

Thursday, November 12, 2020
PERRY CITY COUNCIL MEETING AGENDA
This is an “Electronic Meeting” Web/Teleconferencing will be used to participate
Go to www.perrycity.org for meeting access instructions

The Centers for Disease Control and Utah Department of Health have declared a national and state pandemic for COVID-19 where social distancing and other requirements are in place to prevent the spread of this infectious disease.

The Perry City Council will hold an electronic meeting via web/teleconference on the Thursday identified above, starting at approximately 7:00 PM. Members of the public at the Public Meeting may view the meeting via Zoom using a link and instructions on the web page at: <https://www.perrycity.org/whats-new.htm.htm>. 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 City Council Meeting

- 1. Call to Order**
- 2. Procedural Issues**
 - A. Conflicts of Interest Declaration(s), If Any
- 3. Presentation**
 - A. Law Enforcement Recognition from the Box Elder County Mayor’s Association
 - B. Brigham City Senior Center
- 4. Action Items (Roll Call Vote)**
 - A. Approval of Warrants
 - B. Ordinance 20-W Amending Title 10 Regarding Obstructions
- 5. Discussion Items**
 - A. CARES Act Small Business Grants
 - B. Holiday Dinner & Christmas Movie
- 6. 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 22, 2020 City Council Meeting Minutes
 - B. Mayor’s Report
 - C. Council Reports
 - D. Staff Comments
 - E. Planning Commission Report
- 7. 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.
- 8. Approx. 8:00 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 5th day of November, 2020. Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461).

Shanna S. Johnson, City 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
Blake Knight								
12729	Blake Knight	10/21/2020	Building Permit Deposit returned	10/20/2020	2,500.00	2,500.00	10/21/2020	
	Total Blake Knight:				2,500.00	2,500.00		
Box Elder County								
12319	Box Elder County	11/03/2020	Qtrly Inspection Payment	10/31/2020	12,344.77	12,344.77	11/03/2020	
	Total Box Elder County:				12,344.77	12,344.77		
Brigham City Corp.								
6106	Brigham City Corp.	11/03/2020	walmart sales tax	10/30/2020	22,232.19	22,232.19	11/03/2020	
6106	Brigham City Corp.	11/03/2020	interlocal storm water	10/30/2020	117.60	117.60	11/03/2020	
	Total Brigham City Corp.:				22,349.79	22,349.79		
Econo Waste, INC								
12713	Econo Waste, INC	525337	Garbage Service	10/05/2020	20,310.00	20,310.00	10/15/2020	
	Total Econo Waste, INC:				20,310.00	20,310.00		
Golden Spike Electric								
11747	Golden Spike Electric	23088	VFD & Install	10/12/2020	11,560.64	11,560.64	11/03/2020	
	Total Golden Spike Electric:				11,560.64	11,560.64		
Polydyne Inc.								
11400	Polydyne Inc.	1489012	Polymer	10/13/2020	2,515.14	2,515.14	11/03/2020	
	Total Polydyne Inc.:				2,515.14	2,515.14		
Rocky Mountain Power								
2501	Rocky Mountain Power	11/03/2020	power bill	10/19/2020	1,734.39	1,734.39	11/03/2020	
2501	Rocky Mountain Power	11/03/2020	power bill	10/19/2020	127.96	127.96	11/03/2020	
2501	Rocky Mountain Power	11/03/2020	power bill	10/19/2020	81.86	81.86	11/03/2020	
2501	Rocky Mountain Power	11/03/2020	power bill	10/19/2020	425.88	425.88	11/03/2020	
2501	Rocky Mountain Power	11/03/2020	power bill	10/19/2020	6,502.77	6,502.77	11/03/2020	
2501	Rocky Mountain Power	11/05/2020	WWTP Power Bill	10/14/2020	5,032.87	5,032.87	11/05/2020	
	Total Rocky Mountain Power:				13,905.73	13,905.73		
Skyline Electric Company								
11924	Skyline Electric Company	W11781	Motor Rebuild	09/30/2020	5,982.80	5,982.80	11/03/2020	
	Total Skyline Electric Company:				5,982.80	5,982.80		
The Bancorp Bank								
12149	The Bancorp Bank	488344	Lease Rental 7796	10/30/2020	6,832.70	6,832.70	11/05/2020	
12149	The Bancorp Bank	488344	Lease Rental 0989	10/30/2020	8,593.54	8,593.54	11/05/2020	
12149	The Bancorp Bank	488344	Lease Rental 4760	10/30/2020	7,398.58	7,398.58	11/05/2020	
12149	The Bancorp Bank	488344	Lease Rental 6550	10/30/2020	5,084.23	5,084.23	11/05/2020	
12149	The Bancorp Bank	488344	Lease Rental 0988	10/30/2020	8,593.54	8,593.54	11/05/2020	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Total The Bancorp Bank:					36,502.59	36,502.59		
Zions Bank								
11510	Zions Bank	11/03/2020	Utopia	10/10/2020	10,300.23	10,300.23	11/03/2020	
Total Zions Bank:					10,300.23	10,300.23		
Grand Totals:					138,271.69	138,271.69		

