

Thursday, September 22, 2022
PERRY CITY COUNCIL MEETING AMENDED AGENDA
(Adding item 3B)

This is an “Electronic Meeting” Web/Teleconferencing will be used to participate
Go to www.perrycity.org for meeting access instructions

The Perry City Council will hold an electronic meeting at 3005 South 1200 West in Perry and via web/teleconference on the Thursday identified above, starting at approximately 7:00 PM. Members of the public may attend the meeting in person or 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
 - B. Appointment – Planning Commission
- 3. Action Items (Roll Call Vote)**
 - A. Ordinance 22-N Police & Other Fees
 - B. Discussion and/or Action Regarding a the Creation of a Public Works Supervisor Position
- 4. 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
 - August 11, 2022 Truth in Taxation Meeting Minutes
 - August 11, 2022 City Council Meeting Minutes
 - August 25, 2022 City Council Meeting Minutes
 - B. Mayor’s Report
 - C. Council Reports
 - D. Staff Comments
 - E. Planning Commission Report
- 5. 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.
- 6. Approx. 8:15 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 21st day of September, 2022. Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance at (435-723-6461).

Shanna S. Johnson, City Recorder

**PERRY CITY
ORDINANCE NO. 22-N**

POLICE AND OTHER FEES

AN ORDINANCE OF PERRY CITY, UTAH, AMENDING THE POLICE FEES, ANIMALS CONTROL FEES, UNIFORM FINE SCHEDULE; AND TRANSPORTATION CODE PENALTIES; SEVERABILITY; 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* §10-8-84 and §10-8-60 allows municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, *Utah Code Annotated* §63G-2-203 allows the City to recoup administrative costs for records and reports;

WHEREAS, the City seeks to adopt by reference the Uniform Fine Schedule adopted by the Administrative Office of the Court of the State of Utah with consideration for violations not specified in the Uniform Fine Schedule;

WHEREAS, the City finds it necessary to update and simplify fees consistent with State Law;

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

Section 1: Repealer. *Perry City Municipal Code* §4.09.080 and 090 is repealed and reenacted as provided in this Ordinance. Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Fees Enacted. The following fees are hereby enacted:

4.09.080 Police Fees.

Description	Fee
Police Policy Manual (Printed Code)	\$50
Digital Policy Manual (USB Drive)	\$10
Good Conduct Letter	GRAMA
Fingerprint, resident	\$10 per card
Fingerprint, non-resident	\$25 per card
Incident Report (No Photos)	GRAMA
Digital Incident Report (Photos)	\$10 USB/GRAMA
Printed Photos	\$1 per photo
Body Camera Video	\$10 USB/GRAMA

*GRAMA indicates the reasonable fees authorized in Utah Code §63G-2-203.

4.09.090 Animal Control Fees.

Annual Fees	Fee
Dog license (unneutered or unsprayed)	\$35
Dog license (neutered or spayed)	\$10
Duplicate or Replacement License	\$5
Late license fee, after January 31	\$15
Violation	Fee
Code Violation – First Offense	\$100
Code Violation – Second Offense	\$250
Code Violation – Third Offense and thereafter	\$500
Expired License	\$50

4.09.100 Uniform Fine Schedule.

The amounts set forth in the Uniform Fine Schedule adopted by the Administrative Office of the Court of the State of Utah is hereby adopted by this reference for all applicable fines. Any violation under this Title that is not specified in the Uniform Fine Schedule adopted by the Administrative Office of the Court of the State of Utah is an infraction with a fine not to exceed \$750.

Section 3: Amendment. *Perry City Municipal Code* §10.13.090 is hereby amended to read as follows:

10.13.090 Penalty.

The amounts set forth in the Uniform Fine Schedule adopted by the Administrative Office of the Court of the State of Utah is hereby adopted by this reference for all applicable fines. Any violation under this Title that is not specified in the Uniform Fine Schedule adopted by the Administrative Office of the Court of the State of Utah person in violation of this chapter is guilty of an infraction with a fine not to exceed \$750. Any parking violation is an infraction with a fine of \$50 for non-commercial vehicles, and \$100 for commercial vehicles.

Section 4: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 5: Effective date. This Ordinance take effect immediately upon approval and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 2022.

Mayor

ATTEST:

City Recorder

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of Perry City, hereby certify that foregoing Ordinance was duly passed and published or posted at: 1) Perry City offices, 2) perrycity.org, and 3) www.pmn.gov, on the above referenced dates.

City Recorder

DATE:_____

PERRY CITY COUNCIL
TRUTH IN TAXATION MEETING
PERRY CITY OFFICES
August 11, 2022

7:00 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Council Member Nathan Tueller, Council Member Blake Ostler, Council Member Toby Wright, Council Member Dave Walker and Council Member Ashley Young.

OFFICIALS ABSENT: None

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

OTHERS PRESENT: Kelly Billings, Teresa Billings, Mike Sumko, Jeff Dinsdale, Jennifer Dinsdale, Aaron Nielson, Kimberly Durrans, Dave Durrans, Todd Christensen, Don Breinholt, Joe Hillam, Dawn Kern, Jim Kern, Scott Goddard, Paul White, Lorraine Vernon, Tyne Secrist, Trevor Hirschi, Geoffrey Joosten, Darren Bauer, Mike Wood, John T Barker, Kim Barnard, Wendy Owellette,

ON-LINE PARTICIPANTS: Trush, Mark Kunz, MM Dea, Mel Hurst Family, Mark, Dan, Teresa, Dave, Tesla, Doyle, Holbrook, Andrew Watkins, Sabra Benford, Todd Bischoff, Tyra Bischoff, Kenneth Riding, Jacob Andrew, Anna Ostler, Paul Haynie, Melanie Barnhill, Ghislaine Richards, Darcie Vella, Shon Vella, Wesley Frampton

ITEM 1: CALL TO ORDER

Mayor Jeppsen welcomed and called the City Council meeting to order. He explained that in 2019 the council adopted the procedure of going through the Truth in Taxation process. In order to better understand the certified tax rate and the effect that it had on the city budget. He said that this year the majority of the cities in the state also chose to go through this process. This caused about a 50 percent increase in the Truth in Taxation processes from prior years. He then remarked that local publications showed Box Elder County residential property values have increased approximately 25 percent. As a side note, he heard other counties have had increased property values of as much as 48 percent from this market driven increase. He said of this property tax increase that only about 25 percent (of the increase in the tax bill) was for Perry City. For the average home owner this equates to approximately \$10.00 per month. Since the other four tax entities are receiving the bulk of the tax increase, he encouraged the citizens to go to their public hearings and express their views too.

ITEM 2: PRESENTATION – PROPERTY TAX FOR 2022 TAX YEAR/ FISCAL YEAR 2023

Shanna Johnson thanked the citizens that attended and proceeded to explain her job and responsibilities for the city. She began her presentation (see attached slides) by explaining how an annual tax bill was determined. She said the taxing entity will take the Certified Tax Rate (CTR)

51 given to them by the state. If the city chooses to adopt the CTR it will give them the same amount of
52 revenue from the prior year plus growth. Otherwise, the city may pass a different rate (see slide 3).
53 She explained the city revenue that will be received if the council selects the CTR compared to
54 maintaining the prior year's tax rate (see slide 4, 5). She said that she had an interesting
55 conversation with the assessor about property tax shifts. Traditionally the economy places the tax
56 burden on commercial businesses but when economy was driven by increased home values, it
57 shifts to a residential tax burden. In addition, if a big business goes out of business then it will effect
58 the tax burden and it will be reflected on the property owner's tax bill (see slide 6). She noted that
59 Perry City went over a decade without a property tax rate increase and during that time, there were
60 things that suffered: capital projects were not completed and operations lacked in their needs.
61 Because of this, in tax year 2020 the city implemented a general policy to consider maintaining a
62 0.002175 tax rate and agreed that each year they would do a Truth in Taxation process. This
63 process allows the city to get public opinion if they want to continue with capital projects or choose
64 what is in the best financial interest of the city and the citizens. By maintaining that rate the past
65 couple of years, the city has generated tax revenue that has been applied to projects (see slides 7,
66 8). If the city continues with maintaining this tax rate, the proposed FY2023 tax rate will give a 4.7
67 percent increase to total General Fund revenue. She explained the three main reasons the increase
68 was needed: increased operation costs due to inflation, staffing and retention, and project progress
69 (see slide 9). She pointed out that 70 percent of short-term project and 80 percent of the long-term
70 projects identified in FY2021 have been funded (see slide 10). For clarification on the new City Hall
71 she explained that property tax will not fund that project. She explained the funds were already in
72 place through lease revenue, capital project savings, land sales, and a repurposing of bond funds
73 previously used for a special improvement bond at Pointe Perry and monies being used to pay the
74 new bond are not part of the tax rate increase (see slide 11). She briefly explained the projects
75 planned in the Perry City FY2023 budget. She noted that there is a cost for progress and that this
76 proposed increase would cost an average residence \$10 a month (see slide 12, 13). She advised that
77 72.8 percent of the increase people are experiencing on their property tax bill was going to other
78 taxing entities, of which 55 percent of the increase was school related. She hoped the citizens will
79 take the time to research why the tax increase was needed for both Perry City and the other taxing
80 entities. She gave contact information for the County Assessor's office and stated that if they had
81 questions regarding their property assessed values they should contact the Assessor. She also
82 provided a website address where citizens can apply for tax relief programs if needed. She thanked
83 them for attending the meeting (see slides 14, 15).

