

PERRY CITY COUNCIL  
MEETING PERRY CITY OFFICES  
October 13, 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  
Sergeant Dave Freeze  
Shanna Johnson, City Recorder

OTHERS PRESENT: Danny Henriquez, Nelson Phillips, Jan Kerr, Melanie Barnhill

ON-LINE: Mark

#### **ITEM 1: CALL TO ORDER**

Mayor Jeppsen called the City Council meeting to order.

#### **ITEM 2: PROCEDURAL ISSUES**

##### **A. Conflict of Interest Declaration**

None.

Mayor Jeppsen made a request to adjust the agenda and have the Executive Session before Action Item 4A.

#### **ITEM 3: Public Hearing (No Vote Needed)**

##### **A. Public Hearing Regarding Resolution 2022-16 Adopting a Fiscal Year 2023 Budget Amendment**

Ms. Johnson introduced the amendment by expressing that the overall General Fund budget of \$5,094,595 will not change. She explained that it amends the amount contributed to Fund Balance and moves it to the Public Works personnel budget. She said that the Public Works Director has resigned and that the city administration is reorganizing that department. The amount requested in this amendment would allow the city to hire a new Public Works Directors and create a promotional opportunity with a new position of Assistant to the Director. She said there is also a small \$3,500 portion of that money to go into the Administration Department for a texting feature called Textmygov. Textmygov is a system that allows the city offices and citizens to communicate by text with each other. There are different levels the citizens may sign up to receive specific types of information. For example, the city may text information about water leaks or citizens may text us their concerns.

46 She further explained budget amendments in the Enterprise Fund. She said they will be using  
47 available cash to fund of the Public Works reorganization by increasing the water, storm, and sewer  
48 employee wages and benefits accounts. She noted that they would reduce the contribution to fund  
49 balance in the Utility Fund and use an additional \$30,964.12 to cover compensation changes. She  
50 pointed out that they are not using additional revenue in the Sewer Fund but are reducing the  
51 Contribution to Fund Balance.

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53 She reported that the requested Utility Fund budget amount would go from \$996,852 to  
54 \$1,027,816. The total budget will change in the Sewer Fund.

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56 Council Member Wright requested more information about the features offered by Textmygov. Ms.  
57 Johnson explained the company had waved the setup fee but there is a \$3,500 annual fee for the  
58 "connect via text feature with 24/7 assistance". She gave examples of its uses by saying it allows the  
59 citizens to text words like "pothole" and the system will respond requesting the location and other  
60 contact details. Another example is that the office may text upcoming meetings such as Meet the  
61 Candidates Night. An event many citizens commented they were not informed about. Council  
62 Member Young added that with this system they may be able to text water shutoff and repair  
63 notices.

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65 Mayor Jeppsen opened the public hearing at 7:06 pm

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67 Public comment. None.

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69 Mayor Jeppsen closed the public hearing at 7:07 pm

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71 Mayor Jeppsen said if the council was open to having an executive session he would entertain a  
72 motion on Item 6B.

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74 **MOTION:** Council Member Wright made the motion that they move into an executive  
75 session for Item 6B (Strategy to discuss the character, professional competence, or physical  
76 or mental health of an individual.) Council Member Walker seconded the motion.

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78 **ROLL CALL:** Council Member Young, Yes  
79 Council Member Walker, Yes  
80 Council Member Ostler, Yes  
81 Council Member Wright, Yes  
82 Council Member Tueller, Yes

83  
84 **Motion Approved. 5 Yes, 0 No**

85  
86 Mayor Jeppsen opened the Executive Session at 7:08 p.m.

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88 **MOTION:** Council Member Wright made a motion to close the executive session and move  
89 back into the public meeting. Council Member Tueller seconded the motion.

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

**Motion Approved. 5 Yes, 0 No**

Mayor Jeppsen closed the Executive Session and re-opened the Perry City Council Meeting at 7:30 p.m.

**ITEM 4: ACTION ITEMS (Roll Call Vote)**

**A. Resolution 2022-16 Adopting a Fiscal Year 2023 Budget Amendment**

Mayor Jeppsen asked if the council members wanted more description on this action item. Council Member Wright commented because of the some of the things proposed with Blake Ostler would that change the amendment and if so would they have to come back and change it again. Ms. Johnson responded that there is probably too much money accounted for in the amendment and they wouldn't spend that budget if it is not needed. She explained that she made the calculations based on how much they need to pay out for our exiting employee and for the cost of the new employee and promotion. She said the council can always amend the budget if it is less. Mayor Jeppsen asked Council Member Ostler if he was okay with this explanation and he responded that he was.

Council Member Wright asked if the Textmygov company had different price tiers and Ms. Johnson said they did and our price quote was the lowest. Mayor Jeppsen said that this communication idea came from the public comments given during the Truth and Taxation process. He indicated that this method doesn't necessarily need to be the path we go on. He said it was something presented and looked at but if the council feels we should consider other avenues they should do that. Council Member Wright said he supports something like the text media and that it is good to have something in the budget for it. Council Member Tueller also agrees and feels that under the circumstance there isn't a better way to communicate with the majority of citizens. He thinks it's the most effective way to get information out because people always look at their text messages. Mayor Jeppsen suggested they be prudent and investigate more of this type of communication avenues and get price comparisons. With the approved budget then maybe they may get this type of service cheaper and they can adjust the budget in the future if everyone is in agreement.

