

PERRY CITY COUNCIL MEETING  
PERRY CITY OFFICES  
FEBRUARY 9, 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  
Susan Obray, City Recorder  
Dale Weese, Interim Chief of Police  
Scott Hancey, Patrol Officer

OTHERS PRESENT: Lani Braithwaite, Jay Newman, Greg Seegmiller (JUB Engineering), Reese Nelson, Susan Weese, Brian Deeter (JUB Engineering), Steward Grover

**ITEM 1: CALL TO ORDER**

Mayor Nelson called the meeting to order.

**A. INVOCATION**

Council Member Gerlach offered the invocation.

**B. PLEDGE OF ALLEGIANCE**

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

**ITEM 2: PRESENTATIONS**

**A. MAYOR'S STATE OF THE CITY PRESENTATION**

Mayor Nelson presented the State of the City (see attached presentation). He expressed a need to complete the Police Department by making Dale Weese Chief of Police and by adding additional officers to the department. He also stated the city will focus on economic development by working with current local businesses.

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

**A. CONFLICT OF INTEREST DECLARATION**

None.

**B. NEW BUSINESS LICENSES**

None.

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

Susan Obray passed out the warrants.

**D. APPROVE MAYOR'S APPOINTMENTS OF PLANNING COMMISSION MEMBERS TO THE JOINT ADVISORY BOARD**

Mayor Nelson appointed the following individuals to the Joint Advisory Board (with Brigham City):

- Jerry Nelson
- Don Higley

- David Walker

**MOTION:** Council Member Christensen made a motion to approve the appointments of Jerry Nelson, Don Higley, and David Walker to the Joint Advisory Board. 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.

**DD. INTRODUCTION OF GREG SEEGMILLER AS THE NEW CITY REPRESENTATIVE FROM JUB ENGINEERING**

Brian Deeter from JUB Engineering addressed the council; he advised JUB engineering has been working with the city since 2006. He advised that the firm helped to update the City’s capital facilities plans for culinary water, storm drains, roads & transportation, and parks & trails. Mr. Deeter stated Lorin Gardner was assigned as the city’s engineer and is no longer with JUB Engineering; he was let go as part of a reduction in force. Mr. Deeter said the people who put together the various capital facilities plans for the city are still with the firm. He said Greg Seegmiller has been assigned to assist Perry City with their engineering needs. Greg Seegmiller introduced himself to the Mayor & Council. He said he has a Masters degree and was previously the Engineer for Logan City. He said he has done city engineering work for consulting firms for the last 4 years. Mr. Seegmiller stated JUB Engineering brings to the table a staff with a multitude of types of experience in different areas, and they hope to continue to provide service to Perry City.

Mayor Nelson said JUB has helped the city a lot in the past and they look forward to working with Greg Seegmiller. Council Member Christensen also welcomed Mr. Seegmiller to the team, adding that Lorin Gardner will be missed.

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

**A. PUBLIC COMMENTS (NO PUBLIC HEARINGS)**

**Jay Newman** reported that there is a very large chuckhole by 1200 West and Maddox Lane. Mayor Nelson instructed the Public Works staff to work on correcting this. Mr. Newman requested the Mayor & Council to do something with Utopia. He said he would like to see the \$94,000 paid to Utopia used on other projects, such as the Fire Department.

**Stewart Grover** asked why there are a number of police officers leaving the city. Mayor Nelson stated other agencies are paying up to \$4.00 an hour more than what the City can pay. Mr. Grover asked what the City is doing to correct this. Mayor Nelson stated that he and the Chief of Police are looking into this.

**ITEM 5: LAND USE ISSUES**

**A. DISCUSSION REGARDING February 2, 2012 PLANNING COMMISSION MEETING**

Council Member Cronin advised that the Planning Commission reviewed some of the city ordinances and were frustrated because some of the ordinances had been forwarded to the Council, but no action was taken (one of which was the Cell Phone Tower Ordinance). There is a new application for a telecommunications tower and the Planning Commission requested the Council review this ordinance again. Council Member Cronin stated there are other ordinances and stated the Commission would like the Council to either make suggested changes or pass the ordinances as recommended. The Council was not opposed to the Planning Commission forwarding 1-2 ordinances to the Council for review monthly, starting with the Telecom Tower Ordinance.