84 85 **ITEM 3: PUBLIC HEARING**

86 **A. Public Hearing Regarding Proposed Tax Increase for Tax Year 2022 / Fiscal Year** 87 **2023**

88 Mayor Jeppsen briefly explained the rule of the Public Hearing then he opened the public hearing at
89 7:21 pm.

90
91 Mike Wood at 2132 S 820 W – thanked Ms. Johnson for the presentation because it answered his
92 questions. He sees that people feel the pain of inflation, yet it is nice to see the house values
93 increased. He is concerned for the children and their future. He said for the last two years the
94 citizens have had their taxes increased and he wanted to see where those taxes went or were going.
95 He said Ms. Johnson did a wonderful job of showing them that information. He thinks the purchase
96 of the Lodge was an excellent decision. He supports what the council is doing and thanked them. He
97 said hopefully we will get a handle on inflation soon.

98
99 Todd Christensen at 2325 S Perry Street – pointed out that he was on City Council eight years and
100 they did not have a tax increase during that time. However, they did come close and were nervous
101 about it. He mentioned that one thing they did do, which hasn't changed and was still on his bill,

was a MET (Municipal Energy Tax) increase (with a promise that it would help the city). It was a 6 percent tax through Dominion Gas and one of the ways they were able to avoid having property tax increases. He said that his vote was for the council to adopt the CTR and not increase the current rate. According to his economic and finance background along with other reports there will be a tipping point. He expressed that Utah and the western states where the gas was artificially high has been dropping back to pre-Ukraine War prices. He feels that we have weathered that storm. He was against the Lodge and was concerned because the city could not give him the total square footage of the \$9mil building. He said he knows the tax increase was not for the building or the justification for adopting a higher tax rate. He noted that Perry City was not the only municipality who was raising taxes. He mentioned he read an article that stated municipalities are the cause of local inflation. He understands that Perry was in a particular situation with the bigger communities around it. He said that Perry needs to provide services and provide the people. The economy is fluctuating and moves around and trying to pin it to one thing is difficult. As a prior council member, he understand the need to keep money in the General Fund account but he would like to see the Fund balance at 6 percent and not the 8 percent presented in the budget.

Jeff Dinsdale at 380 W 2500 S – gave the council paper copies of a presentation that he had put together to help explain his concerns. From a spreadsheet, he showed the breakdown of year over year amounts for his 1999 – 2022 property tax bills. He pointed out that in 1999 his bill was \$209.69 and now this year it was \$893.40 which is a 300 percent increase. Next he mentioned road conditions. He used for an example a cul-de-sac near him that he said was installed in 1999 and has not been maintained. He noted that this road has hydro-mining when it rains and the road was past the point of repair. Other road issues he gave were not visible stop signs, stop and yield signs together, crumbling, cracking, and sinkholes in the roads. He showed pictures of unmaintained city property on 400 W 2500 S. and Mountain View Park. He said local residents have tried to clean the area by pulling the weeds so the kids can use the sidewalk. He mentioned that at another park the playground equipment was removed and not replaced. He said the function of the city was to provide a safe, secure place to live and provide basic services. He said if the city was going to continue to increase taxes and ask for more money of citizens he wants something in return and he's not getting it. He expressed his love for Perry City and the great people that live in it.

Lorraine Vernon at 2506 S 400 W– agrees with Mr. Christensen and Mr. Dinsdale. She feels the same that there has not be proper maintenance of the roads. She stated she was on a neighborhood watch and the fire hydrant by her house have not been tested. She said the condition of Mountain View Park was upsetting to her also and there has not been any notice for what was being done for that park. Brigham City has received a grant for new equipment for their parks but she did not see anything like that for Perry City. She expressed her concerns of the budget going up. She suggested for the city to not to make all the repairs or complete projects at the same time. She feels the city should wait until the cost of materials go down in price. In regards to the tax increase she commented about the commercial growth that we don't have and reminded the council that home values shift. She said every time the city raises taxes it never goes down. Then ended by saying that citizen should go to the tax meetings and look what the entities are doing with the tax payers' money.

Paul White at 390 W 2500 S – said he appreciates the information given in the presentation. As he was sitting there he realized that there were pictures of three of his ancestors that were former Mayors of Perry City. He pointed that out because he learned and understands the intangible value of being a member of this community. He wanted to encourage the council to not shift the tax burden to homes (through residential property tax). He recommended they go back and look to see if there was something else that may be done.

Mike Sumko at 220 W 2000 S – said when you attribute tax value to the home it contributes to the increase of inflation. He expressed that he feels the house he has lived in for several years currently

was valued wrong because he was not going to sell it. He expressed that if the value of his home goes down the taxes will not. He said it was very relative and hurts inflation where we are.

Dave Durrans at 2040 S 370 W – agrees with a lot of what other people have said. The previous year he had bashed the old city office building so he was glad to see we saved \$4mil to buy the Lodge. He said in 2014-2022 his property tax have increased 54 percent or an average of 6-8 percent per year. School taxes increased only 19 percent or an average of 2.5 per year. For him the increase in taxes for the Perry line item was more than Box Elder School District. He asked what Perry was doing to justify a threefold increase in taxes over what Box Elder School District did.

Aaron Nielsen at 3057 S 1450 W – said over the years he has worked with city staff and have been successful in finding solutions to problems. He doesn't feel a tax increase was a solution to a problem. He hadn't yet seen his increase in property taxes for his storage unit business. He stated that his customers would feel the impact of a tax rate increase to his business. He said that last year his annual taxes went from \$8,500 to \$29,000 and he passes the increases to the customers, therefore they are dinged twice. He commented that he struggled with the Lodge being called a savings, it might be a cheaper than the alternative but not savings. He proposed that the city does cuts this year suggested they create a panel of citizens to find ways to make these cuts. Maybe the \$48k on the Gun Range, which he said was run by volunteers and funded by the National Rifle Association (NRA), could be one of the cuts. He mentioned endless vehicles leases as another type of cut the city could make. He feels that we as a city could do better and we really don't need to spend the amount of money we are on a regular basis. He offered to be on the panel to make cuts and said his jobs have always required him to create cost savings projects. He recommended making employees responsible for making cuts.

Wendy Owellette at 2410 S Hwy 89 – said her bill reflected a 35 percent increase and she said taxes in Willard are half of Perry City. She wondered what Willard was getting that we are not getting. We have this big business, Walmart, that should have helped bring our taxes down but she does not see that has helped us. She said that sewer and others cost have increased ever since Walmart has come to Perry. She feels that big business hasn't helped us and wondered since Willard doesn't have a big business why they are cheaper than us. She said she does not agree with the tax increase.

Don Brineholt at 531 W 2350 S – expressed with inflation he feels the citizens need compassion from the city, and for the city to hold expenses down for a year or two, until things get back to normal. His property tax bill has almost tripled in the past 25 years. He mentioned that he was retired and on a fixed income and has to look at that side. With the Lodge he said the city took a commercial property off the market and out of the tax rolls and cut their commercial income (through sales tax). He wasn't aware of the Lodge purchase meetings and public hearings and felt it could have been more visible and publically promoted. He voiced the option of the city to hold expenses down this year and maybe not take the whole increase. He said he does understand that costs and wages go up along with everything else.

Jim Kern at 422 W 2750 S – said that as an Architect the original bid of \$9million was absolutely unreasonable for a new City Hall building. He was shocked when he heard we were keeping the present City Hall building. Why are we keeping it, we should sell it to offset the expenses of the Lodge, City Hall building. He said fuel costs have gone up and because of this in his family they have prioritized their needs and got rid of their wants. As a retired person on a fixed income, he was now very aware of where his money was going. He would second what has been said and for us not to be reactionary to inflation when we can see it was very fluid. He remarked that he couldn't go to someone else for additional money and say my taxes went up, so he hopes the City Council would do the same thing. He said live with what you got. He mentioned he was a Safety Range Officer (RSO) a few year ago and the city made money off of the gun range. He saw that last year it was a

\$10,000 expense and this year \$30,000 expense with an estimation of a \$48,000 expense for next year and wanted to know why.

