank	456770	Vin 1fm5k8arxjgc74760	10/31/2019	7,398.58	7,398.58	11/07/2019	
12149	The Bancorp Bank	456770	Vin 1ftew1ew1ep8jkf16550	10/31/2019	5,084.23	5,084.23	11/07/2019	
12149	The Bancorp Bank	456770	Vin 1fm5k8ar5hgb077096	10/31/2019	6,832.70	6,832.70	11/07/2019	
Total The Bancorp Bank:					27,909.05	27,909.05		
Utah Local Governments Trust								
10333	Utah Local Governments Trust	10/30/2019	workers compensation	10/25/2019	2,888.15	2,888.15	10/30/2019	
Total Utah Local Governments Trust:					2,888.15	2,888.15		
William M. Morris P.C.								
10434	William M. Morris P.C.	10/17/2019	City Attorney Services	10/01/2019	1,800.00	1,800.00	10/17/2019	
10434	William M. Morris P.C.	10/17/2019	City Attorney Services	10/01/2019	337.50	337.50	10/17/2019	
10434	William M. Morris P.C.	10/17/2019	City Attorney Services	10/01/2019	112.50	112.50	10/17/2019	
10434	William M. Morris P.C.	11/07/2019	City Attorney Services	11/01/2019	1,800.00	1,800.00	11/07/2019	
10434	William M. Morris P.C.	11/07/2019	City Attorney Services	11/01/2019	337.50	337.50	11/07/2019	
10434	William M. Morris P.C.	11/07/2019	City Attorney Services	11/01/2019	112.50	112.50	11/07/2019	
Total William M. Morris P.C.:					4,500.00	4,500.00		
Zions Bank								
11510	Zions Bank	10/30/2019	Utopia	10/24/2019	10,098.27	10,098.27	10/30/2019	
Total Zions Bank:					10,098.27	10,098.27		
Grand Totals:					119,928.36	119,928.36		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
--------	-------------	----------------	-------------	--------------	-----------------------	-------------	-----------	--------

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Detail report.

Invoices with totals above \$2000.00 included.

Paid and unpaid invoices included.

**PERRY CITY
RESOLUTION 2019-20**

REPEAL ADVISORY BOARD

**A RESOLUTION OF PERRY CITY, UTAH, REPEALING
RESOLUTION 16-01 CREATING THE THREE MILE CREEK
SHOOTING SPORTS COMPLEX ADVISORY BOARD; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Perry City (hereafter “City”) is a municipal corporation duly organized and existing under the laws of the state of Utah;

WHEREAS, *Utah Code Annotated* §10-3-717, 1953 as amended, authorizes the City to exercise administrative powers by resolution;

WHEREAS, the City previously adopted Resolution 16-01 creating the Three Mile Creek Shooting Sports Complex Advisory Board;

WHEREAS, the Three Mile Creek Shooting Sports Complex Advisory Board has accomplished the purpose for which it was created and presently no longer functions;

WHEREAS, the City Council desires to repeal Resolution 16-01;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Perry City, Utah, that Resolution 16-01 is hereby repealed and the Three Mile Creek Shooting Sports Complex Advisory Board is hereby dissolved.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 2019.

KEVIN JEPPSEN, Mayor

VOTING:

Montgomery	Yea ____	Nay ____
Watkins	Yea ____	Nay ____
Ostler	Yea ____	Nay ____
Tueller	Yea ____	Nay ____
Wright	Yea ____	Nay ____

ATTEST:

City Recorder

PERRY CITY COUNCIL MEETING
PERRY CITY OFFICES
October 10, 2019

7:00 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Esther Montgomery, Toby Wright, Nathan Tueller, Andrew Watkins and Blake Ostler

CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder
Robert Barnhill, City Planner
Scott Hancey, Chief of Police
Bill Morris, City Attorney

OTHERS PRESENT: Mary Beth Farrer, Carson Olsen, Cache Hilton, Jenny Hilton, Matt Hilton, Michelle Drago, Rick Scadden, Nate Kjar, Shawn Parry

ITEM 1: CALL TO ORDER

Mayor Jeppsen called the City Council meeting to order.

