

PERRY CITY COUNCIL MEETING
PERRY CITY OFFICES
JANUARY 26, 2012

7:00 PM

OFFICIALS PRESENT: Mayor Nelson presided and conducted the meeting.
Marci Satterthwaite, Todd Christensen, Karen Cronin, Peter Gerlach,
Jana Nelson

CITY STAFF PRESENT: Duncan Murray, City Administrator
Shanna Johnson, Chief Deputy Recorder

OTHERS PRESENT: Lani Braithwaite, Reese Nelson, Jason Burningham (Lewis Young Robertson & Burningham), Jay Newman, Charles V. Stowell, Lorin Walker, Berent Kartchner

ITEM 1: CALL TO ORDER

Mayor Nelson called the meeting to order.

A. INVOCATION

Council Member Christensen offered the invocation.

B. PLEDGE OF ALLEGIANCE

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

ITEM 2: PRESENTATIONS

A. Mayor Nelson announced that the Mayor's State of the City Presentation will take place on Thursday, February 9, 2012 at 7:05 PM.

ITEM 3: NEW BUSINESS LICENSES, PROCEDURAL ISSUES, AND APPOINTMENTS

A. CONFLICT OF INTEREST DECLARATION

None.

B. NEW BUSINESS LICENSES

- Something to Talk About (Business Owner – Heather Ferguson) – Duncan Murray advised that this business will provide speech therapy at schools and there would be no visiting clientele.

MOTION: Council Member Cronin made a motion to approve the business licenses for Something to Talk About. Council Member Nelson seconded the motion.

ROLL CALL: Council Member Satterthwaite, Yes Council Member Nelson, Yes
Council Member Cronin, Yes Council Member Christensen, Yes
Council Member Gerlach, Yes

Motion Approved. 5 Yes, 0 No.

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

Shanna Johnson passed out the warrants.

ITEM 4: PUBLIC COMMENTS AND/OR PUBLIC HEARINGS

A. PUBLIC COMMENTS (NO PUBLIC HEARINGS)

Jay Newman expressed concerns with the Utah Transit Authority (UTA), stating they have stopped construction of lines, shut down stations, but they still are collecting a tax from Perry residents. He asked what is being done with the money. He also expressed concerns with Utopia. He said the City pays Utopia \$94,000 a year and nothing is being done.

ITEM 5: LAND USE ISSUES

A. DISCUSSION REGARDING JANUARY 5, 2012 PLANNING COMMISSION MEETING

No discussion.

ITEM 6: FINANCIAL, PUBLIC UTILITY, AND TECHNOLOGY ISSUES

A. DISCUSSION REGARDING OPTIONS FOR FEES FOR FIRE AND EMERGENCY SERVICES

Council Member Cronin advised that Duncan Murray, Van Mund, Suresh Kulkarni and herself met with Brigham City Fire Chief Jim Buchanan to discuss response to CO alarm calls. She stated Van Mund brought a testing unit that would test not only CO, but other gases as well (cost \$1,700 for two), and he said that the First Responders could be trained “in house”, at no cost. This would allow for them to test an area for CO when a call occurs. She explained that during the meeting, they reviewed their plan to have the equipment purchased and training completed in March. The First Responders would then respond with Brigham City Fire at first on the CO alarm calls, and hope to transfer all Perry City CO calls to Perry City First Responders by July 1st this year. She stated that once this is implemented, and Perry City First Responders are responding to the CO alarm calls, there would not be a charge to homeowners on false alarms. Council Member Cronin stated that Jim Buchanan was fine with this change; he did not want to amend the current contract, but suggested that this could be changed in the next year’s contract.

B. FINANCIAL APPEAL BY SURESH KULKARNI REGARDING A BILL FOR FIRE SERVICES

Council Member Satterthwaite and Mayor Nelson stated that if this appeal is granted the City would need to grant everyone who has received a CO alarm bill the same credit. Council Member Christensen apologized for brining the option for Mr. Kulkarni to work off the fee to the table, but felt he had a unique skill set that could help with the issue. Council Member Cronin said she feels for everyone who has received one of these bills, but stated the City needs to keep with the current policy. If there are ongoing problems, the City could look at addressing these issues in the future. Council Member Gerlach did not agree with setting the precedence that people can work off their fees. Council Member Nelson stated she felt this was out of their hands, because this is not a fee that Perry City has jurisdiction over; but rather, it is a bill that is passed through to the resident. Council Member Christensen agreed that the appeal should be denied, but suggested allowing Mr. Kulkarni time to pay the bill and make payment arrangements with the City staff. Council Member Cronin suggested surveying the public to see how they would like to pay for emergency services.