**B. MOTION TO PROVIDE DIRECTION TO THE PLANNING COMMISSION REGARDING THE PROPOSED AMENDMENTS TO THE INFILL ORDINANCE (PMC CHAPTER 45.08)**

Duncan Murray presented the Planning Commission’s request for City Council direction on the following (underlined) amendments to the Infill Ordinance (particularly in the NC2 and NC3 zones) as recommended by the Planning Commission:

- **Section 45.08.040, Criteria for Approval, Item #7:**  
 Lot size, frontage, setback, and other requirements for single-family dwelling in-fill developments shall be the same as are required in the R1 residential zone. Lot size, frontage, setback and other requirements for multi-family dwelling in-fill developments shall be the same as are required in the R2 residential zone, [Option A] except that minimum frontage requirements shall be 80 feet for a two-family dwelling, 100 feet for a three-family dwelling, and 120 feet for a four-family dwelling. [Option B] except that minimum frontage requirements shall be 80 feet for a two-family, three-family, or four-family dwelling.
- **Section 45.21.030, Requirements for R1, and R2 Zones, Minimum Frontage:**  
[Option C] 80 ft. for SFD (Single Family Dwelling) or 2FD (Family Dwelling); 100 ft. for 3FD; or 120 ft. for 4FD; +10 ft. for corner lot  
[Option D] 80 ft. for SFD, 2FD, 3FD, or 4FD; +10 ft. for corner lot

Duncan Murray said this will allow other uses (including high density) for lots too small for commercial development and address frontage, which the Planning Commission found to be unreasonable.

Mayor Nelson asked how many lots are at 80 feet and how many have 100 feet of frontage. He questioned if the frontage is being adjusted only to allow for more homes. Duncan Murray said no; Council Member Cronin also disagreed, stating it is due to the odd-shaped lots. Mayor Nelson asked if this will open up the opportunity for people to place an infill by an infill. Council Member Cronin stated this is not allowed by ordinance. Duncan Murray advised that the infill is noted on the deed and so there is no way that an infill could be placed by an infill regardless if the land changes owners. Council Member Cronin agreed with the Mayor that the lots should be reviewed to see if there is an 80 foot frontage issue or if the lots have the ability for larger frontage and also to ensure the lots meet setback requirements. Duncan stated the Planning Commission planned to complete an audit of the properties based on direction from the Council. Mayor Nelson stated he would like to see the audit before any amendments take place.

**MOTION:** Council Member Cronin made a motion to request the Planning Commission to do a survey of how many areas along NC2 & NC3 zones would qualify for the Infill Ordinance if the frontage was reduced to the any of the options presented as possible amendments. 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.

**ITEM 6: FINANCIAL, PUBLIC UTILITY, AND TECHNOLOGY ISSUES**

**A. APPROVAL OF APPROPRIATION OF APPROX. \$40,000 OF PARKS/REC. IMPACT FEES FOR IMPROVEMENTS IN THE CENTENNIAL SOCCER PARK AT 1155 WEST 3000 SOUTH**

Mayor Nelson advised this will complete the improvements planned for the Centennial Park. Duncan Murray advised the improvements would include a restroom and concession stand. Council Member Christensen asked what other future projects are being planned. Duncan Murray said the Park Superintendent expressed interest in placing a bowery at the Centennial Soccer Park and a restroom at Dale Young Park. Council Member Cronin asked what the balance of impact fees would be if this is approved. Council Member Satterthwaite stated the current parks impact fee balance is approximately

\$80,000. Council Member Cronin said previously the Council talked about getting a park up in the North East section of the city. Mayor Nelson advised there is some land that private owners have that they would like to lease to the city for a park if the City would put in grass and maintain the area. He reported there is also another piece of land that has been deemed unbuildable, but the asking price is high. Council Member Satterthwaite advised that it had been discussed in the past that our current parks should be improved before constructing a new park. She added that the City is already struggling to maintain our current parks. Council Member Satterthwaite reported the Parks Committee will also be applying for the Tourism Grant to assist with the restrooms.

**MOTION:** Council Member Cronin made a motion to approve the appropriation of approximately \$40,000 of Park impact fees to be used for a Restroom/Concession stand at the Centennial Soccer Park. 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.

