

PERRY CITY COUNCIL
MEETING PERRY CITY OFFICES
APRIL 8, 2021

7:00 PM

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Council Member Nathan Tueller, Council Member Blake Ostler, Council Member Watkins, and Council Member Esther Montgomery.

OFFICIALS ABSENT: Council Member Toby Wright

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

OTHERS PRESENT: Nelson Phillips, Melanie Barnhill

ITEM 1: CALL TO ORDER

Mayor Jeppsen called the electronic City Council meeting to order. The Mayor read the statement from the CDC and Utah Department of Health regarding electronic meetings: The CDC and Utah Department of Health have declared a national and state pandemic for COVID-19 where social distancing and other requirements are in place to prevent the spread of this infectious disease.

ITEM 2: PROCEDURAL ISSUES

A. Conflict of Interest Declaration

None.

ITEM 3: ACTION ITEMS

A. Approval of Warrants

The Council reviewed and discussed the warrants.

MOTION: Council Member Watkins made a motion to approve the warrants. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Montgomery, Yes
Council Member Ostler, Yes
Council Member Watkins, Yes

Motion Approved. 3 Yes, 0 No.

Council Member Tueller's call dropped, returned at 7:04 p.m.

B. Resolution 2021-06 Adopting Accessory Dwelling Unit Fees

Robert Barnhill said this was reviewed with Mayor Jeppsen and Bill Morris, City Attorney, and felt it was something that should be brought to the Council. He discussed the City having accessory dwelling units that may have existed before they were allowed and therefore are not in compliance. To encourage compliance with ADU's, this resolution would allow the City to waive the impact fee (approximately \$2500) that would be charged for incoming applications for ADU's and bring existing ADU's into compliance. He added that this fee waiver would

expire in a year from now so that if in the future, they came in to try and bring it into compliance, they would then have to pay the fee to become compliant and would have missed that opportunity. He talked about having it advertised in the newsletter and social media to get the word out to everyone.

Council Member Tueller asked if there were other ways to contact those that are known to have an already existing ADU, to invite specifically to comply with this. Mr. Barnhill said that if there are ones that are known about, the City could send them a letter. Council Member Tueller asked if the \$100 fee for the application would still be charged. Mr. Barnhill stated he feels it would be reasonable to still charge that to cover administration purposes, but the Council can address that if they feel differently. Council Member Tueller said he feels that this is a good benefit for the City and would like it to be presented in a way that people see it as positive. Council Member Watkins added it might be nice to include information on what an ADU is or the benefits of having one when promoting this option, to educate residents as well as try to get non-compliant ones into compliance. Council Member Montgomery wanted clarification if this only applied to existing ADU's and if new ones coming in would still be required to pay the impact fees. Mr. Barnhill said that they could decide if they want to waive the impact fees for new ADU's as well.

Council Member Ostler wanted to know the benefits to the City for this action (as in, is this a reward for doing the wrong thing). Mr. Barnhill said that a lot of people have most likely done basement apartments not out of ill intent or intentionally violating the law, but possibly naively. He added that trying to get everyone into compliance would be a benefit to the City (not necessarily monetarily). It can be a code enforcement issue which is difficult to track. Long term it can affect their utility bill, which if in compliance, can help the City on the back end of things (they can be charged extra on utilities for having an ADU). The City has not been proactive in enforcing or educating in past years. He added that it could be argued either way. Council Member Ostler wanted to know what being in compliance would entail. Mr. Barnhill said it would depend on the situation and he would need to discuss with the County Inspector if it should include an inspection. An example of a basic requirement would be if a parking stall were provided. It would allow tracking and to address their utility bill.

Council Member Ostler discussed if waiving the fee for existing ADU's only or if waving it for new applications as well would encourage bringing into compliance or if it would encourage a type of development. Council Member Montgomery said that if it is for only one year, she did not feel that it would be a large impact and would like it to apply to both. The Council discussed how they wanted to apply the resolution (whether to apply it to existing ADU's or include new ones as well).

MOTION: Council Member Watkins made a motion to approve Resolution 2021-06 Adopting Accessory Dwelling Unit Fees for existing ADU's that meet current standards. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Montgomery, Yes Council Member Tueller, Yes
Council Member Ostler, Yes
Council Member Watkins, Yes

Motion Approved. 4 Yes, 0 No.

C. Resolution 2021-07 Project Award for 2021 Street Maintenance to Advanced Paving

Mr. Barnhill explained the bid for 2021 street maintenance for the next budget year beginning in July 2021. He discussed the bids that applied and the recommendation for award went to Advanced Paving with the lowest bid.

MOTION: Council Member Montgomery made a motion to approve Resolution 2021-07 Project Award for 2021 Street Maintenance to Advanced Paving. Council Member Watkins seconded the motion.

ROLL CALL: Council Member Montgomery, Yes Council Member Tueller, Yes
Council Member Ostler, Yes
Council Member Watkins, Yes

Motion Approved. 4 Yes, 0 No.