A. INVOCATION

Council Member Wright offered the invocation.

B. PLEDGE OF ALLEGIANCE

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

ITEM 2: PROCEDURAL ISSUES

A. CONFLICT OF INTEREST DECLARATION

None.

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

Shanna Johnson passed out the warrants.

ITEM 3: PUBLIC HEARING AND/ OR PUBLIC COMMENT

A. PUBLIC COMMENTS

No public comment given.

ITEM 4: PRESENTATION

A. PROMONTORY SCHOOL STUDENTS ON XERISCAPING

Promontory Students Carson Olsen and Cache Hilton each gave a presentation on the benefits of xeriscaping to the Council.

ITEM 5: ACTION ITEMS

A. APPROVAL OF THE WARRANTS

MOTION: Council Member Wright made a motion to approve the warrants. Council Member Watkins seconded the motion.

ROLL CALL: Council Member Watkins, Yes Council Member Montgomery, Yes
Council Member Tueller, Yes Council Member Wright, Yes
Council Member Ostler, Yes

57
58 **Motion Approved.** 5 Yes, 0 No.
59

60 **B. ORDINANCE 19-F AMENDING THE PERRY CITY MUNICIPAL CODE REGARDING**
61 **MULTIFAMILY HOUSING**

62 Robert Barnhill reviewed the amendment to the Perry City Municipal Code regarding
63 Multifamily Housing and the proposed overlay zone map. He explained the benefits of the
64 overlay zone map and the intent to make things more efficient. He reviewed some options
65 regarding applying design review, the current numbers listed on the proposed overlay zone,
66 and whether to include apartments.
67

68 Council Member Wright asked for clarification regarding the CC&R's and if they would
69 supersede this ordinance.
70

71 Mr. Barnhill affirmed they would.
72

73 Council Member Montgomery asked for clarification on the definition regarding apartments
74 and restricting the ability to rent.
75

76 Mr. Barnhill stated it is up to the Council on if they desire the units to be owned or rented,
77 but whichever one they choose will directly affect the allowance of apartments.
78

79 The Council and Staff discussed some of the definitions (especially regarding apartment
80 restriction) and some adjustments they would like seen to the language and restrictions
81 currently stated.
82

83 The Council and Staff discussed whether it is in the best interest of the City to exclude
84 apartments completely. The Council and Staff agreed that for now it would be best to exclude
85 apartments from the overlay zone.
86

87 Council Member Montgomery stated she would like the areas with existing multifamily
88 housing, which exceeds the number allowed listed on the map to be adjusted to match.
89

90 The Council and Staff discussed setting a standard on the design of the future multifamily
91 housing.
92

93 Council Member Ostler clarified and expressed concern that if this is approved tonight
94 without the design standards, a developer could come in and start developing without them.
95 He explained his proposal to set all the numbers to zero until they can get the design
96 standards in place.
97

98 The Council and Staff discussed the current building codes, adding architectural and design
99 standards, and whether changing the numbers to zero is necessary at this time.
100

101 Council Member Ostler reviewed the current fee schedule, which is not clearly defined in the
102 code and proposed updating the fee schedule online.
103

104 He inquired about the open space fee (equal to 2% value of property, or equivalent land
105 donation) for subdivision developments and if the multifamily developments would come in
106 as subdivision applications and be charged this open space fee. He explained that the City is
107 currently not applying this fee and probably needs to moving forward.
108

109 The Council and Staff discussed utilizing this fee moving forward.
110

Bill Morris explained the purposes behind this fee and the legality behind it; he stated that if the City does utilize the 2% open space fee, they may not be able to use the impact fee. He explained that the fact that the City is not currently using it is not necessarily a bad thing. He said to leave it in there to be utilized when appropriate. He explained that they need to be careful and conscientious so that this would be implemented when appropriate, and not risk losing/harming the use of the impact fees.