Council Member Walker asked if the city gets control of the digital marquee in front of the New City Hall. It was told him that the sign in front of the new city hall is not digital only the sign that was owned by Maddox's Restaurant. He suggested that in the future the city might want to invest in a digital sign as a communication tool. Council Member Wright said he appreciates that this amendment doesn't change the (General Fund) budget but just moves money around. Mayor Jeppsen said they are currently looking into signage for the City Hall and will keep this in consideration.

Council Member Ostler asked if this request was a budget allocation for a tool and not necessarily for the Textmygov system. He also asked if the Textmygov program was a multi-year or an annual contract. Mayor Jeppsen answered that it is for a tool and that any contract would be addressed at a later meeting. Council Member Ostler said he asked because he wondered if they could try the Textmygov service for one year and then re-evaluate it. Ms. Johnson commented that service would be for a two year contract. Council Member Ostler remarked that he prefers to try a product to see how it works without committing \$7,000.

Council Member Ostler requested an in-depth explanation of the budget amendment with the use of available cash. He inquired if this account suggests we are funding ongoing expenses with a savings account and Ms. Johnson responded that is using savings for a long-term expense and this would need to be addressed. He remarked if that is prudent management and Mayor Jeppsen commented that until the next budget season that is the only alternative. Council Member Ostler then said if they need to raise rates, they can do it in a month. Ms. Johnson said the council can raise the utility rates at any time to cover the needs in this amendment. Council Member Ostler asked if going forward this was the plan to fund the expenses until the savings is gone. Ms. Johnson said the plans was to go forward with this plan for the year and then take a look at a (utility fee) increase next (fiscal) year. She expressed that if wanted the council may do a rate increase sooner and that the increase would be approximately \$1.47 in the water and/or storm utility. Mayor Jeppsen said that maybe a rate increase should be a focus and done right away. Council Member Wright expressed that for now they should leave it as it is and address it down the road because the council has been bombarded. He noted that the city has enough in savings to take care of it for a few months. Council Member Ostler commented that this creates the decision and the need to analyze the rates. Council Member Walker said he agrees with Council Member Ostler and stated he is not comfortable approving any tax rate increases. Mr. Barnhill added that a portion of the costs could be covered by both utility fees and the general fund.

Council Member Wright asked about the available cash amount and then commented that we don't want to use this fund on a continual basis since there is a plan to build another city water well. Ms. Johnson said she would never suggest the city pay for year over year costs with savings. It's different when they are in the middle of the year and reacting to something. She said that is what those savings are for and she recommends correcting it in the next fiscal year. Council Member Ostler asked if they have a choice in the way they react and Ms. Johnson responded that they can pick a different applicant for a lower wage. Council Member Ostler indicated that his calculations show the amendment to the sewer utility causes a budgeted debt service coverage default and he will work with Ms. Johnson on these numbers.

Council Member Ostler also asked how residents and city council know they are receiving \$95,000 worth of added value. Ms. Johnson said that we will see the value in the performance of the city with improved infrastructure and parks. Council Member Walker suggested they do an evaluation or rating of the parks then develop a five year plan or goal and from that they derive a metric that they can use to assess their progress. Mayor Jeppsen said administration uses performance reviews on a regular basis and that could be part of the determining process. He noted that the city has seen improvements in the city, but we don't have it documented. He explained that they decided to hire someone highly educated to reduce the need to rely on the engineers for the issues the city should

180 handle themselves. He remarked that the city uses an engineer at Jones & Associates to coordinate  
181 road repairs and inspections, however, the city might recuperate 50 percent of this expense by  
182 having a capable person in the Public Works Department. The Public Works Director candidate they  
183 are looking at is qualified to handle these type of requirements. He said the question is if he will  
184 have time to do them, but moving forward he hopes the efficiency gained will allow him to do those  
185 things.

186  
187 Council Member Wright returned to the use of available cash and asked if there was another area  
188 they may get the funds without having to commit the city into a fee increase. Ms. Johnson said they  
189 may raise rates or redistribute the way the money is applied. She explained that they typically apply  
190 it based on the amount of work hours the employee is putting in and that water/storm receives the  
191 largest portion. For example, if the council thinks a city project might not take as many hours to do  
192 they can adjust the amount from that account to create more funds used from another account. The  
193 budget for water, sewer, and roads comes from assessing the wages and hours needed for the work  
194 in that area. About 50 percent of the public works employee's working time is used in water and  
195 that's why there is such a large number projected for wages in that enterprise fund. She said that  
196 they could contribute money over from the general fund but there is only about \$9,000 left without  
197 getting into savings. She reminded them that due to the payout of the exiting Public Works Director  
198 next year the water wage and benefits might be lower. She also explained that the new Public  
199 Works Director may be a salaried position and over time the merits increases will not be applicable.  
200 Council Member Young mentioned that they are hiring someone to take on big projects and  
201 responsibilities and so they shouldn't just hire the cheapest candidate. The public is constantly  
202 commenting on the bad roads and the parks. She said it is important to pay someone who will take  
203 care of the job.