Trevor Hirchi at 619 W 2300 S – echoes what others have said and does not think the Lodge was a wise investment at this time. He gave the analogy that when trees go through a struggle they don't focus on growth they focus on sustaining life. Perry City should do things like that to offset these troubling times because people are on fixed incomes. He stated that he works for the State of Utah and he can't go and say give me more money because they don't do that, it take a long time and you have to go to more schooling and things like that. Adding to Perry Park (referring to Mountain View Park) he asked why the city didn't repair the wooden playground equipment. It was the equipment he grew up playing on and it could have been repaired. He said that it would have been cheaper to fix it than to buy new playground equipment. Inflation will continue to rise and his thoughts were that gas was going to go back up again. He indicated that we can watch and change our driving to increase our fuel economy. Why can't Perry (Public Works and employees at work) do that. He has lived in Perry most his life and he doesn't want to move because of the increase in the cost of living here or even living in or moving from the State of Utah. He said lets make things better for people and not tax them, but help them.

Mayor Jeppsen opened the floor and comments to the on-line participants attending the meeting. At that time there was none so Ms. Johnson reviewed a couple of written comments she received.

Melanie Barnhill who said she was in favor of lowering the tax rate this year but also in favor of the increase to take care of the wage issue.

Anonymous person said they would be in favor of a mid-level increase, between what was being proposed and the certified tax rate, to help with the cost of inflation. They would also like to see if people may choose to opt in or out of capital projects, such as a cemetery.

Jennifer Dinsdale at 380 W 2500 S – said she was not in favor of increase. She stated that her family has changed their life style to live within their means and thinks this was what the city needs to do. For example, she said in order to cut back her family hasn't gone on vacations. As a family, they try to not rely on other things and she didn't like the comment regarding tax relief program option. She said they like to pay for things on their own and do not rely on the government to help them pay for things. She expressed that her friend who worked in the banking industry had recently made three loans for people to pay for groceries. She doesn't think the City Council is aware of how some people are struggling and how this will add to it. She said we have cut back and as a city, we need to cut back and help the citizens in our city.

Don Brineholt at 531 W 2350 S – asked for a second comment and said he was thinking about the 1200 west expansion (he later clarified that he was referring to Maddox Lane). He recommended the city talk to the people involved in that area and get public comments before the city proceeds with taking any land.

Ms. Johnson pulled and read a few new comments that were received from on-line participants.

Kenneth Riding at 390 W 2400 S – said he has lived here for 11 years and seen an increase in property tax every year, but the increase this year was the largest ever proposed. He wrote that he understands small increases as cost rise over time but the proposed amount this year was too much.

Melanie Barnhill – wanted to make sure her email message gets to the council.

Brandon Doyle at 3260 S 1300 W – stated that he agrees with what the residents have said and does not agree with the proposed tax increase.

Suzy Trush 1293 W 3000 S – wrote that if you want to increase the tax rate for Perry she feels they should do it on a gradual increase over five to ten years. She wrote she was on a fixed income and you cannot increase my taxes and expect me to pay a 25.5 percent increase. It was impossible for her to come up with the difference.

Darren Bauer 2727 S 820 W – said he moved here in 2004 and it always seemed everyone wanted to move to Perry, to be the last one and then close the door behind them. He voiced that Perry City and the people living here need to decide what kind of city they want to be. For example, he doesn't think the people use the parks and trails around here. He said the city tries to build an infrastructure that it has a tough time sustaining. These are things that get very small usage but everyone pays for them. They are not well maintained because there was not money for them. He recommended the city doesn't start or install something they can't sustain or maintain. He acknowledged the strong volunteer spirit in Perry but suggested the city shouldn't depend on it. He asked if we want the barebones of basic needs and what were our priorities, because we can't have everything. He said that the city needs to collectively decide what was important to us. It seems like right now it is just the basics because of inflation.

Ms. Johnson read a couple more on-line comments.

Darcy Vella - said she appreciates all the feedback and perspectives shared. It was good to hear what others think and noticed that we all have different windows from which we see. She was not in favor of any tax increase at this time but was open to see what was promised in the past come to fruition. She feels maybe if the citizens of Perry saw more what was promised delivered.

Andrew Watkins – remarked that the City Hall building will be a good investment for the city. Time will tell how much this building will be needed as well as the current building for Public Works. He said over the last four years an abundance of deliberation, visits to different city hall buildings, and consideration to future needs has been invested into this decision. Financial decision are difficult especially during a year like this. These decision are a culmination of many hours of input and deliberation. He was grateful to have a chance to give and was able to listen to input, then thanked City Council.

Scott Goddard 785 W 2820 S – wanted to suggest the city purchase a helicopter for the police to use the heliport on back of the lodge. He said it was just a consideration.

Kim Barnard 3000 S – echoed sentiments that the taxes are way too high and higher than anyone else's tax. These increases are taxing her out of keeping her property. Her bill has gone from approximately \$200 to \$1,000 and she disagrees that taxes need to be that high. She asked that they take a hard look at this while they think of people on fixed incomes who can't afford this high of a tax increase. She told the council she appreciated all they do.

Sabra Benford 615 Independence Circle – appreciated all who have spoken. She would like to see taxes not jump so high, but wants to see things done for the taxes the citizens do pay in. The excesses are fun when the city can do them and we all like that. She next stated that she has lived in Perry for 26 years and never seen her fire hydrants tested, but they have painted it over the years. She said the streets are sad and that her street is in such disrepair that it needs to be ground down and totally redone. She knows the cost of that will be extreme compared to the cost for just

maintaining it. She has noticed there were many roads in Perry that need this service and was concerned for the amount of money it will take for these improvements. Another issue of concern was for a city cemetery, which is good but it comes with lifetime maintenance. The city is responsible, with your tax dollars, to maintain that landscaping. She said before we considered a city cemetery we should fix the roads, fire hydrants and road signs.

Trevor Hirchi - commented that LED lights are good for savings but bad for health in the long-run. He has studied health biology lighting circadian rhythms and found that LED streetlights are bad and that there are better options for the city.

Mike Wood – recommended that the city newsletter highlight some of the city projects that are getting done. He said that would probably make the citizens feel better. He mentioned that last year he attended this particular meeting and asked for the city to be slow with their tax increases and wanted to reiterate it again this year. He hoped the city could take less of the proposed 25 percent increase, because of inflation.

Ms. Johnson read an on-line comment from Melanie Barnhill who pointed out that it was really helpful to attend city public meetings that are available almost on a weekly basis. It has helped her to understand the workings of the city and given her an understanding of all that goes into a city. She said she recommends it to everyone.

Council Member Tueller thanked everyone who attended the meeting and appreciated their comments. He said the doors were always opened and they liked to hear other's ideas. There were great things (with the city) that have happened behind the door and are not always communicated. He said the council was open to be contacted and the more input they get the better decisions they will make.

Council Member Wright said he was a citizen just like all in the room and it's also hard for him to have the taxes increased. He pointed out that he currently pays \$800 a month for gas and he doesn't know if that will change. All he knows was what he can do right now. This city is great and he understands that there are many roads that need repair or to be replaced. He mentioned that he has heard of cities that are removing asphalt roads because of the high maintenance cost. He said he doesn't know what a good solution is but he loves the city as much as the citizens. They may call him anytime. He said he wanted to help the city but some of the decisions are difficult. He expressed that he wanted the citizens to know that when the council and he make a decision it was well thought out and not just done on a whim. And some have even taken years to make.

Council Member Walker said he agreed with Council Member Wright. He commented he was thankful for the people who came out. He appreciated when people took the time to study things. . He mentioned that he had someone who had gone through the budget and packet before they called to ask him questions.

Council Member Young said that we are all on the same team, we are all citizens. Then noted that Ms. Johnson and Mr. Barnhill are very helpful when information is confusing. She recommended that the people call them when they have questions or need a more in depth explanation.

Mayor Jeppsen thanked everyone for their participation adjourned the Truth in Taxation public hearing.

ITEM 4: ADJOURNMENT

The meeting adjourned at 8:26 p.m.

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365 Shanna Johnson, City Recorder

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369 Anita Nicholas, Deputy Recorder

Kevin Jeppsen, Mayor

DRAFT

PERRY CITY COUNCIL
MEETING PERRY CITY OFFICES
August, 11 2022

8:31 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Council Member Nathan Tueller, Council Member Toby Wright, Council Member Blake Ostler, Council Member Dave Walker and Council Member Ashley Young

OFFICIALS ABSENT: None

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

OTHERS PRESENT: None

ON-LINE PARTICIPANTS: Anna Ostler, Melanie Barnhill, Jake Andrew, Jason Garn
Doyle (last name unknown), Lewis (full name unknown)

ITEM 1: CALL TO ORDER

Mayor Jeppsen called the City Council meeting to order.