MOTION: Council Member Wright made a motion to approve Ordinance 19-F amending the Perry City Municipal Code Regarding Multifamily Housing with pending Architectural design standards to be done as soon as possible. Council Member Tueller seconded the motion.

ROLL CALL: Council Member Watkins, Yes Council Member Montgomery, Yes
Council Member Tueller, Yes Council Member Wright, Yes
Council Member Ostler, Yes

Motion Approved. 5 Yes, 0 No.

C. ORDINANCE 19-G REPEALING TITLE 7, RENUMBERING TITLE 12 TO TITLE 7, REPEALING AND RE-ENACTING TITLE 8 AND 11

Bill Morris explained the adjustments made were to some language adjustments to the definition section.

Council Member Ostler reviewed his larger concerns and adjustments with the Council and Staff:

- Clarification on repealed sections
- Concerns on firework section adjustments regarding areal fireworks – Bill Morris clarified that City ordinance cannot be stricter than the State
- He noted that the ordinance will update the Plan Check Fee to 65%, and add a plan change fee. He asked staff to ensure that the consolidated fee schedule reflects the change
- Discussed and clarified definition number 5 on *nuisance premise*, which implements new procedures for registering vacant buildings, etc.).
- He asked staff to do a search and replace in the municipal code to ensure that referenced sections of code reflect the renumbering of the code sections.

Mr. Barnhill advised the Council that this Ordinance would add a junk code enforcement section to the Municipal Code; therefore, staff will be addressing code violations upon its passage.

MOTION: Council Member Wright made a motion to approve Ordinance 19-G repealing Title 7, renumbering Title 12 to Title 7, repealing and re-enacting Title 8 and 11. Council Member Watkins seconded the motion.

ROLL CALL: Council Member Watkins, Yes Council Member Montgomery, Yes
Council Member Tueller, Yes Council Member Wright, Yes
Council Member Ostler, Yes

Motion Approved. 5 Yes, 0 No.

D. ORDINANCE 19-H AMENDING THE PERRY CITY MUNICIPAL CODE REGARDING LOT REQUIRMENTS

Mr. Barnhill reviewed the amendments proposed by 19-H, which was initiated by a concerned citizen who felt the setbacks were more restrictive than surrounding cities. He said the main concern was regarding the side setbacks previously being set for a fire hazard purpose. He said the Fire Marshall stated the proposed changes (8 ft. on each side) would not create a fire hazard.

The Council and Staff discussed the proposed setback changes and if they would be in the best interest of the City.

Council Member Ostler expressed concern with the changes being contrary to the proposed general plan of a small-town rural feel.

He asked Mr. Barnhill if the Planning Commission had looked at the proposed ordinance in regards to the conservation subdivision, stating he feels it undercuts some of the benefits of the Conservation Subdivision.

Council Member Tueller stated he did not think that it undercut the Conservation Subdivision; because he felt the main incentive to use, it is changing the lot sizes.

The Council and Staff discussed and clarified if these changes would be in the best interest for the City, if it would affect the small-town rural feel, and if it would undermine the Conservation Subdivision.

MOTION: Council Member Tueller made a motion to approve Ordinance 19-H amending the Perry City Municipal Code regarding Lot Requirements. Council Member Watkins seconded the motion.

ROLL CALL: Council Member Watkins, Yes Council Member Montgomery, Yes
Council Member Tueller, Yes Council Member Wright, Yes
Council Member Ostler, Yes

Motion Approved. 5 Yes, 0 No.

E. ORDINANCE 19-I ADOPTING AN UPDATED PERRY CITY GENERAL PLAN

Bill Morris explained there are two options the City can use to implement this updated General Plan. He said they could either have the General Plan be mandated or it could be an advisory guide. He explained the pros and cons behind both options and why both options are utilized throughout the State.

