

PERRY CITY COUNCIL
MEETING PERRY CITY OFFICES
August 10, 2023

7:03 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Council Member Nathan Tueller, Council Member Blake Ostler (on-line), Council Member Toby Wright, and Council Member Ashley Young (on-line).

OFFICIALS ABSENT: Council Member Dave Walker

CITY STAFF PRESENT: Robert Barnhill, City Administrator
Bill Morris, City Attorney (On-line)
Scott Hancey, Chief of Police
Zach Allen, Public Works Director
Shanna Johnson, City Recorder

OTHERS PRESENT: Jim Flint

ON-LINE: Melanie Barnhill and Nelson Phillips (BENJ)

ITEM 1: CALL TO ORDER

Mayor Jeppsen welcomed everyone and called the City Council meeting to order.

ITEM 2: PROCEDURAL ISSUES

A. Conflict of Interest Declaration

None

ITEM 3: PUBLIC HEARING

A. Resolution 2023-19 Fiscal Year 2023-2024 Budget Amendment

In preparation for the public hearing Ms. Johnson presented the budget amendment. She said this amendment proposed to add money to the city hall capital project fund and will be used to complete the building and exterior of building. The amendment will also assign money already in this fund for the exterior use. She explained that \$246,765 of the General Fund Revenue will be moved to the Capital Project Fund. She noted that they did not spend all the money allocated to the city hall renovation last year and \$182,088 will be forwarded to the current fiscal year's budget. This will bring the total for the Capital Project Fund to \$1,647,267 for the new city hall renovations.

The proposed \$246,765 addition to the Capital Project Fund will be used for the change orders done during the renovation of the building. The expenses will be applied mostly to the refinishing of the exterior but also to the council desk construction, additional electric work, counter top improvements, and the staining on the baseboards and stairs trim, and some interior furnishings. She mentioned that she had talked to the accountant and the Fund Balance was very healthy with approximately \$250,000 unspent money to be carried over from last year. She said if this happens

then they will end the year with a 23% fund balance. She explained that originally, they were going to wait to finish the exterior of the building but because the fund balance was looking good, they proposed to complete the exterior now.

Public Hearing opened at 7:10 p. m.

No public comments

The Public Hearing closed at 7:10 p. m.

ITEM 4: ACTION ITEMS (Roll Call Vote)

A. Resolution 2023-18 Interlocal Agreement Between Perry City and Willard City Regarding a Sewer Line

Mayor Jeppsen said that Perry City had not received the red line questions and requests from Willard City so, he requested that this item be tabled. Mr. Barnhill noted that there was a representative, Jim Flint, from the sub-division development in attendance. He added that he did talk to Chris Davis, at Willard City and was told that they were not ready to take action.

Motion Tabled. All Council Members were in favor.

B. Resolution 2023-19 Fiscal Year 2023-2024 Budget Amendment

In this resolution, Council Member Ostler pointed out that the year of the fiscal budget needed to be updated. He then asked for references from the contractor doing the exterior of the lodge. Mr. Barnhill said this contractor was recommended by several other contractors in the industry. He mentioned that he had been talking to several contractors on bids to complete the exterior of the new city hall at the lodge and this contractor was able to do the project now. Council Member Tueller commented that contractors have jobs shift and change all the time which would allow him to work it. He suggested as a reference Mr. Barnhill can ask the contractor for other lodge buildings projects this contractor has been involved in. Mr. Barnhill responded that this contractor was involved with the lodge (the new city hall building) twenty years ago and knew a lot of history about it. Ms. Johnson mentioned that her husband, who works in the construction industry, knows the contractor and would recommend him.

Mayor Jeppsen thanked Council Member Ostler for his concerns. He said it sounds like we know a little more than we thought, and that this contractor has been around for many years in addition to having knowledge of the building. Ms. Johnson acknowledged there was a typo in the budget and said \$5,096,330 should be the total general fund budget. Mayor Jeppsen asked her to send the budget with more detail to the council.

MOTION: Council Member Tueller made a motion to approve Resolution 2023-19 Fiscal Year 2023-2024 Budget Amendment with the typo corrects added. Council Member Wright seconded the motion.

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

Council Member Tueller, Yes

Motion Approved. 4 Yes, 0 No

C. Resolution 2023-20 Contract for Election Services

Ms. Johnson said a couple of years ago the council passed an election service contract that was to carry on year after year, but there have been changes in the (state) election laws. The updated laws declared that when ballots are taken from the (election) box there needs to be two poll workers with the documents (ballots) at all times. Also, we need to take the ballots to the county offices (counting station) at the end of the election. She said previously the county might have done this process, but now we need to be responsible for it and this was the reason we need a new contract. She mentioned that the state had made the rule that the county would be in charge of (or manage) the current election. This contract gets us involved with the County and lists the estimated costs for their election services. She noted that the costs in "Exhibit A" does not include the cost for a primary election. She pointed out that Perry City was still responsible for their own noticing, and working with the county to make sure all the laws are followed. She noted that the County will mail all the ballots. However, the city will be responsible for the [certifying of] election reports.