MOTION: Council Member Christensen made a motion to deny the financial appeal based on current policy, but to allow Mr. Kulkarni to work with the City office to arrange payment of his fee. Council Member Gerlach seconded the motion.

ROLL CALL: Council Member Satterthwaite, Yes Council Member Nelson, Yes
 Council Member Cronin, Yes Council Member Christensen, Yes
 Council Member Gerlach, Yes

Motion Approved. 5 Yes, 0 No.

C. FINANCIAL APPEAL REGARDING CULINARY WATER BILL FOR LOT 1, 2, 3, AND 4 IN INDIAN HILLS SUBDIVISION

Charles V. Stowell advised there are two problems; the first is that there is no secondary water in the Indian Hills Subdivision. He stated that not all homes are being given the allowance of 15,000 gallons of water (allowed for homes with no secondary water option). He would like the water accounts reviewed and corrected so they are all given this allowance. He said the second problem is that there are four homes that have outside water linked to the meter of the detention pond. The units have a separate meter for indoor use. The detention pond meter is being charged large overages during the summer months, but it is only being allowed 15,000 gallons of water. The 4 other units do not use their entire 15,000 gallons allowed during these months on their indoor use, but are not getting any credit for this toward their outside water tied to the detention pond meter. He is requesting a credit in the amount of \$573.60 for the gallons allowed but not used indoors on these four home's meters. Shanna Johnson advised that the city staff helped Mr. Stowell look at this issue and agrees with the credit. In the future, the city staff will adjust the Indian Hills outside water bill so that credit for the water not used indoors (according to the meters) on the four residential units connected to the outside meter is given prior to the bill being printed. She advised this will only be an issue in the summer months.

MOTION: Council Member Cronin made a motion to credit \$573.60 to the Indian Hills Subdivision outside water, and make the proper adjustments to the all the subdivision's accounts so all meters are allowed up to 15,000 gallons per month. Council Member Nelson seconded the motion.

ROLL CALL: Council Member Satterthwaite, Yes Council Member Nelson, Yes
 Council Member Cronin, Yes Council Member Christensen, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

CC. CLOSED EXECUTIVE SESSION TO DISCUSS PENDING OR IMMINENT LITIGATION, REAL ESTATE TRANSACTIONS, AND CHARACTER OR FITNESS OF A PERSON

MOTION: Council Member Cronin made a motion to close the regular meeting and go to an Executive Session to discuss imminent litigation, real estate transactions and character or fitness of a person. Council Member Satterthwaite seconded the motion.

ROLL CALL: Council Member Satterthwaite, Yes Council Member Nelson, Yes
 Council Member Cronin, Yes Council Member Christensen, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

Regular meeting closed at approximately 7:45pm.

MOTION: Council Member Christensen made a motion to close the Executive Session and reopen the public meeting. Council Member Cronin seconded the motion.

ROLL CALL: Council Member Satterthwaite, Yes Council Member Nelson, Yes
 Council Member Cronin, Yes Council Member Christensen, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

Regular meeting resumed at approximately 8:57pm.

D. FINANCIAL APPEAL OF IMPACT FEES (STORM, WATER, AND PARKS/RECREATION) FOR 5 LOTS IN WALKER SPRINGS SUBDIVISION

MOTION: Council Member Cronin made a motion to table Item 6D (Financial Appeal of Impact Fees for 5 lots in Walker Springs) until more information is available. Council Member Gerlach seconded the motion.

ROLL CALL: Council Member Satterthwaite, Yes Council Member Nelson, Yes
 Council Member Cronin, Yes Council Member Christensen, Yes

Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

E. REPORT AND/OR ACTION REGARDING WASTEWATER TREATMENT FACILITY

No discussion or action taken.

F. APPROVAL OF WARRANTS

MOTION: Council Member Cronin made a motion to approve the warrants. Council Member Christensen seconded the motion.

ROLL CALL: Council Member Satterthwaite, Yes Council Member Nelson, Yes
 Council Member Cronin, Yes Council Member Christensen, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

G. MONTHLY FINANCIAL REPORT

Shanna Johnson gave a financial update for the month of November. She advised that 50% of the fiscal year has elapsed. 27% of General Fund revenues have been collected, 52% of Utility Fund Revenues have been collected, the sewer fund has received 42% of its revenues, and we have collected 62% of non-operating revenues. She advised the expenses look good. The General Fund has spent 48.1% of its budget, 31.9% of the Utility Fund budget has been expended, and the sewer fund has spent 18.9% of its budget. She advised that sales tax continues to come in higher than expected, so far this year we have collected 11% more than the prior year.