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Detail report.

Invoices with totals above \$2000.00 included.

Paid and unpaid invoices included.

Warrant Preapproval
11/12/2020

REQUISITION/PURCHASE ORDER

Perry City Corporation
3005 South 1200 West, Perry, Utah 84302
(435)723-6461 or Fax (435)723-8584

TO: 52 Wholesale

ATTN: -----
PHONE: -----

DATE: 11-2-2020
DEPT: POLICE
ACCOUNT: JAG GRANT
P.O. NUMBER: 20-184

AN ORDER IS HEREBY PLACED FOR THE FOLLOWING:

QUANTITY	ITEM	UNIT PRICE	PRICE
1	SIM MUNITION EQUIPMENT		3810.50

TOTAL

\$ 3810.50

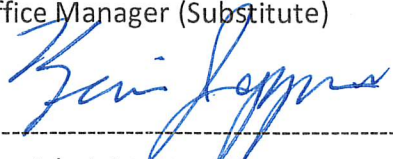
UTAH TAX EXEMPT: 11630937-002-STC

Requested By: Scott

Signatures for advance approval (before ordering or paying)



Department Head (Preferred) or
Office Manager (Substitute)



City Administrator, Mayor,
Supervising Council Member or
Board Member

Check #-----

Date-----

I hereby certify the within claim to be correct.

Clerk-----

Approved by-----

Budget Code-----

Resolution 14-03A (Expenditure Approval Process) requires:

1. (a) All non-routine expenditures of less than \$250.00 (that are provided for in the budget) and (b) all routine utility expenditures (that are provided for in the budget) shall not need to be itemized as warrants, unless there is substantial overtime or an expenditure is substantially higher than normal; and
2. All non-routine expenditures of \$250.01 to \$2000.00 shall require a purchase order and advance approval from (a) the mayor or supervising city council member and (b) the office manager or department head (with a finding that budgeted money is available); and
3. All non-routine expenditures of \$2000.01 or more shall require a purchase order and advance approval from the city council (in a city council meeting, with a finding that budgeted money is available).