204  
205 Mayor Jeppsen commented that the numbers are projected to go through the end of the year. He  
206 said he is glad Council Member Ostler brings up these concerns because we should all be proactive.  
207 He recognizes that everything is constantly going up in every avenue. He said we don't have to  
208 participate in it but we do need to look at it to see what make the best sense.

209  
210 Council Member Tueller expressed that, like a business, as the city gets into a flow with projects and  
211 not reacting to issues, the expenses might come down. Having a salary position will help. He  
212 pointed out that the compensatory payout and other expenses like unpredicted snow storms are  
213 things they have to just get done. He pointed out that with a level of work, understanding, and  
214 infrastructure of a project that is organized, efficiency goes up and cost comes down. From a  
215 business stand point profitability goes up and so does morale because we are not reactionary. He  
216 voiced that with the new Public Works Director candidate they have selected they will get great  
217 improvements in the city and in running the Public Works Department.

218  
219 Council Member Wright asked if the council does not approve the budget amendment to move the  
220 money at this meeting, will it cause problems with the scheduled hiring plans. Ms. Johnson said it  
221 would cause a delay in a job offer or postpone the hiring time.

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223 **MOTION:** Council Member Wright motioned to approve Resolution 2022-16 Adopting a Fiscal Year  
224 2023 Budget Amendment. Council Member Tueller seconded the motion.

**ROLL CALL:** Council Member Young, Yes  
Council Member Walker, Yes  
Council Member Ostler, No  
Council Member Wright, Yes  
Council Member Tueller, Yes

**Motion Approved. 4 Yes, 1 No**

**B. Ordinance 22-F Land Use Chart & Associated Regulations**

Mr. Barnhill explained this was an update to the Land Use Chart that they want to get right. He said there were changes done from the feedback received. He thinks what has been put together is an improvement, covers more, and is clearer. He noted that there will always be things that they might have been overlooked and there will be opportunities to make updates in the future. He said he recently worked with Council Member Ostler on this, particularly with the Neighborhood Commercial zone. He said while focusing on the future of the city and the prime commercial areas they made adjustments to the Interstate Commercial (IC) uses.

Mayor Jeppsen said they have discussed in the past that they are just trying to get this update to a certain level because they can always go back and address things. He asked and the council members if they had any more questions at this time regarding the recent updates on this ordinance. No further discussion took place.

**MOTION:** Council Member Young motioned to approve Ordinance 22-F Land Use Chart & Associated Regulations. Council Member Walker seconded the motion.

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

**Motion Approved. 5 Yes, 0 No**

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

**A. Approval of Consent Items**

- September 22, 2022 Council Meeting Minutes

**MOTION:** Council Member Wright made a motion to approve consent items. Council Member Young seconded the motion.

**Motion Approved. All Council Members were in favor.**

**A. Mayor's Reports**

Mayor Jeppsen thanked everyone for their efforts and service to make this community and maintain it as the great one it is. He thanked the council and administration and then thanked Sergeant Freeze for joining the meeting.

#### **B. Council Reports**

All Council Members said they had nothing to report.

#### **C. Staff Comments**

Mr. Barnhill said the council receive a correspondence to invite all council members to a joint work session on October 27 at 6:00 p.m. with the Planning Commission. This work session is for a conservation subdivision application that they want the councils input on it.

Ms. Johnson showed the council members a copy of the pictures they had recently taken. These are pictures to hang on the council wall and at the new City Hall. She asked them to pick their favorite picture from the stack presented by next week or she will pick it for them.

Sergeant Freeze from the Police Department didn't have anything to report.

#### **D. Planning Commission Report**

Commissioner Kerr reported that at the October 6, Planning Commission meeting they approved three final plat applications for Acorn Ridge, Harmony Cove, and Mark at Lake Pointe subdivisions. And they had a public hearing about Olsen Orchard (new named Black Pine) and received a few public comments. She said the developer is not doing a conservation subdivision but will develop to fall in-line with current housing limits, which made everyone happy. She noted that the new plat map shows that 3700 south will be the north access to Hargis Hill and it was approved by UDOT. She mentioned that there was a new conservation subdivision application, which is why they want a work session with the council. She said the Planning Commission asked this applicant to give more detail and have more creativity on the 15 percent give back to the city on their plat map before they will approve the preliminary application.

#### **ITEM 6: ADJOURNMENT**

**MOTION:** Council Member Wright proposed to adjourn the meeting.

**Motion Approved. All Council Members were in favor.**

The meeting adjourned at 8:13 p.m.

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Shanna Johnson, City Recorder

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Kevin Jeppsen, Mayor

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Anita Nicholas, Deputy Recorder