Council Member Wright asked if this new contract was carried forward and Ms. Johnson responded that it does until another law changes. Council Member Ostler pointed out that in the resolution on the third whereas clause the Utah Code Annotated reference should be Chapter 13 and not Chapter 3. He showed that in section 4 the word "schedule" should be replaced with "exhibit" for continuity. He was curious why they did not amend the existing contract with the two new items instead of creating a whole new contract. He asked if the other (original) contract needed to be terminated. Mr. Morris responded that he was frustrated with this contract itself because it was supposed to be referred to as an interlocal agreement and not a contract. He pointed out that the title said it was a contract, but the body states it was an agreement. He recommended that in the resolution the city calls it an amendment to the original interlocal agreement and treat it as such because there are other segments in the original agreement that we probably need (or want to keep).

MOTION: Council Member Wright made a motion to approve an amendment to the Interlocal Agreement that was adopted by Resolution 2023-20 Contract for Election Services. Council Member Tueller seconded the motion. Council Member Wright amended his motion to include the corrections as noted by Council Member Ostler. Council Member Tueller added that his second stands.

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

Motion Approved. 4 Yes, 0 No

D. Ordinance 23-I Amending the Consolidated Fee Schedule to Include Event Center Rental Fees

Ms. Johnson said that Mr. Barnhill put what the council discussed for the event rental fees into ordinance format. A suggestion was given to her that no refund should apply for cancellations less than 48 hours, and it was added to the document. She noticed and commented that the cancellation for less than two weeks should be 25% instead of a 75% refund. Mr. Barnhill mentioned that section 1 of the notes also included employees. Council Member Ostler wondered if the reason for the deposit should be spelled out in this code. He recommended it to say the deposit was insuring against property damage and cleaning. He asked if the patron could give cash for their deposit since the ordinance says credit card hold for deposits. He explained that he highlights this, so they do not limit themselves to one form of payment by code. Mr. Barnhill said he will adjust the language to say something like we are holding it for damage or cleaning, anything that might violate the rental agreement or adopted policies. Mayor Jeppsen said, and the council agreed that the payment method should be cash or credit only and no checks. Council Member Ostler asked if the official name was the Event Center at the Lodge and Mr. Barnhill said the graphics available to the city have this name.

Chief Hancey asked if the policy covers when staff needs to use it for training or meetings. He said they (the police department with their training programs) could use the area often. Ms. Johnson said if other associations want to use it for a conference, they should be charged the fee, or it should be determined by the Mayor. Chief Hancey said the training programs asked for the departments to host the event for free, but in exchange gives the hosting officers free training. Mr. Barnhill said he has been approached for free use of the venue if the asking party does a service project for the city. He suggested that maybe the notes in the ordinance include discounts to be applied at the discretion of the mayor. Mr. Morris remarked that they add the non-profit information and disclaimers to a policy and not in the ordinance. He said this ordinance was to pass the fee amounts.

Mr. Barnhill reiterated that the updates to the ordinance as the following: section 3 b to be changed to 25%, the deposit should read as credit card hold or cash, and add to the notes (section) 4 describing the deposit; the deposit we be to cover damage or cleaning, or any potential violation of the rental agreement or adopted policies.

MOTION: Council Member Tueller made a motion to approve Ordinance 23-I Amending the Consolidated Fee Schedule to Include Event Center Rental Fees and the changes noted by Mr. Barnhill. Council Member Wright seconded the motion.

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

Motion Approved. 4 Yes, 0 No

ITEM 5: MINUTES & COUNCIL/MAYOR REPORTS (INCLUDING COUNCIL ASSIGNMENTS)

A. Approval of Consent Items

- June 08, 2023 City Council Work Session Minutes

- June 08, 2023 City Council Meeting Minutes
- June 22, 2023 City Council Meeting Minutes
- June 22, 2023 RDA Meeting Minutes
- July 06, 2023 City Council Meeting Minutes

Ms. Johnson said she just sent the July 6th minutes to the council and they might not have had time to review them. She noted that the corrections of removing attorney by Zach Allen's name and clarify what Council Member Ostler stated about garbage services in the June 08, minutes have been done.

MOTION: Council Member Wright made a motion to approve the consent items excluding the July 06, 2023. Council Member Tueller seconded the motion.

All in Favor

B. Mayor's Reports

Mayor Jeppsen said he was able to contact people involved with the previous operation of the lodge for history and memorabilia and they will check to see what they have. However, he said he had not approached the league at this time.

C. Council Reports

None.

D. Staff Comments

Mr. Barnhill mentioned that next week the RFP's for the master plan on Highway 89 will close. He said Wasatch Front was heading this proposal and we'll soon have a consultant to work with and then we'll move forward with this project. He said there will be an open house scheduled in September or October for the property owners along 1200 West. This open house will show the details regarding where the city will be installing a trail next spring and get feedback from the homeowners.

E. Planning Commission Report

None.

ITEM 5: EXECUTIVE SESSION

None needed.

ITEM 6: ADJOURNMENT

MOTION: Council Member Tueller proposed to adjourn the meeting.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 7:51 p.m.

Shanna Johnson, City Recorder

Kevin Jeppsen, Mayor

Anita Nicholas, Deputy Recorder