SALT LAKE WHOLESALE SPORTS

3331 SOUTH 300 WEST
SALT LAKE CITY, UT 84115
(801) 485-4867 / (800) 248-4867
sales@saltlakewholesalesports.com

Estimate

Date	Estimate #
10/30/2020	2930
Estimate is good for 30 days	

Name / Address

PERRY POLICE DEPARTMENT
ACCOUNTS PAYABLE
3005 SOUTH 1200 WEST
PERRY, UT 84302

					Terms	Project	
					Net 30		
Item	Description	Qty	U/M	Rate	Dimensions (...)	Weight ...	Total
FF556BCG	FORCE ON FORCE 5.56 DROP IN BOLT CARRIER GROUP, BLUE	4	ea	256.25	TBDXTBDXT...	0.00	1,025.00
UA175ST202	GLOCK 17T GEN5 FXD SIGHTS SN:	2	ea	459.00	11 X 9 X 2.5	3.80	918.00
8971998	UPDATED: FX9003 Helmet and FX® 9003 Mask (Black)	3	ea	146.00	12x9x8	3.50	438.00
8971770	FX® 9000 Groin Protector - Male	3	ea	56.00	TBD X TBD X...	0.00	168.00
FF556B1	500 round case, 5.56 Force on Force marking cartridge, Blue, non-toxic	2	cs	323.75	15 7 6	7.00	647.50
5320761	* 9 mm FX® Red	2	ea	257.00	TBD X TBD X...	0.00	514.00
FET EXEMPT	50 rds/box - 500 rds/case						
	11% FET EXEMPTION FOR STATE OR MUNICIPAL AGENCIES						0.00
SHIPPING	UPS (guns 2nd Day Air, everything else ground)	1		100.00			100.00
Thank you for inquiring with Salt Lake Wholesale Sports. To accept this Estimate, please respond in writing or send a Purchase Order to sales@saltlakewholesalesports.com					Total		
					\$3,810.50		

PERRY CITY
ORDINANCE 20-W OBSTRUCTIONS

NOW THEREFORE, be it ordained by the Council of Perry City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “10.15.060 Obstructions Generally” of the Perry Municipal Code is hereby *amended* as follows:

A M E N D M E N T

10.15.060 Obstructions Generally

It shall be unlawful for any person to put or place or cause to be put or placed anywhere upon a public street, ~~or sidewalk,~~ or public right of way; ~~and it shall be unlawful for any such person, after reasonable notice by the Chief of Police or any police official, to suffer to be or remain in front of his premises, upon the sidewalk, on the half of the street next to such premises:-~~

1. Any broken ware, glass, filth, rubbish or refuse matter, on the half of the street next to such premises;
2. Any wagons, old automobiles, lumber, wood, boxes, fencing, building material, merchandise or other things which shall obstruct such public streets, ~~or~~ sidewalks, public right of way, or any part thereof, or the free use and enjoyment thereof, or the free passage over and upon the same, or any part thereof, without the permission of the City Council;
3. Any goods, wares, or merchandise, for sale or show or otherwise, beyond three feet of the front line of the lot where such goods, wares or merchandise may be exposed.
4. It shall be unlawful to:
 - a. place, pile, cause, or permit to be placed or piled any sand, gravel, lime, cement, mortar, plaster, concrete, or any other like substance or mixture.
 - b. to allow the same to remain on any portion of any paved street or sidewalk in the City.
 - c. Make, mix, cause, or permit to be made or mixed any mortar, plaster, concrete or any like substance or mixture on any portion of any paved street or sidewalk in the City without first obtaining a permit from the Superintendent of Streets and Sidewalks.

No person receiving or delivering goods, wares or merchandise in the City shall place or keep upon, or sue for to be placed or kept upon, any public street, sidewalk, or public right of way in the City any goods, wares or merchandise which he may be receiving or delivering, for a longer period than two hours.

PASSED AND ADOPTED BY THE PERRY CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Nathan Tueller	_____	_____	_____	_____
Councilmember Blake Ostler	_____	_____	_____	_____
Councilmember Toby Wright	_____	_____	_____	_____
Councilmember Esther Montgomery	_____	_____	_____	_____
Councilmember Andrew Watkins	_____	_____	_____	_____

Presiding Officer

Attest

Kevin Jeppsen, Mayor, Perry City

Susan Obray, City Recorder Perry
City

Staff Report

November 12, 2020

Perry City Council



Ordinance 20-W Obstructions

Summary

During the course of regular code enforcement activities Section 10.15.060 of the PMC was discussed with Chief Hancey. It was found that this section of code could not always be applied where necessary because it was written specifically for streets and sidewalks. We have encountered some issues where obstructions have been left within the city right of way, but not directly on the street or sidewalk. This could include obstructions in the parkstrip or shoulder where individuals store personal items.