ITEM 2: PROCEDURAL ISSUES

- A. Conflict of Interest Declaration
None.

ITEM 3: Action Items (Roll Call Vote)

- A. Resolution 2022-14 Heather Ridge Estates Final Acceptance of Improvements and Escrow Release

City Attorney Bill Morris explained he wrote this resolution because it is required in the city code. He mentioned that other cities have moved to have this action done administratively but at this time Perry City code requires it to go to the City Council. He said what is needed for escrow releases is an approval letter from the city engineer, which was included in the city council packet. This letter states that the city engineer has reviewed all the improvements included in the subdivision and indicates that we are okay to release the \$84,032.31. It also requires that the developers file a written request for Inspection of Improvements and release of escrow. He said it is his understanding that the developers for Heather Ridge Estates Subdivision had already submitted this written request. He advised that based on the recommendation of the city engineer he put together Resolution 2022-14, which authorizes the release of the escrow funds, since the subdivision is complete.

Council Member Ostler noticed a typo in the second whereas clause. He said it refers to "Health" Ridge Estates and should be edited to "Heather" Ridge Estates. He asked for the wording in Section 1 be revised from stating, "The city council has reviewed the written request to release funds" to say, "the City Council has reviewed the inspection report made by the city," or something to that effect. Mr. Morris suggested it read, "The City Council has reviewed the recommendation made by the City Engineer" Council Member Oster agreed with Mr. Morris' suggested language. Council Member Oster also agreed with Mr. Morris' suggestion that this type of request could be an administrative function and suggested the City Council update the code to change this process.

Council Member Tueller commented that he was glad this came before the City Council because in the past there have been issues. However as the codes improve through updates he said he feels this should be changed to be an administrative action.

MOTION: Council Member Tueller made a motion to approve Resolution 2022-14 Heather Ridge Estates Final Acceptance of Improvements and Escrow Release based on review of the City Engineer's recommendation and pending the changes that were stated in Section 1. Council Member Walker seconded the motion.

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

Motion Approved. 5 Yes, 0 No

ITEM 4: DISCUSSION ITEM

A. Resolution 2022-15 Adopting a Final Tax Rate and Budget for Fiscal Year 2023

Council Member Walker said that as he looked at his tax bill and the second highest percent increase is the proposed tax rate in Perry. His tax bill showed a 26.2 percent increase. He stated that he personally feels maintaining the tax rate was too high. He expressed appreciation for the previous council and staff who have built up the General Fund Reserve and feels the reserve was made for times like this, and the council should allow the city to eat in to that reserve. He proposed a 5 percent increase of the certified tax rate (CTR), which will be a 0.00182 rate. The Mayor asked how that rate compares to the mid-point rate that has been considered. Council Member Walker said it would be about halfway between the certified tax rate and the mid-range.

Council Member Tueller acknowledged the efforts they have made to educate people but noted that some people will not see these efforts because they will not look for it. He said the council is not purposely making it difficult for the citizens to get information. Many of the comments from the people in the public meeting came from miss-information. He mentioned that the presentation that Ms. Johnson did in the beginning of the meeting helped with answering many of the public's questions. Yet he feels that maybe they needed to have discussions with the people to address some of the incorrect comments made in the public hearing. He indicated that he was surprised that more people did not call and personally discuss the tax rate increase with him. He stated there needed to be more community communication and he was glad the people expressed themselves at the public hearing. He said the city has built the General Fund balance for the past six years. We have pulled the trigger on purchasing the Lodge as the new city hall, which he feels we still have immense support from the community, with only a very small percentage that are not in support of this. He indicated that he wished the previous city council members would have done incremental tax increases in the past. He recognized the vision of the city and the revenue that can come from a business standpoint. He can see the city working through these tough times. He said he loves when people call him and talk to him one on one or come to city offices to get the city budget explained. He expressed appreciation for the community and the information shared.

Ms. Johnson did some calculations and circled back to the proposed percentage changes requested by Council Member Walker. She said that at the 5 percent tax increase it would cost approximately \$72,000 of the unrestricted fund balance (which are funds that can be used in the event of an

emergency, for grant matches, etc.) to be used. She said maintaining the current tax rate would leave approximately 22% of unrestricted fund balance. She advised that if the mid-level rate was approved, 20% of the fund balance would remain and if the certified tax rate was approved, 18% of unrestricted fund balance would remain. Council Member Walker said he felt what he was proposing would eat into about 1.3% of the fund balance and he felt that was okay. Ms. Johnson guessed that it would leave 19% of unrestricted fund balance.

Council Member Young said she is conflicted; she has talked to people who would rather see the tax rate increase now instead of doubling next year. She noted that South Salt Lake has not increased taxes in 16 years and theirs is going up 110%. She stated that she understands that nobody wants to raise taxes but going eight years without increasing taxes is how we will get in trouble. She said she is not closing the door on the mid-level range but was concerned if the city goes with the mid-range tax increase that they might be worse off next year. She reminded the council that they have already made budget cuts and the people would rather pay the increased tax amount this year than go into the negative.

Council Member Tueller remarked that the city has increased the road budget from \$250,000 since he first became as a council member. Council Member Wright said there was a comment that the city may receive road grants, which the city has received millions in grants. Council Member Tueller noted that these funds have been used for new roads. Ms. Johnson said that they have received around \$6 million in grant funds. He said there were several neighborhood traffic streets that still needed chip and seal maintenance and all this caused our budget to be increased. He liked the public comment of reflection on what kind of city do we want. He indicated that city council was following the master plan put in place several years ago, but improvements take time.

Council Member Young said that difference is that many people are financially hurting right now. She mentioned that people aren't receiving any governmental stimulus or child tax credit that they received last year and people are hurt and worried.

Council Member Wright commented that we actually received more in our wages than in prior years and he cannot imagine that everybody is not receiving increased wages as well. He said that some citizens have said to take care of what we have now and don't get more. Also, to manage what we have and that was what will make the city better. He appreciated the comments the public gave.

Mayor Jeppsen said he was sad to hear that some people do not think the city was doing anything with anything. He felt there was not enough communication and visibility with everything that has been going on. Ms. Johnson said that perhaps the city staff can give a published report on what has been accomplished in the city. Council Member Wright suggested that the council go out and do a blitz with the public to talk about what the city was doing. Ms. Johnson said that they could publish updates in the newsletter and create social media posts about current events or give updates on what the city had done that month or at the end of the year.

Council Member Tueller mentioned the city has taken an extreme frugal approach and it still did not satisfy the people. Council Member Walker said he saw a comment that the city needed to run on a shoestring budget. He said that was fine until there was not any water because the city was not able to maintain the water lines, or we do not have streets. The city will receive criticism no matter

what tax decision is selected. Council Member Tueller said the city was now in a strong financial position to take action or be preventative when needed. He remarked that for the last few years there were many things that came together to help the city to get into that position.

Ms. Johnson mentioned that what she has been taught about government was that the council was supposed to operate at the helicopter point of view. She said that the council was making decisions knowing the big picture. Yet, the people react and make comments about only one decision without knowing the whole process. She feels this was what happened with the Lodge. People are feeling the frustration now but it this was a cost saving opportunity for the city. She pointed out that the current city office cannot be used long-term. She noted that the city building is outdated and we have had an OSHA inspector say that the city needed a new building after finding many safety issues needing addressed.

Referring to the property tax rate Ms. Johnson said the council does have options they may consider and that there was not a bad decision. She said if they choose the certified tax rate it would not be a bad decision but it would deplete a lot of the city savings. However, if there was a huge recession then it would be a bad decision. If that happened then the city would be hit most in the building fees and sales taxes and we may end up back where the city was in 2008. This was when people felt the burdens of the economy worse than they are today. She said by approving the tentative tax rate (mid-level), the city will use minimal fund balance and will have money to help in a recession. The choice of maintaining the rate is not a bad decision because it may set the city up perfectly in a recession and we can continue to complete the projects that are needed. She again expressed that there was not a bad decision; it is what feels right for the public and what feels right for you as the council who represents them.

Mayor Jeppsen said there is one definite business confident decision and that was to maintain the path and anything other than that is a political decision based on the current times. He reviewed the potential loss in the General Fund with the different tax rate amounts. He said that the council knows what the options are and that the council members should have an idea of what they want to support.