ITEM 7: PUBLIC SAFETY AND PERSONNEL ISSUES

A. PARTICIPATING IN “UTAH SHAKE OUT” ON APRIL 17, 2012 (MOCK DISASTER/EMERGENCY PREPARATION EVENT)

Mayor Nelson advised that Perry City will be participating in the Utah Shake Out event on April 17, 2012. He said some of the larger cities will be doing full emergency drills. Council Member Christensen recommended all City Council Members who have not already participated in CERT to participate in the upcoming Spring CERT training.

ITEM 8: TRAINING REGARDING BUDGET AND FINANCE

Shanna Johnson provided training on budget and fiscal procedures (See attached presentation).

ITEM 9: APPROVAL OF MINUTES, CITY COUNCIL & MAYOR REPORTS (INCLUDING NEW COUNCIL ASSIGNMENTS)

A. APPROVAL OF MINUTES FOR:

1. JANUARY 12, 2012 REGULAR MEETING

- Page 1, Line 40 of the Regular meeting – Council Member Christensen requested it be noted that Tom Shaw’s consulting takes place at commercial business locations not homes.
- Page 5, Line 39 – Council Member Christensen requested the location be changed to 700 South (not North).
- Page 6, Line 9 – Council Member Christensen stated there is typo and requested the word ‘they’ be changed to ‘the’.
- Page 7, Item B – Council Member Christensen asked that it be noted that he is the Utopia Representative for the City.

MOTION: Council Member Christensen made a motion to approve the minutes for the January 12, 2012 Regular City Council Meeting, as amended. Council Member Cronin seconded the motion.

ROLL CALL: Council Member Satterthwaite, Yes Council Member Nelson, Yes
 Council Member Cronin, Yes Council Member Christensen, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

B. TODD CHRISTENSEN: Council Member Christensen said he has a Wastewater Treatment meeting next Friday and asked if this was their regularly scheduled board meeting. Shanna Johnson advised it was not; it is a staff meeting, with their management staff. Council Member Christensen stated he met with a Council Member in Willard, Delmar Fredde, about lighting options on Highway 89 and both cities putting together a proposal asking UDOT for help to install lighting, particularly in the deer zones. He advised he will also be getting with Shanna Johnson and Keith Keller on the website.

C. MARCI SATTERTHWAITE: Council Member Satterthwaite advised that she and Council Member Nelson met with the Park Committee today and discussed options for a park restroom and concession stand building. Shanna Johnson reported that currently \$77,000 are left in impact fees, that the Centennial Soccer Park is valued at approximately \$406,000 and only \$49,000 of City funds were used on the park. Council Member Christensen stated there has been word that the soccer park fees are high. Council Members Nelson and Satterthwaite disagreed, stating the fees are low compared to other parks. Shanna Johnson advised that fee changes are currently being looked at and will be on a future council agenda for action.

D. KAREN CRONIN: Council Member Cronin stated she will be working with city staff on submitting an application for the county tourism grant and asked if the council had anything they would like to include. Council Member Satterthwaite stated Parks will be submitting an application for help with the restroom at the soccer park. Mayor Nelson recommended an application be submitted for Fourth of July. Shanna Johnson stated that a few applications will be submitted: one will be for the Fourth of July, one for the restroom, and possibly one for help at the gun range.

E. PETER GERLACH: Council Member Gerlach reported that he met with the Police Department last week and got a chance to meet all officers.

F. JANA NELSON: Council Member Nelson stated she attended her first Flood Control Board meeting last week and they appointed the following positions: Chairman – Greg Hansen, Vice Chair – Bob Thurgood, and Treasurer – Boyd Hirschi. She said at the next meeting the Board would like the City Engineer to meet with them.

G. MAYOR NELSON: Nothing reported.

H. ITEMS FOR NEXT CITY NEWSLETTER:

No new items presented.

ITEM 10: ADJOURNMENT (NEXT REGULAR MEETING ON JANUARY 26, 2012 AT 7:00 PM)

A. MOTION TO ADJOURN

MOTION: Council Member Christensen made a motion to adjourn. Council Member Nelson seconded the motion.

ROLL CALL: Council Member Satterthwaite, Yes Council Member Nelson, Yes
 Council Member Cronin, Yes Council Member Christensen, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

The meeting adjourned at 9:45PM.

Susan Obay, City Recorder

Jerry Nelson, Mayor

Shanna Johnson, Chief Deputy Recorder