The main purpose of this proposed amendment is to add *public right of way* to the code in addition to streets and sidewalk.

PERRY CITY COUNCIL
MEETING PERRY CITY OFFICES
OCTOBER 22, 2020

7:00 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Esther Montgomery, Blake Ostler, Toby Wright, and Andrew Watkins (joined at 7:26 p.m.)

OFFICIALS ABSENT: Nathan Tueller

CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder
Tyra Bischoff, Office Assistant
Scott Hancey, Chief of Police
Tyler Wagstaff, Public Works Director

CITY STAFF ABSENT: Robert Barnhill, City Administrator
Bill Morris, City Attorney

OTHERS PRESENT: Nelson Phillips, Michelle Drago, and Rich Bischoff

ITEM 1: CALL TO ORDER

Mayor Jeppsen called the electronic City Council meeting to order. The Mayor read the statement from the CDC and Utah Department of Health regarding electronic meetings: The CDC and Utah Department of Health have declared a national and state pandemic for COVID-19 where social distancing and other requirements are in place to prevent the spread of this infectious disease.

ITEM 2: PROCEDURAL ISSUES

A. CONFLICT OF INTEREST DECLARATION

None.

B. APPOINTMENTS: CITY RECORDER & DEPUTY RECORDER

Mayor Jeppsen proposed appointment of Shanna Johnson as City Recorder and Tyra Bischoff as Deputy Recorder to the Council.

MOTION: Council Member Wright made a motion to approve the appointments presented by Mayor Jeppsen. Council Member Montgomery seconded the motion.

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

Motion Approved. 3 Yes, 0 No.

C. OATH OF OFFICE

Shanna recited the Oath of Office as Deputy Recorder for Tyra to become Deputy Recorder and then Tyra recited the Oath of Office as Deputy Recorder for Shanna to become City Recorder.

Shanna thanked the Mayor and the Council for the appointments and complimented Susan O Bray having done a great job as Deputy Recorder and City Recorder for the past 25 years.

Shanna said that Susan's new position will be an Executive Assistant for the Police department.

ITEM 3: ACTION ITEMS

A. APPROVAL OF WARRANTS

The Council reviewed and discussed the warrants.

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

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

Motion Approved. 3 Yes, 0 No.

B. RESOLUTION 2020-20 ADOPTING BOUNDARIES OF THE STATE SPONSORED ENTERPRISE ZONE IN PERRY CITY

Council Member Montgomery inquired about the appendix that should be attached to the resolution with the area that would be designated as the Enterprise Zone. Shanna explained the reason a map is not attached is because the cities that are looking at joining the Enterprise Zone are looking at attaching a map of their entire cities, unless the Council decides they want to designate specific areas. Shanna then reviewed in detail the benefits and requirements of the Enterprise Zone for the City, stating Perry Businesses have received \$286,263 in tax credits. The City will be required to provide a benefit to the business such as a business license discount or information to business resources, for example, a flyer directing business to the USU Brigham Business Center. She added that the application needed to be complete by December 30 and if it lapses, the City would be unable to reapply.

Council Member Ostler asked if Davis and Bott were doing this for free or if there would be a charge for this. Shanna explained that she believes it will be free, she said that she will double check and if there is a fee she would let them know.

Council Member Wright said that as he was looking at the State map, he noticed there were not a large number of areas that had Enterprise Zones across the State. He wondered what the advantage would be for Perry City to do this. Shanna explained that the advantage would be that it shows support to businesses in the City with little impact to the City. Council Member Ostler added that according to State Code, there is a limit to how many people in the City (20,000) and County (70,000) that are allowed in an Enterprise Zone. Council Member Montgomery and Shanna agreed that this would explain why there would be a limited number of areas (more rural areas) throughout the State that are labeled as Enterprise Zones.

Council Member Wright asked how businesses would be notified of this. Council Member Ostler explained that the City designating the Enterprise Zone allows the businesses to use it and that it is handled (informed to the business) through the business' tax accountant.