Council Member Ostler said he wondered if it will get worse or get better. He was concerned about a recession and how long the city can sustain utilizing the Fund balance. He was also apprehensive to use the city savings to fund on-going expenses. Ms. Johnson expressed that if we were using the fund balance to fund wages she would be concerned but there are projects that have been carried over from last fiscal year, so if you use \$60,000 in fund balance it would be used on the projects that carried forward. She agreed with his concerns regarding a recession and said the city needs to be careful. She said her recommendation would not be the certified tax rate, but a rate higher than that and felt the mid-range or maintaining the tax rate would work the best if we had a recession.

Council Member Ostler said he just wanted to be cautious about funding the reoccurring expenses out of a savings account (General Fund Balance). Council Member Wright said Council Member Ostler's points were valid because next year the city will be faced with the same decisions and perhaps these cost might double from the previous year. He noted that the city fund balance could drop even more to the point we cannot even cover emergency costs. Council Member Ostler commented that we are in an interesting situation, the state unemployment rate was at 2 percent

right now, which indicates that people are working, but maybe the people are just not making enough money.

Council Member Ostler wanted to express his opinion that city communication should not be for image sake but to foster a culture that helps us get together with the community to solve issues. He said he gets calls for all kinds of things that occur in the city that he does not know about or even how to respond to the caller. Council Member Wright responded that Council Member Ostler might not know the answer but he does know what to do about it or from who to get the answer and information. Council Member Tueller commented that typically we look at the federal level (they are the experts) for the answers. He liked that people in the city will call and voice their opinion on how to improve the city. Ms. Johnson appreciated these types of meeting when the public gets involved. In regards to a comment from the public hearing, she said that each year Public Works drives around the city streets with our city engineer and comes up with a road improvement plan and schedule. So perhaps the council members can get that information back to the citizens and let them know where their road is on the schedule. She also said there are times we have to say no to what the citizen might want at that time, but she suggested to focus on what the city can do for them and when it can be done; providing a positive response and action. She said that she is confident that the road issues noted are on a list of future repairs.

Council Member Walker said he talked to Tyler in Public Works and found that recently they have had many unexpected water line breaks that have caused other projects to be delayed.

Mayor Jeppsen remarked that the low unemployment rate percent might be skewed with the fact that many people who were close to retirement took an early retirement and did not take compensation. Ms. Johnson commented that she went to a compensation conference that day and learned that there was a nationwide shortage of workers, which was a driving force to the wage increase.

Council Member Ostler asked for an extended matrix of the tax rate options. Ms. Johnson said that she would be able to create this table and have it available for the council at the next meeting. She mentioned that they have tried to focus on two resolutions that they can either approve the proposed rate or select a lower rate and alter the resolution as needed. She indicated she would not make budget cuts based on their tax rate decision, but would adjust the fund balance based on what the council approves. Council Member Wright also expressed a desire to see a table showing the rate options and how they affect the fund balance.

Ms. Johnson confirmed what to include on the requested table. She noted that the unrestricted fund balance was not only used for emergencies but for grant money. She explained that per state law, the minimum the city must have in unrestricted fund balance is 5% and they can have a maximum of 35%. She said that the council has been to conferences encouraging municipalities to build up their emergency savings. Council Member Tueller agreed with building up the emergency fund, which can be used if an earthquake or flood happened for an example. Council Member Walker stated he feels that this year (referring to the economy) should be looked at as if it was a small emergency. He encouraged the city council to use a little of the fund balance (5-8%) this year. However, he said they shouldn't use the Fund balance year after year. Then next year the council will re-evaluate the Fund balance and tax rate.

Council Member Ostler commented that the proper percentage of unrestricted fund balance has always been an interesting balance with having the right amount of money for city operations vs. idle tax dollars. He said he thought the tax cap in the past was 25 percent. Ms. Johnson confirmed this percentage stating it later was increased to 35 percent. She said that in this city there was always a need (infrastructure) and a lot to be done. She said she felt the mid-level tax rate option of 12 percent will work for this year but wanted the council to tell her what percentage they would like to present at the next meeting. The council decided to have her show the following increases over the certified tax rate in the tax rate table: 5%, 9%, 12.2%, 18% and Maintaining the tax rate; they also asked her to show how each effects fund balance.

Council Member Wright stated he still supports staying the course. He said we made a plan a few years ago to accomplish certain goals. He said that there is nothing wrong with staying the course because we have given the citizens much more than they expected, even though in their minds they are not seeing it. He said the council needs to work on making that information more visible. Council Member Walker asked the seasoned council members what "stay the course" means. It was explained that it meant maintaining the same tax rate for a number of years. This process is to build up reserves for capital projects and to set the city up for the future. Council Member Young asked how many years the rate has been maintained and how much revenue has increased. Council Member Tueller said the rate has been maintained for two years. It was noted that it provided \$70,000 the first year and an additional \$133,000 the second year. Council Member Young pointed out that the amount of tax revenue projected this year is crazy as it is much higher than we were planning (due to the unpredicted increase in home values).

Ms. Johnson stated that the plan to maintain the property tax rate was away to tackle infrastructure projects that were not being addressed, the biggest driver was roads. The engineer did a study, provided a road maintenance plan and stated we have to start generating revenue to address problems or go back to dirt roads. He suggested transportation utility fee. It was decided by the council to address the needs in a different way. Council Member Tueller said the projected maintenance cost was \$2.5M, just to get the street maintenance where it needed to be. Ms. Johnson added that maintaining the tax rate was a workable idea of collecting money for capital improvements without bonding and implementing a utility rate to pay for the bond. She noted that it didn't cover all the capital needs and the city financial situation is better but it's not great or perfect.

The council discussed needed park improvements. Council Member Walker noted that Anderson Park needed new park equipment as it is faded and cracked.

Mayor Jeppsen turned the conversation to where the taxes were delegated. He mentioned that Perry City provides the majority of services, yet the majority of the increase to citizens is going to other entities that really are not providing any services on a daily basis.

Ms. Johnson remarked that even if you cut the Perry City property tax rate in half, the tax bill will still go up due to a major commercial operation that is no longer operating in the county, which was a huge taxpayer, so now the tax burden is being passed onto the homeowner.

Council Member Walker said in the long-term Perry needs to bring more commercial businesses in the city. Then we can focus less on maintaining the tax rate and more on how to bring in commercial revenue for the tax base. He was concerned that if the city was built out with homes and not any businesses at the same time it would create a tax burden for residents. Council Member Tueller commented that the city master plan does layout prime business property, but the city needs the population before the big commercial businesses would come. He said we need to figure a way to attract small businesses instead. Then if we stay the course, are steady, and look for ways to get businesses to come in, the city will be the premier city in Box Elder County. He said we need to focus on building the community right and creating a good balance in regards to city life. They discussed creating a committee for economic business development in the city.

Council Member Walker suggested that the “whereas” statements be amended in the resolution option for a lower tax rate. He feels that the language needs to be changed to better explain the reason for adopting a lower tax rate, which would be to balance the needs of the citizen. Ms. Johnson said that she will make the change and submit it to the council members to accept the wording and then the percentage notation will be added after the council member’s final approval.

ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS (INCLUDING COUNCIL ASSIGNMENTS)

A. Approval of Consent Items

- July 28, 2022 City Council Work Session Minutes
- July 28, 2022 City Council Meeting Minutes

Earlier in the week Council Member Ostler requested from Ms. Johnson to make a change of language from the work session. It was when he was talking about the zero percent increase in revenue based off the certified tax rate (lines 72-74). It was not worded clear so they clarified it. Then other corrections done were from miss spelled words and/or grammatical error. These correction didn’t change the content of the meeting.

MOTION: Council Member Wright made a motion to approve of consent items with the changes listed. Council Member Young seconded the motion.

Motion Approved. All Council Members were in favor.

B. Mayor’s Reports

Mayor Jeppsen said he did not have anything to report.

C. Council Reports

Council Member Young – none.

Council Member Walker mentioned the upcoming September 11 service day. He asked if they had discussed how the city would support that day as a service day. He said that in Box Elder County and Brigham city was to do something the following week because of Peach Days. He indicated that he was not sure if the city was going to be assigned something or had to come up with an idea. He said that removing the weeds in the parks was a good place to start. He will follow up on this.

Council Member Ostler – none.

Council Member Wright- none.

Council Member Tueller – none.

D. Staff Comments

Chief Hancey – none.

E. Planning Commission Report

None.

ITEM 7: EXECUTIVE SESSION

None.

ITEM 8: ADJOURNMENT

MOTION: Council Member Walker proposed to adjourn the meeting. Council Member Tueller seconded the motion.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 9:47 p.m.