**B. REPORT AND/OR ACTION REGARDING REQUEST FOR PROPOSAL PROCESS FOR CITY ENGINEERING SERVICES**

Council Member Cronin reported that she and Bill Walker were placed on a committee to review engineering services a few months ago and it is their recommendation that the City move forward with a Request for Proposal process for City Engineering Services to ensure they are getting the best price and service possible.

**MOTION:** Council Member Cronin made a motion to initiate a Request for Proposal process for City Engineering services and establish a committee, including her and Council Member Jana Nelson, to review any bids. 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. REPORT AND/OR ACTION REGARDING WASTEWATER TREATMENT FACILITY**

Duncan Murray advised he spoke to Tyson Knudsen in relation to the Wastewater Treatment Plant. He reported that the punch list to complete the plant is down to the final 3 items and solutions are currently being worked on. When completed the project engineers will report to the Council and a final retainage release will be requested. The South Ditch project is underway and going well. Duncan advised all easements (except for one) are in place for the project.

**D. APPROVAL OF WARRANTS**

Council Member Cronin asked how close the Allum Building project is to completion. Duncan Murray advised he believes it is close to completion and we should only see a few more bills in relation to this. He stated this is just pass through and is being reimbursed fully by grant monies.

**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.

**ITEM 7: PUBLIC SAFETY AND PERSONNEL ISSUES**

None.

**ITEM 8: TRAINING REGARDING PUBLIC UTILITIES SERVICES**

Duncan Murray provided training to the Mayor and Council regarding Public Utilities as described in the Utah League of Cities and Towns Powers and Duties handbook.

**ITEM 9: APPROVAL OF MINUTES, CITY COUNCIL & MAYOR REPORTS**

**A. APPROVAL OF MINUTES FOR:**

1. JANUARY 26, 2012 REGULAR MEETING

- Page 5, Line 7: Council Member Christensen corrected a name that was misspelled stating it should be changed to “Delmar Fredde.”

**MOTION:** Council Member Cronin made a motion to approve the minutes for the January 26, 2012 Regular City Council Meeting, as amended. 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.**

**A. TODD CHRISTENSEN:** Nothing reported.

**B. MARCI SATTERTHWAITE:** Nothing reported.

**C. KAREN CRONIN:** Council Member Cronin said the Box Elder Economic Development Alliance is planning a Business Expo to take place at the USU extension in April. The businesses would be able to set up booths, network with other businesses and get some free advertising. She stated more information will be placed in the City Newsletter. She requested any information or ideas in reference to the Tourism Grant or the Fourth of July events. She said if the other Council Members have an interest in any events or assignments for the Fourth to let her know; otherwise, duties may be assigned. She said Mayor Fife contacted her in reference to the Fire Contract for next year and they plan to provide CO Alarm service at no charge, with no increase in rate. She reported that the First Responders have been able to find Extrication Equipment for under \$2,000 so this will be purchased. Duncan Murray said they will also be purchasing two CO monitors for \$1,750. Council Member Cronin stated there is some graffiti in town at Christensen Auto; she asked if there is a policy on graffiti. Council Member Nelson said there is a policy.

**D. PETER GERLACH:** Council Member Gerlach reported he received a citizen concern from the person over the homeowners association by Hill Haven Drive. They are wondering if their street is scheduled for chip and seal and wanted to know when this would be completed. Mayor Nelson stated we will look into this.

**E. JANA NELSON:** Council Member Nelson advised she received a citizen concern in reference to snow removal on the streets along Linda Way. The resident states that the City only clears snow from one lane of the road and it causes a safety hazard. Mayor Nelson requested this be brought to the Public Works staff to be resolved.

**F. MAYOR NELSON:** Mayor Nelson advised there is the Utah Shake Out coming up, which will focus on emergency preparedness.

**H. ITEMS FOR NEXT CITY NEWSLETTER:**

No new items presented.

**ITEM 10: EXECUTIVE CLOSED SESSION, IF NEEDED**

No Executive Session took place.

**ITEM 11: ADJOURNMENT AND PHOTOGRAPHS OF MAYOR AND COUNCIL MEMBERS  
(NEXT REGULAR MEETING ON FEBRUARY 23, 2012 AT 7:00PM)**

**A. MOTION TO ADJOURN**

**MOTION:** Council Member Christensen made a motion to adjourn. 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.

The meeting adjourned at 8:55PM.

---

Susan Obrey, City Recorder

---

Jerry Nelson, Mayor

---

Shanna Johnson, Chief Deputy Recorder