MOTION: Council Member Montgomery made a motion to approve Resolution 2020-20 Adopting Boundaries of the State Sponsored Enterprise Zone in Perry City. Council Member Wright seconded the motion.

AMENDED MOTION: Council Member Ostler suggested amending the motion to indicate approval with attaching Exhibit A with a map showing the entire city as Enterprise Zone as well as the application submitted to the State that our support is limited to distributing a flyer.

The Council discussed the amendment and agreed with Council Member Ostler's suggestion. Council Member Montgomery amended the motion to include the amendment suggested by Council Member Ostler. Council Member Wright stated his second to the motion stands.

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

Motion Approved. 3 Yes, 0 No.

Council Member Watkins joined the meeting at 7:26 p.m.

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

A. APPROVAL OF CONSENT ITEMS

- October 8, 2020 City Council Meeting Minutes

MOTION: Council Member Montgomery made a motion to approve the October 8, 2020 City Council Meeting Minutes. Council Member Wright seconded the motion.

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

Motion Approved. 4 Yes, 0 No.

B. MAYOR'S REPORTS

Mayor Jeppsen discussed hoping to have an executive session to discuss a land acquisition but said that it had not progressed sufficiently for discussion. He is hoping to have it ready to discuss at the next meeting.

C. COUNCIL REPORTS

Council Member Watkins stated that he was glad to see the Perry Youth Council's activity of planting trees in the newspaper and thanked Nelson Phillips and staff.

Council Member Wright asked about locations of drop boxes for ballots. Shanna explained that there is one at the City that is monitored by a camera and at the County. She added that in person voting would be available on Election Day (November 3rd) at USU Brigham City.

Council Member Ostler asked staff if there is any indication of how much money has been distributed to local businesses from the CARES Act yet. Shanna explained that applications are still being reviewed and that information is not available yet but hopefully we would know more by the next meeting. Council Member Ostler asked what the result was of the finalization of the inter-local agreement with the County. Shanna explained that she sent the typographical and code reference changes recommended from Council Member Ostler to the County and said they accepted the changes, they are waiting for final approval of the changes from the Commission meeting this week. She discussed asking Mitch Zundel (from the

County) if there was a way to find out the number of applicants and contribute just the funds that Perry City businesses have requested. She said he didn't see a problem with that. Council Member Ostler asked if there had been any feedback from Perry business owners about this program. Shanna explained that Monica Holdaway from the Chamber had been reaching out to businesses. She said that Monica expressed a complement to our area (the whole County, including Perry) as she has reached out to different business owners and having them say that other businesses might need it more than they do and how impressed she was that in our community, people are always looking out for others. Council Member Ostler discussed the funding from the CARES Act and stated that he would like to see some accounting done for what is used and possibly use some of it for Public Safety purposes. He added that he also heard that the money could possibly be used for past due utility payments in situations where people may have lost their jobs or had hours cut due to Covid-19. Shanna said that she will look into that and said the First Responders are tracking any calls they go on that require any respiratory care and they are also tracking PPE used.

Mayor Jeppsen said that Council Member Tueller had mentioned that a resident had approached him about the condition of the softball field. Tyler said that they have tapered off the care of the softball field for the year as it hadn't been used as much with the 4th of July being cancelled this year. He said that next year they would definitely make sure to get it taken care of.

D. STAFF COMMENTS

Tyler Wagstaff gave an update on 1200 W. He said that they are getting the storm drain put in now and that the contractor, Staker Parsons, indicated that they will get the intersection paved prior to winter. He said that all of the other road projects are getting wrapped up for the year.

No other comments from staff.

E. PLANNING COMMISSION REPORT

Commissioner Michelle Drago said that last month's meeting was quiet and they discussed sign ordinance and they are still working on the land use chart.

ITEM 5: EXECUTIVE SESSION

- None required.

ITEM 6: 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 7:41 p.m.

Shanna Johnson, City Recorder

Kevin Jeppsen, Mayor

Tyra Bischoff, Deputy Recorder