Shanna Johnson, City Recorder

Kevin Jeppsen, Mayor

Anita Nicholas, Deputy Recorder

PERRY CITY COUNCIL
MEETING PERRY CITY OFFICES
August, 25 2022

7:00 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Council Member Nathan Tueller, Council Member Toby Wright, Council Member Blake Ostler, Council Member Dave Walker and Council Member Ashley Young.

OFFICIALS ABSENT: None

CITY STAFF PRESENT: Robert Barnhill, City Administrator
Shanna Johnson, City Recorder
Scott Hancey, Chief of Police
William Morris, City Attorney
Tyler Wagstaff, Public Works Director

OTHERS PRESENT: Roger Kelly

ON-LINE: Doyle, Lewis

ITEM 1: CALL TO ORDER

Mayor Jeppsen called the City Council meeting to order.

ITEM 2: PROCEDURAL ISSUES

A. Conflict of Interest Declaration

None.

ITEM 3: Action Items (Roll Call Vote)

A. Resolution 2022-15 Adopting a Final Tax Rate and Budget for Fiscal Year 2023

Mayor Jeppsen said at this time he thinks the Truth in Taxation had been a good process for them to go through with the things that have come to light. He mentioned they had good participation this year. There were two main issues that stick out to him: management of resources and communication with the public and he is glad that they had discussed how to remedy them. He said he calculated the number of responses received from the public hearing and at city offices. His statistics showed there were 1,771 property owners in the city and of those about 2% gave comments. Of the 2% participation there were 7.7% positive and 1.4% negative in support of the proposed property tax rate. He said this is crucial in the decision making process; however, the council members have probably already made their decision for the direction they want to go with the tax rate. And an interesting thing he noticed was going on-line with the public hearing he thought would increase the participation but that wasn't the case. And he was surprised the big difference of the positive and negative of the 2% of the total population. He mentioned he spoke to Mr. Barnhill, Ms. Johnson, and Mr. Wagstaff and they are working on plans to improve the management of resources and the communication the city will have with the public.

Ms. Johnson said she emailed to the council another tax rate option. This option would show the projects that were carried over from last FY2022 which equals the \$93k of projects that didn't get completed and were moved over to the current year. She said this option will cover these projects,

our proposed FY2023 expenses and not really add anything to capital projects or contribute to fund balance. She pointed out that the additional option emailed was the second option down on the property tax option chart. This rate shows a 2.7% increase and uses the \$93k fund balance to cover new expenses and the two carried over projects, but nothing else. Ms. Johnson explained the property tax option chart in the packet, which has all requested tax options including the Certified Tax Rate (CTR) at the top and maintaining our current rate at the bottom. Previous to this meeting she talked to three council members to get their feel for their top three tax option choices and of the top choices, 12.2% was at least one of the options considered by all three council members. She noted that this was the rate that was put in the tentative budget and a mid-level compared to maintaining the rate.

Ms. Johnson said that another thing the council will pass tonight will be the budget. Prior to this meeting she emailed the recent changes in the tentative budget. She explained the newest change was in the Enterprise Fund. The revenue was \$1,205,000 and now it is \$1,207,000 because she added \$1,772 in revenue to the sewer budget. This increase equals the revenue due from Willard City as a result of an adjustment to reflect actual pay increases awarded. She also updated personnel services and material, which reflected moving the side by side and adding the increased wages. In addition, she noted that earlier this week she sent a version of the budget that showed a \$7,000 grant being added to the General Fund. She explained that she added \$7,000 in revenue and \$7,000 in an expense line item in parks for a tree grant the city received. With this tree grant money the city purchased 32 trees to plant throughout the area. She said other changes were done with compensation in the police area: including additional pay raises, removing the eighth officer, and providing overtime pay to cover extra time needs. In addition, she moved the side by side fully to the sewer fund, added money to purchase sewer equipment which measures BOD's at the sewer plant, and added \$2,000 to recognition for Tenure Awards.

Ms. Johnson reiterated that the big thing the council will consider at the meeting will be the final tax rate which will impact the budget and whether the city will be contributing to fund balance or using fund balance to cover proposed expenses. She then showed how their tax rate choice will affect the fund balance.

Mayor Jeppsen said earlier he didn't add that there were twenty comments received at the public hearing and eighteen personal contacts from residences through council members. He then opened a discussion session to the council members.

Council Member Walker said he still feels maintaining the 25.5% over the CTR is too big a jump for the residence. He was thinking more of a 5%, but understands that the city needs to cover the projects we have coming this year and the increased costs for materials. He said he knows that each year it will compound which means less money this year will be less money to compound next year. He said there are a lot of projects and many roads that need fixing, as explained in Jeff Dinsdale slide show from the public meeting. After pondering these things he feels that the 9% or 12.2% above CTR would be a good break even place. He commented that the fund balance doesn't really drop much with those rates and may position us to have the cash needed for grant matches, etc. He said it is hard to know the future but he feels the city will collect more in sales tax revenue than has been estimated. He expressed that the city might be better than what was shown and his stand is to go with one of the two options he mentioned.

96
97 Council Member Wight said that it is really important to maintain the rate (of 0.002175%) that we
98 have. Three years ago they put into play a plan that would dramatically enhance the city and
99 provide a significant amount of funds for our roads, parks, and personnel. This plan would require
100 the city to maintain it over a number of years. He said the council was nervous to accept this plan
101 but compared it to the tax increase that Brigham City imposed in that year. He explained that
102 Brigham City planned to go up 115% but settled with a 78% increase in their taxes and everyone
103 thought the reduced percentage was a great deal. He pointed out that in three years Perry City
104 hasn't come close to what Brigham City did in just one year. He thinks that is significant and
105 considerate but realizes the citizens need time to work through this (hardships with tax increases,
106 etc.). He said with the years of growth (and with maintaining the original plan) the city has been
107 able to do more than anticipated and the citizens have received a lot more. He feels that the
108 portrayal of what the city has done was lacking and we need to share what has taken place with the
109 public. However, he wasn't sure how to get this information across to the citizens which also takes
110 their participation or efforts and not just ours. He suggested that the council approve no less than
111 12.2%, but said ideally they should maintain our tax rate for just one more year. He mentioned
112 there is a lot that can happen next year if the city does this as it will put us in a place that is
113 unprecedented for this city while providing for a significant amount of growth. He said business
114 growth would give an incredible amount of money to give back to the citizen for the things that they
115 need. He indicated that this rate gives money for the parks, additional street funding, and provides
116 additional funds for the police department. It gives the city a rainy day fund that is leaps and
117 bounds above from when he and Mr. Tueller started city council. He said when he started the fund
118 was very low but now it is at a place where the city can actually do something if they need to. His
119 personal choice would be to maintain the 0.002175% tax rate. He noted he would be okay with the
120 next two lower rates.

121
122 Mayor Jeppsen said he hasn't been good at recognizing the speakers for the record. He would
123 appreciate it if the members will state their name before they make a comment. Then it will be in
124 the record and help with the translation of the minutes.

125
126 Council Member Young said she was very conflicted with her decision and sits somewhere between
127 Mr. Walker and Mr. Wright. She thinks they should maintain the tax rate, yet she also considers the
128 public comments made by the local citizens. She said she has reached out to a lot of citizens and
129 many say they prefer to maintain the tax rate. She emphasized that these taxpayers were from all
130 different income bases. She said the people she spoke with were more worried that next year the
131 city would be further behind (if a tax increase doesn't happen). She feels that the further the taxes
132 get cut it will hurt even more the next year. She was comfortable with 12.2% or 18% and the city
133 can make cuts and use this rate as a stepping stone to get back into maintaining the rate. She said
134 that while she respects the attendance and comments from the public at the last meeting she hasn't
135 personally received any messages. She mentioned that she approached the people at school events
136 or in business settings to ask their thoughts on the tax rate. She expressed that there is larger group
137 of people than what showed up at the public hearing. The people who attended the meeting were
138 mostly the upset or angry citizens. She said the people that don't attend the meetings have an
139 option too and they are our citizens. She feels it's a tough decision trying to listen to the people
140 while keeping Perry City in the black. She doesn't want the burden of laying-off a Perry City staff
141 worker (because of the lack of funds) as was done in the past.