The Council and Staff discussed these two options and which they felt would be in the best interest of the City.

Council Member Ostler referred to State Code 10-9a-405 and 406, which indicate that the general plan is an advisory guide except as it affects public property.

Mr. Morris stated they would put general language into the ordinance to allow it to be an advisory guide yet still comply with the State Code.

The Council came to an agreeance to move forward with the updated General Plan as an advisory guide with the general language amended to include and adhere to the State Code.

The Council and Staff discussed and reviewed some concerns and questions on the updated General Plan

Council Member Watkins noted that the transportation map has roads, which are not accurate and will need to be fixed (especially the two proposed roads). He said that these were possibly missed by the WFRRC.

Council Member Ostler inquired if the added language about public uses will allow the City to update its Master or Capital Plans.

Mr. Morris stated that this to-be-added language will allow the City to have the Master and Capital Facility Plans and to update them every year to qualify them for grant money.

Council Member Ostler said he felt this would be beneficial because there are many master plans in the coding and this broad language in the General Plan would cover all those very specific master plans.

The Council and Staff discussed the current master and capital project plans, the implementation of this General Plan covering those and how to include this in the motion.

MOTION: Council Member Watkins made a motion to approve Ordinance 19-I adopting an updated Perry City General Plan subject to authorizing Staff to use broad language for public uses to comply with State Code 10-9a-406. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Watkins, Yes Council Member Montgomery, Yes
Council Member Tueller, Yes Council Member Wright, Yes
Council Member Ostler, Yes

Motion Approved. 5 Yes, 0 No.

F. DISCUSSION AND/OR ACTION TO ASSIGN A STREET NAME TO 100 WEST FROM 2050 SOUTH TO 2100 SOUTH

Mr. Barnhill reviewed that the County Recorder had some issues with recording the addresses at the Suncrest Subdivision due to the current duplicate streets; therefore, they need to assign a name to 100 West from 2050 South to 2100 South.

He explained that the City Codes say that for a name to be assigned to a street it must be approved by the Council.

Council Member Montgomery suggested using a tree name because there are already many streets with tree names.

Council Member Tueller suggested naming it Eskelson after a resident, who has lived on the street for many years.

The Council and Staff discussed the different options and came to an agreeance on naming it Eskelson Lane.

Mayor Jeppsen tabled this item to allow the City to get permission from Mr. Eskelson.

ITEM 5 MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF CONSENT ITEMS

- **September 26, 2019 City Council Meeting Minutes**
Tabled.

272 **B. MAYOR'S REPORT**

273 Mayor Jeppsen stated he had a meeting with the State, our Fire Marshall, and the Brigham City
274 Fire Chief regarding the Wildfire Mitigation agreement between the State and the City. He
275 explained the previous administration signed a contract that the City would do like and in-kind
276 service to a certain amount each year, which has been met line item wise, but has not been
277 documented. He said the City received a letter, which stated they were on probation, and could
278 be fined \$13,000. He said they are gathering all the documentation to show that they have met
279 these requirements.

280
281 Mayor Jeppsen said he had attended a Mayors Association meeting, and the City was
282 recommended to receive an extension on some of the funding it had received from the COG to
283 address inflation on projects. The recommendation will be going to the County Commissioners
284 for approval.

285
286 He said he attended a meeting regarding the UTA tax and learned money from this tax could
287 only be used for the Front Runner. He explained he has spoken with the other Mayors involved
288 and they are pushing for the money to be reallocated to the Bamberger Corridor. He said the
289 studies are currently showing that the Front Runner will not make it to Perry before 2050, if at
290 all. He proposed a ballot initiative to remove the tax.

291
292 Council Member Tueller stated he felt that the corridor needs to be protected and not have
293 structures built which will just be torn down in 30 years when this comes through.