D. Discussion and/or Action Regarding Cancelling the April 22, 2021 City Council Meeting

Mayor Jeppsen discussed the next Council meeting on April 22 being scheduled during the League of Cities and Towns conference in St. George. Mayor Jeppsen, Robert Barnhill, and Andrew Watkins will be attending the conference. Shanna Johnson asked Mr. Barnhill if there would be anything coming from Planning Commission that would be needing action and he said he did not think so. The Council discussed what the requirements would be (as far as Corona virus is concerned) at the conference. Council Member Tueller wanted it noted that he would like to know when the madness will end (also referring to the Corona virus). Mayor Jeppsen cancelled the meeting.

ITEM 4: DISCUSSION ITEMS

A. Cemetery Survey

Council Member Andrew Watkins said the total number of responses for the cemetery survey was 434. He discussed the results with 64% saying yes and 34% saying no. In general, citizens responding yes said they would be willing to pay \$44 per year on taxes to help support a cemetery. Mr. Barnhill said it was interesting to note that a lot of the responses that came into the city that said no, stated that their reason was that they already had purchased a plot in another cemetery. It wasn't that they didn't necessarily want one, but they didn't personally feel a need since they already had a plot purchased somewhere else. Council Member Watkins added that the other high reason on the no responses was not wanting to pay increased taxes. Council Member Watkins discussed some options going forward. Mayor Jeppsen asked what it would take to create a district. Ms. Johnson said it would be a motion by the Council to create a district and as far as taxing, she would have to look into that and discuss it with Bill Morris. Mr. Barnhill said that they would need to work with Willard in adjusting their service district boundary as it overlaps into Perry. Council Member Watkins said he feels they had great responses and they have enough information to move forward to the next step. Ms. Johnson discussed possibly having a committee, creating a service district, or purchasing land to pursue a cemetery. Mr. Barnhill said it will take time and discussed options going forward as well.

B. Budget Planning

Council Member Montgomery said she would like to discuss first responders receiving \$12 per call and feels their compensation should be increased. Ms. Johnson said the last increase was 2 or 3 years ago. Council Member Watkins commented that one call is not just the call, it also includes the preparation, response, after math, emotional and psychological toll. He said if their total number of calls was at 170, increasing it a couple dollars would not be significant to the overall budget but may be a nice gesture to them.

Ms. Johnson reviewed more of the budget proposals with parks including:

- Performance increase
- Equipment
- Fertilizer program
- Rise in fuel costs
- Restroom expense
- Non-building improvements including trees
- Sprinkler repair
- Painting and building at Mountain View park
- New gate at the horse arena
- New steel door with automatic locks
- Ferris commercial mower replacement
- Can am side by side
- Capital project for new equipment at Mountain View park

She then reviewed the gun range requesting a 2.2% budget increase including:

- Supplies
- Portable restrooms
- Competitions and events
- Trap venue
- Recognition budget
- Wages
- Animal control

Council Member Tueller asked if the budget for the gun range is being covered 100% by their revenue yet and Ms. Johnson said they are bringing in more than they are spending. Council Member Watkins said that he would like to propose some kind of improvement to Perry Park as well when they address improvements at Mountain View Park (possibly a new basketball court or pickle ball court). Ms. Johnson showed the Council members where to look in their workbooks for the FY22 projects and they can look at each department at a glance.

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

A. Approval of Consent Items

- March 25, 2021 City Council Meeting Minutes

MOTION: Council Member Watkins made a motion to approve the consent items. Council Member Montgomery seconded the motion.

Motion Approved, All Council Members were in favor.

B. Mayor's Reports

Mayor Jeppsen said that one of the biggest discussions at the mayor association meeting this week was about the COG money available for corridor maintenance and construction. He said that representative Sandal was there and gave some insight about what went on in the legislature this year. He added that a lot of the conversation turned to the cost of construction going up and that people seem to think there is a shortage of cement due to some bigger projects going in with the prison and inland port near Salt Lake City. More discussion was that the economy is being falsely inflated at the time and speculation that it may crash in 3-4 years therefore, money needs to be spent wisely to carry them through that if it happens.

C. Council Reports

Council Member Watkins recognized the police force and the emotional toll with everything they do and thanked them for their service.

Council Member Ostler said if there is anything he can do to help with the cemetery in going forward he would like to assist with that. He also expressed appreciation for the Newsletter this month including the Mayor's message as well as the reminders that were in it.

D. Staff Comments

Tyler Wagstaff discussed a project at Davis Creek and trees being planted at Centennial Park.

E. Planning Commission Report

None.

ITEM 6: EXECUTIVE SESSION

MOTION: Council Member Watkins made a motion to close the public meeting and move into an executive session to discuss the purchase, exchange, lease or sale of real property, and a strategy session regarding pending or reasonably imminent litigation at 8:11 p.m. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Montgomery, Yes Council Member Tueller, Yes
Council Member Ostler, Yes
Council Member Watkins, Yes

Motion Approved. 4 Yes, 0 No.

MOTION: Council Member Montgomery made a motion to close the executive session and reopen the public meeting at 9:10 p.m. Council Member Watkins seconded the motion.

ROLL CALL: Council Member Montgomery, Yes Council Member Tueller, Yes
Council Member Ostler, Yes
Council Member Watkins, Yes

Motion Approved. 4 Yes, 0 No.

ITEM 7: ADJOURNMENT

MOTION: Council Member Montgomery proposed to adjourn the meeting.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 9:10 p.m.

Shanna Johnson, City Recorder

Kevin Jeppsen, Mayor

Tyra Bischoff, Deputy Recorder