142
143 Council Member Ostler said his choice would be between 2.7% and 25.5% because of the pros and
144 cons of each. Due to the \$93,000 rollover money that wasn't reflected in the option chart. He asked
145 Ms. Johnson to present the 2.7% on the chart because he felt it was the breakeven point. Ms.
146 Johnson pointed out that the projected use of unrestricted fund balance shows \$93,000. Those were
147 monies that rolled forward from Fiscal Year 2022 and will be used to complete the uncompleted
148 Fiscal Year 2022 projects in Fiscal Year 2023. Council Member Ostler said all this means is that the
149 proposed expenditures from the various departments are covered in the budget and we neither add
150 to nor take away from fund balance. The proposed expenditures are park projects, public safety
151 overtime requests, and compensation requests that are already in the expenditure numbers. This
152 makes him think that the fund balance becomes an unallocated savings and because of inflation,
153 gas, and grocery bills he feels he can't support adding to city fund balance when he can't add to his
154 own personal household budget. He said if the city wanted to add to the fund balance then the city
155 should've budgeted that money. He pointed out they were talking about road projects and
156 compensation and he said some of that was already put in the budget. He acknowledged the extra
157 money would allow the city to be more nimble to react to a grant opportunity or be used for an
158 emergency situation.

159
160 He said he talked to Ms. Johnson about a scenario of a cash burn during a recession when the sales
161 tax revenue and building tanks. He noted that Ms. Johnson indicated that there could be a loss of
162 \$300K-400K a year. Ms. Johnson stated that during the past recession they saw a loss of \$250k in
163 sales tax over three years. The City also lost \$200k a year in building revenue (this is when we
164 covered inspections in house). Ms. Johnson stated that based on this history she predicted that the
165 city could lose roughly \$200 - \$300k per year during a recession. Council Member Ostler said with
166 that in mind, he feels the city could go three or four years with no other adjustments and burn
167 through the savings on hand. He said he was struggling with the conflict of being properly prepared
168 with a nice cushion or having idle tax dollars in fund balance. He mentioned that he looks at
169 municipal financial statements all day long for his job and sees the cash balance just sitting on the
170 balance sheet. He recognized he doesn't know the whole story but it seems to be a lot of idle
171 resources. He gave the example of Box Elder School District having \$75million on their balance
172 sheet. He said he could support the breakeven analysis of the 2.7% but would be less incline to vote
173 for 25.5% even though he sees it merits.

174
175 Council Member Ostler offered the takeaway on the public process. He said he wants to be part of
176 the solutions to proactively improve our communication on how our tax dollars are being spent in
177 terms of what we are using the funds for to the city residents and stakeholders. He wants to help
178 explain or educate the citizens on what things cost, for example the roads can't just get fixed
179 because they are expensive to repair and the resources might not be readily available. He would
180 like to take Mr. Dinsdale's presentation and put dollars to each project and then ask the citizens to
181 fund it, or find the money to do these repairs. He also wonders if there was a way for the council to
182 improve managing expectations. He remarked that a C level budget will result in C level of service
183 but the city should still give an A level efforts and often dollars equate to value. He desires to be part
184 of the solution in finding efficiency of city operations then communicate it to the stakeholders. For
185 example, he thinks the city should send the utility bill and town newsletter by e-mail only. It's his
186 opinion that it would be beneficial to have the gun range in its own fund. He also proposed that
187 Utopia come and give an accountability presentation to the city.

Mayor Jeppsen said in reference to using the Internet as a communication tool, it is good if social media is used to gain knowledge from knowledgeable people about the facts. However, there are other websites or social media outlets not sponsored by the city that allows a place for people to express their negative thoughts, but that will not necessarily give them the correct facts. He suggested that we encourage the citizens to ask questions on the city's Facebook page so they may get the correct answers or information.

Council Member Tueller mentioned that as for the communication there was so much that happens behind the line. Since he has been on the council, he commented, they have done some incredible things. He said that Council Member Wright and he sat in public meetings for three months regarding issues with the sewer plant with a neighboring city providing ideas that were originally shot down but eventually the issues were resolved. He said the amount of money spent on roads in the past was \$200-300k. He said he remembers an (engineer's) assessment of needs for our roads that was presented 6 years ago, which projected costs of \$2.6M. He said he believes that the roads budget is now just under \$1M. He explained that the visible things the public sees will be what they will talk about so the city's response and effectiveness on these things are what the council needs to show. However, the critical things that take place are never seen by the public. For example, the people see a dry spot in the lawn at the park but not the infrastructure that caused the problem. He said this situation also requires training for staff to focus on proper maintenance of the parks, and to not maintain the parks like a farm. He said we need to communicate to the public the unseen infrastructure projects that are completed. He reiterated that the visible stuff will be what the city will always get hammered on but if the city's core is right then the visible stuff will be fairly inexpensive to get under control.

Council Member Tueller said another focus he's had for the past six years was on infrastructure of the core things. He feels the city has stayed strong and on point for several years, which put us in a good place. He mentioned the Lodge was an opportunity for the city to grab. He mentioned that by paying the bond with retired bond funds and selling the property we have set the city up for years. The tenants in the Lodge are paying half the monthly loan payment and he thinks the maintenance costs will be covered if we rent the upstairs correctly. He said he is a lot about perspective and not going to be caught up in the show of things.

Council Member Tueller expressed he feels that most of the sales tax revenue comes from solid essential type businesses and this will grow for the city over time. He said he's ready to vote on the tax and move onto the next thing. He commented that again that some projects will be unseen and the parks or roads will be what the public will focus on. He expressed that infrastructure is a big deal because of the growth coming and we need to be ready for it along with the need to communicate our readiness for growth and what we have accomplished. He feels the 0.002045 18% over CTR is a good option and he won't go below 12.2% because the city is trying to get infrastructure things done that aren't ascetically pleasing but are massively important.

MOTION: Council Member Wright made a motion to approve Resolution 2022-15 Adopting a Final Tax Rate with 0.00245 rate and the Budget for Fiscal Year 2023. Council Member Tueller seconded the motion.

ROLL CALL: Council Member Wright, Yes

Council Member Tueller, Yes
Council Member Walker, Yes
Council Member Young, Yes
Council Member Ostler, No

Motion Approved. 4 Yes, 1 No

B. Ordinance 22-J Subdivision Amendments

Mr. Barnhill explain that this was an ordinance amendment from the Planning Commission. He said this proposal was created because of subdivisions with multi-family units and the need for the ordinance to be corrected and updated. Currently the ordinance reads that when the developer doing the infrastructure receives their conditional acceptance he is given a one year warranty period where the city holds through that warranty period 10% of the deposit money. This ordinance amendment will allow approved exceptions on sidewalks, curb, gutter and other types of improvements. It will also require the building permit to include a deposit that will pay for these types of things if they get damaged. This ordinance will update and broaden the exemption list. The infrastructure responsibility will be transferred from the developer once a building permit is accepted. The update has the building permit requiring a \$4,000 deposit (previously \$2,500) and includes code enforce compliance. Council Member Ostler asked if this is only for residential. Mr. Barnhill said it will be done per building permit so it depended upon the builder's relationship with the buyer. He mentioned that the city is requiring a more robust construction of the sidewalks so hopefully it will help with possible cement damage.

Mr. Barnhill said that sometimes a developer just wants a preliminary approval to flip the property. They don't have the long term vested interest for the community or the vision and identity of the city. He and the Planning Commission feels because of this the city might have missed opportunities for creative communities. They want to include that an overall layout of the residential subdivisions greater than 10 acres be designed by a Certified Planner or Landscape Architect. He said that hopefully it will develop the city into this planned vision. Council Member Tueller responded that the layout ideas from a Landscape Designer was what was needed in the recent denied conservation subdivision request. Council Member Ostler questioned if the Civil Engineer had an in house Landscape Designer could they just sign off on the plat. He also pointed out that there might be value in adding that they use an independent Certified Landscape Architect to the ordinance. Mr. Barnhill said that most firms don't have a Landscape Designer on staff. Council Member Tueller mentioned that firms are changing to accommodate the need for one. He said that both the Certified Planner and Landscape Architect can bring the creativity and aspect to create the community we want. In addition they know what the industry is doing and the technologies available in the market. He said he wants to be involved with the city design standards along with donating his time for the city office building's landscape design. Mr. Barnhill answered Council Member Ostler that it would be hard to require firms with in house landscape designers to use other landscape architects.

Council Member Walker said he likes the intent to get something more creative. He said Perry is land locked with Brigham on the north, Willard on the south, the bird refuge on the west, and the mountains on the east. Since the area can't expand he fears that Perry will just build out and have stuff that is not really great for the citizens. He said there is a need for something like this and wants to be more explicit on driving developers towards considering green space, trails, and community amenities that are a benefit to the city. He wants to explore more explicit ways of driving towards

good community. He said that at one time they wanted to have a work session to discuss ways to encourage the conservation subdivision. He said they need to incentivize or require the developers to take the conservation subdivision more seriously because it is good for our city to have it.