294
295 Mayor Jeppsen stated the 100 West project will have pavement on it next week depending on
296 weather. He said the storage building on the gun range is near completion.

297
298 Mayor Jeppsen reported that he met with Mayor Braegger about an annexation of Perry City
299 property into Willard City in order to simplify the sewer line that is to be installed along the
300 south end of 1200 West. He said Mayor Braegger would be presenting this to his City Council.

301
302 **C. COUNCIL REPORTS**

303 Council Member Tueller said he would like to see a discussion on affordable housing in the
304 future.

305
306 Council Member Watkins said he had a positive experience helping with some code
307 enforcement issues. He asked about the USU Board and offered his services in participating in
308 that.

309
310 **D. STAFF COMMENTS**

311 Mr. Barnhill stated the national park service will be designing Mountain View Park for the City.
312 He said the City should have a plan and projected costs for park improvements from them soon.

313
314 **E. PLANNING COMMISSION REPORT**

315 Commissioner Michelle Drago expressed her excitement at having the updated General Plan
316 approved.

317
318 **ITEM 7: EXECUTIVE SESSION**

319
320 **MOTION:** Council Member Wright made a motion to close the regular meeting and open the
321 executive session regarding discussion of the purchase, exchange, lease, or sale of real property.
322 Council Member Tueller seconded the motion.

323
324 **ROLL CALL:** Council Member Ostler, Yes
325 Council Member Wright, Yes

Council Member Montgomery, Yes
Council Member Watkins, Yes

Council Member Tueller, Yes

Motion Approved. 5 Yes, 0 No.

The Regular Meeting Closed at 9:13pm

MOTION: Council Member Tueller made a motion to reopen the regular meeting. Council Member Watkins seconded the motion.

ROLL CALL: Council Member Ostler, Yes Council Member Montgomery, Yes
Council Member Wright, Yes Council Member Watkins, Yes
Council Member Tueller, Yes

Motion Approved. 5 Yes, 0 No.

The Regular Meeting Reopened at 9:54pm

ITEM 8: ADJOURNMENT

MOTION: Council Member Tueller made a motion to adjourn the City Council Meeting.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 9:55 PM.

Susan Obray, City Recorder

Kevin Jeppsen, Mayor

Shanna Johnson, Chief Deputy Recorder

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Esther Montgomery, Toby Wright (arrived at 7:14), Nathan Tueller, Andrew Watkins and Blake Ostler

CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder
Robert Barnhill, City Planner
Dave Freeze, Sergeant Police Officer
Bill Morris, City Attorney

OTHERS PRESENT: Nate Mueller, Jan Kerr (Planning Commissioner), and Nelson Phillips

ITEM 1: CALL TO ORDER

Mayor Jeppsen called the City Council meeting to order.

A. INVOCATION

Council Member Watkins offered the invocation.

B. PLEDGE OF ALLEGIANCE

Council Member Ostler led the audience in the Pledge of Allegiance.

ITEM 2: PROCEDURAL ISSUES

A. CONFLICT OF INTEREST DECLARATION

Council Member Ostler stated that he works for the Bank of Utah and there are some warrants, which are for the Bank of Utah. He explained he is not sure if that is a conflict of interest but wanted to note it just in case.

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

Shanna Johnson passed out the warrants.

ITEM 3: PUBLIC HEARING AND/ OR PUBLIC COMMENT

A. PUBLIC COMMENTS

No public comment given.

ITEM 4: ACTION ITEMS

A. APPROVAL OF THE WARRANTS

The Council and Staff discussed and clarified the current warrants. Mr. Morris clarified that Council Member Ostler can vote on this item because his conflict of interest is not a disqualifying conflict of interest.

MOTION: Council Member Montgomery made a motion to approve the warrants. Council Member Tueller seconded the motion.

ROLL CALL: Council Member Watkins, Yes Council Member Montgomery, Yes
Council Member Tueller, Yes Council Member Wright, Yes
Council Member Ostler, Yes

Motion Approved. 5 Yes, 0 No.

B. DISCUSSION/ACTION TO ASSIGN A STREET NAME TO 100 W FROM 2050 S TO 2100 S

Mr. Barnhill stated he spoke with Todd Eskelson and he was favorable to the idea of having the street named Eskelson but would like to get feedback from the rest of the family.

C. DISCUSSION/ ACTION REGARDING PLANNING COMMISSION'S RECOMMENDATION TO CONSIDER A CODE AMENDMENT ALLOWING APARTMENTS ON CERTAIN LOTS IN POINTE PERRY

Mr. Barnhill reviewed the recommendation of the Planning Commission to open some of the western lots of Pointe Perry to apartments. He explained the current landowner has had issues marketing the area and feels that by putting in apartments it will draw more businesses to the area.

He explained this is not a code amendment, just a proposal of the idea and an effort to receive feedback from the Council before the Commission further researches and moves forward with the idea. He reviewed the adjustments which would need to take place to allow this idea to move forward (allow 50 ft. structures; allow apartments in the IC zone, etc.).

He clarified it would not allow apartments in the entire IC zone but just in the proposed sections. He said Nate Mueller is here to represent the landowners to answer questions and get feedback from the Council.

Council Montgomery stated she felt it was an interesting concept and might be a good option for this property, which has been stagnant for so long.

The Council and Staff reviewed if this idea would go along with the recently passed General Plan, which stated multifamily can be selectively allowed in this area.

Council Member Ostler said he would also like to see some research on rooftops equaling retail.

Mr. Barnhill said his understanding is most businesses look at rooftops within a certain distance from the location and the daily traffic to the area before considering building. He explained the landowners are hoping that by bringing more people into the area it will help them attract more businesses to buying their other lots for commercial purposes.

Nate Mueller introduced himself and explained that he and his partners purchased 8 lots a little over a year ago in Pointe Perry, two of which they are proposing for the apartments. He explained that as they have tried to market this project, businesses have not been interested due to the lack of development in the area. He stated they have looked at other similar locations and they have found the mixture of high-density housing with the commercial to be a successful combination. He said he felt this would be a natural fit and away from the single-family housing.

The Council and Staff discussed the option of utilizing apartments and if this idea would be in the best interest of the City. The Council and Staff discussed the number of units and asked about changing the overlay zone numbers listed in this area from 0 to 80.

Council Member Tueller agreed with Council Member Ostler that there is a need for design standards before something like this is developed.

The Council discussed the use of minimal apartments in the City and felt if they do allow apartments in the City this would be the ideal area for it.

Nate Mueller clarified he is a property owner and they do not yet have a developer for this area because they wanted to see if this idea was an option first.

Mr. Mueller reviewed the meeting he had regarding the wetland areas of these properties and stated there may need to be some adjustments made to the proposed concept.

The Council discussed whether they would like the Planning Commission to move forward with this idea.

Council Member Ostler inquired about the status of the design standards for multifamily housing.

Mr. Barnhill stated that he asked Susan O Bray to work on this and hasn't followed up with her to verify if she had posted a notice or not.

Council Member Ostler gave his advice regarding moving forward with this and having the design standards in place so they are nice complexes, as well as, having this area identified as Perry not Brigham.

Council Member Tueller recommended looking at what Brigham City is planning for their side of this area, and ensuring that this proposed idea is a positive impact for the area long term. He noted he would prefer not having Government Subsidized housing.

Planning Commissioner Kerr stated the Commission also agrees on the importance of implementing the design standards.

The Council agreed to have the Planning Commission pursue this idea further, allowing mixed use in this area, with the utilization of quality centered design standards in place.

ITEM 5: DISCUSSION ITEMS

A. DISCUSSION REGARDING MODIFYING THE THREE MILE CREEK GUN RANGE BOARD STRUCTURE

Mayor Jeppsen stated he is requesting the Council to repeal the action taken on the Gun Range Board Structure. He said this Board has not been functioning since 2017. He explained he felt this Board was superfluous since the Gun Range is run by the City Administration.