He also mention that he wants to look at the unintended behavior that will be driven by this ordinance update. The action that will be different from what the city council actually intended. He said that perhaps people will start to develop subdivisions that are under 10 acres so they can do anything they want. Council Member Tueller explained his thoughts on the recent conservation subdivision application process they were handling. With what he has learned he recommended that the conservation subdivision implements a rule that the will allow higher density multi-family housing without having to do a special developer agreement. Unless the council wants to have their fingers in everything then they may say that all subdivisions will require a development agreement. They continued to discuss different aspects of the conservation subdivision ordinance. Council Member Young asked for the definition of green space and Council Member Ostler said it is defined in the conservation subdivision ordinance. Commissioner Walker said he would like to expand the explanation the definition of green space to include more creative thinking that may be done to better the community.

Mr. Barnhill said another changed proposed by the Planning Commission was to limit how many units can be in a multi-family structure, pro-rate it with other single family, and address consolidation of districts. They decided that maybe they could be a little softer and give a straight forward density approach. He mentioned that most cities have density number per acre. This ordinance update says 16 units per acre and shall be pro-rated with single family mixed in the development. Another criteria that will change is for 30% of the site to be landscaped. He showed the council examples of subdivision plans and how they work or will not work for multi-family developments. Of the developments that met the requirements he said it showed that they can make money, have success and be happy with the product at a lower unit per acre. He wanted to show the council examples to get a feel for the tightness of the density in the development to help them make a decision on the unit number per acre. Council Member Tueller said he likes the grid system because the requested units might consume all that was available in the district grid and this layout helps with density and allows for affordable housing. Council Member Ostler said that they should legislate to the developers who only develops the minimum requirements. He said that the importance of the number (per acre), is so we get the communities and products we hope to get out of a development.

Mr. Barnhill said the definition for improvement and infrastructure in this provision is clear; however, he gets calls from the developers about finishing the curb and gutter along the highway. He feels they should clearly state in the ordinance that they need to include improvements on streets operated by UDOT (Utah Department of Transportation). He said that hopefully it will deter a debate. In addition, he wants to better define the garbage collection and dumpster enclosure in multi-family dwellings, apartments, and commercial properties. He said the updated wording in the ordinance also allows for an exception if it's preferable to the city.

Council Member Walker asked with our multi-family dwellings that have 30% landscaping, what provision do we have that identifies who is required to take care of the landscaping. Council Member Tueller said it is a private HOA who is responsible to maintain the landscaping. Mr.

Barnhill said with twin homes the property is maintained by the property owner. Council Member Wright asked if we regulate it like a code violation. Mr. Barnhill said the storm water pond is to be maintained by the HOA and we require it as part of the development application to make sure the city interest is covered.

Mr. Barnhill said the next update was that the building permit deposit name will be changed to building permit deposit for adjacent improvements, infrastructure, and code compliance. Along with updating the amount of the building permit deposit from \$2,500 to \$4,000. He explained that this change will make it easier to collect the fee on any violations. City Attorney, Morris agreed that this may be used as a code enforcement tool. He mentioned that at this time they could make a change to the code to make release of escrow funds an administrative function instead of a council approval function. Mr. Barnhill said a basic amendment stating that the escrow funds may be release by the city engineer or community director may be done in this update.

Council Member Ostler wanted clarification on the ratio pro-ration for the 16 units per acre. Mr. Barnhill explained that the intent was, for example, if a development has 30 single family homes and 12 multi-family homes the city was only going to base the 16 units on the multi-family units. Council Member Tueller said this does not circumvent the grid system for units in the area. Mr. Barnhill reiterated that they should change the language from pro-rated to calculate and include public roads in the amended section of the provision.

Council Member Ostler was concerned whether the deposit line should include non-residential. There was a discussion on whether or not there was a need to change the language to include only residential or to include commercial to the wording. Council Member Wright said they can do it like the public safety fees and write it as non-residential unit per square foot. Mr. Barnhill said they can come up with a calculation but he suggested they keep it for single family only because in any other development we will only work with one builder. He said he feels the deposit line in the provision should say "deposit per single family residential dwelling". He pointed out that the deposit is to allow the developer to get out of his warranty period.

Council Member Ostler wonders if 16 multi-family units per acre is the best number or if it should be lower. Council Member Wright commented that perhaps the younger generation wants a smaller space. Council Member Tueller said (the mixed housing) gives the perception of entry level homes and he thinks this gives more affordable buying options which is what we are trying to accomplish. Council Member Wright remarked it doesn't appear that way because they sure cost a lot. He then expressed it is critical that the city is covered yet we don't want to over regulate it because it is not our property. He said we have certain standards that have been put in place and are outlined pretty well. There will always be someone that will try to get around the requirements and he feels these updates added to the ordinance are enough for now.

Council Member Young asked about limiting the multi-family units to four-units in a building. They reviewed the subdivision examples and discussed how this limit would change developments and would it be less effective. Council Member Tueller said that Perry City has a lot of quirky shaped properties and that the grid system regulates the overall density but, he said he is not opposed to a 4 unit per building requirement. Council Member Young said she would like to see them held to the same standards as the subdivision with the beautiful and creative spaces. Mr. Barnhill remarked

that development agreements are also an option for the developers. Member Walker said that he can see the value in the 4 unit requirement with green space between the buildings.

MOTION: Council Member Walker made a motion to approve Ordinance 22-J Subdivision Amendments with following the modifications: that in Section 3 that they replace the word “pro-rated” with “calculated” and add in the exclusions “public streets”. And modify the deposit fee title to say “Deposit per Single Family Dwelling”. Council Member Tueller seconded the motion.

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

Motion Approved. 5 Yes, 0 No

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

A. Approval of Consent Items

- August 11, 2022 Truth in Taxation Meeting Minutes
- August 11, 2022 City Council Meeting Minutes

Shanna Johnson said the minutes are not fully ready to be passed and asked if they may be tabled.

Consent Items Tabled.

B. Mayor's Reports

Mayor Jeppsen thanked the council for their accomplishments of the evening and for their participation in general. In his opinion Perry City is in the best position that it has ever been and totally because of the council's participation. He is glad that he is a part of this.

C. Council Reports

Council Member Young – none.

Council Member Walker mentioned he met with Mont Johnson to help organize the 911 Memorial Service project in our community. It is being organized at a county level and being built at the nature park trail. The improvement needs are to re-establish the trails, cut a lot of brush, digging up or spray the weeds, clean up and/or reapply the road base on the trail. Then perhaps remove the log building because of a collapsing roof, however, he wasn't sure if it had historical value. Mr. Barnhill said we will need to check with Brandon about the history of the log house and if it needs to be rescued. Mr. Wagstaff advised that the mentioned road base talked about was broken asphalt and shouldn't be used for the trail. The material put on the trail was purchased slag. Council Member Walker said the sidewalk by Dale Young Park needs to be cleared for safety. He then suggested that the sagebrush area at Mt. View Park gets water (lines) added so they may convert it to a useful area.

Council Member Ostler asked about the email he received for the 2022 Wasatch Choice Transportation workshop and if he needs to attend it. Mr. Barnhill said he often goes to these workshops and has planned to attend this one.

Council Member Wright said he had the opportunity to go to Washington DC, visit the Smithsonian, and was able to see the Declaration of Independence. He is grateful for the country and city we live in and the council is an example of what it's all about. He feels they accomplished good things in the meeting and maybe next year they can fix a few things. The tax decision was a great representation of the council's responsibilities and he appreciates all involved this process.

Council Member Tueller appreciates the work done in the last few months and now they are on to the next thing.

D. Staff Comments

Chief Hancey – none.

Mr. Barnhill said he is working with Utopia for a representative to come talk to the city. He expressed he talked to Mr. Miller, the Box Elder Community Development and their attorney because the state statute allows the county to pass an ordinance to use Front Runner tax money for other transit related projects. They are hoping the county will approve the use of funds for the Historic Orchard Pathway, grant matches, and other road improvements. This should save the city about \$200,000 and hopefully will hear the results by the end of September.

Mr. Johnson thanked the council and acknowledged their hard work on the budget and said that they did a good job.

Mr. Morris – none.

Mr. Wagstaff said he wanted to thank Nathan for all his help to get the trees in around the city. If they all survive it will be great for the parks. He thanked everyone involved with the budget, especially Shanna.

Mayor Jeppsen said they will critique the budget process in the future to compare this year to prior years. He said there were more improvements this year and feels they are moving in the right direction.

E. Planning Commission Report

None.

ITEM 7: EXECUTIVE SESSION

None.

ITEM 8: ADJOURNMENT

MOTION: Council Member Tueller proposed to adjourn the meeting.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 9:17 p.m.

Shanna Johnson, City Recorder

Kevin Jeppsen, Mayor

Anita Nicholas, Deputy Recorder