Mr. Morris added his support to this request as the Board should be following the Open Meetings Act, which he is not sure, has been followed, and it would be better to have a Gun Range Director that reports to the City.

Ms. Johnson clarified the Board has followed the Open Meetings Act in the past.

The Council agreed it would be a good idea to remove the Board, which is not currently functioning.

Council Member Ostler inquired if there were any other Boards like this one and why it was developed.

Shanna Johnson stated former Mayor, Jerry Nelson, created this Board in his term for the purpose of keeping those who helped create the Gun Range involved.

B. BUDGET UPDATE

Shanna Johnson presented the Budget Update to the Council (See Attached Documentation).

165
166 **ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS**

167 **A. APPROVAL OF CONSENT ITEMS**

- 168
169 • **September 26, 2019 City Council Meeting Minutes**

170
171 **MOTION:** Council Member Montgomery made a motion to approve the September 26, 2019 and
172 Council Meeting Minutes. Council Member Wright seconded the motion.

173
174 **ROLL CALL:** Council Member Watkins, Yes Council Member Montgomery, Yes
175 Council Member Tueller, Yes Council Member Wright, Yes
176 Council Member Ostler, Yes

177
178 **Motion Approved.** 5 Yes, 0 No.

179
180 **B. MAYOR REPORT**

181 Mayor Jeppsen reviewed the current status on the progress with SITLA and that things are
182 moving along. He said the shed at the Gun Range is almost complete and the target system for
183 the pistol range still needs to be worked on.

184
185 Shanna Johnson stated these projects will complete the grants and noted that the State will
186 come and tour the short-range pistol venue at the Gun Range in the spring.

187
188 **C. COUNCIL REPORTS**

189 Council Member Tueller said the Wastewater Board meeting was cancelled because the
190 Chairman could not attend.

191
192 Council Member Watkins stated he has someone in mind to assist at the gun range as a Range
193 Safety Officer and would email the Mayor.

194
195 Mayor Jeppsen reviewed some plans for extending the shooting season at the Gun Range.

196
197 **D. STAFF COMMENTS**

198 Shanna Johnson reviewed the process of the election and wished all the candidates well.

199
200 She noted that December 13th will be the City Holiday Party for Elected Officials and City Staff.

201
202 **E. PLANNING COMMISSION REPORT**

203 Planning Commissioner Kerr noted the process they are working on to streamline the process
204 of the subdivision application process.

205
206 **ITEM 7: EXECUTIVE SESSION**

207
208 **MOTION:** Council Member Wright made a motion to close the regular meeting and open the
209 executive session regarding discussion of the purchase, exchange, lease, or sale of real property.
210 Council Member Watkins seconded the motion.

211
212 **ROLL CALL:** Council Member Taylor, Yes Council Member Montgomery, Yes
213 Council Member Wright, Yes Council Member Watkins, Yes
214 Council Member Tueller, Yes

215
216 **Motion Approved.** 5 Yes, 0 No.

217
218 **The Regular Meeting Closed at 8:11pm**

MOTION: Council Member Tueller made a motion to reopen the regular meeting. Council Member Watkins seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

The Regular Meeting Reopened at 8:36pm

ITEM 8: ACTION ITEM

MOTION TO ALLOW THE MAYOR TO ENTER INTO NEGOTIATIONS/CONTRACT FOR A LAND PURCHASE

MOTION: Council Member Wright made a motion to allow the mayor to enter into negotiations or contract for a land purchase. Council Member Tueller seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

ITEM 9: ADJOURNMENT

MOTION: Council Member Montgomery made a motion to adjourn the City Council Meeting.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 8:37 PM.

Susan O Bray, City Recorder

Kevin Jepps en, Mayor

Shanna Johnson, Chief Deputy Recorder