

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Nathan Tueller, Toby Wright, Esther Montgomery and Andrew Watkins

CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder
Robert Barnhill, City Planner
Scott Hancey, Chief of Police
Bill Morris, City Attorney
Zach Waddoups, Police Officer

OTHERS PRESENT: Brandon Hansen, Blake Ostler, Todd Bischoff, Reece Demille, Boyd Montgomery, and Jan Kerr (Planning Commissioner)

ITEM 1: CALL TO ORDER

Mayor Jeppsen called the City Council meeting to order.

A. INVOCATION

Council Member Montgomery offered the invocation.

B. PLEDGE OF ALLEGIANCE

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

ITEM 2: PROCEDURAL ISSUES

A. CONFLICT OF INTEREST DECLARATION

None.

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

Shanna Johnson passed out the warrants.

C. APPOINTMENTS

- **Midterm Vacancy City Council Candidate Interviews**

Bill Morris reviewed the process of filling a midterm vacancy on the City Council. He stated there are four candidates who have applied for this position (Todd Bischoff, Brandon Hansen, Blake Ostler, and Boyd Montgomery).

Todd Bischoff introduced himself to the City Council, his qualifications (served on Planning Commission and Civil Engineer), and why he is interested in being on the City Council.

Bill Morris clarified that the filing of this seat will be for the end of former Councilman Jim Taylor's term (which expires in five months).

The Council asked Mr. Bischoff further clarification on why he is running and if he would consider running for next term. He stated he is running because he has an interest in City politics and has an interest in increasing parks in the City. He affirmed an interest in running for next term.

Brandon Hansen introduced himself to the City Council, his qualifications (IT and Project Management background), and that he is interested in being on the City Council to maintain Perry's heritage.

The Council asked Mr. Hansen further clarification on his desire to protect Perry's heritage. Mr. Hansen said he would like to continue the traditional City celebrations as the City grows and is interested in how to regulate off-road vehicle usage.

Blake Ostler introduced himself to the City Council, his qualifications (served on Planning Commission and Commercial/Business Banking professional with municipal finance experience), and why he is interested in being on the City Council.

The Council inquired about Mr. Ostler's former interest in campaigning for the City Council. He stated the timing was not right.

The Council asked what issues or areas he is interested in pursuing should he be elected. Mr. Ostler stated helping with finances, land use, and preserving Perry's identity while allowing growth.

Boyd Montgomery introduced himself to the City Council, reviewed his qualifications (Board of Adjustments for Perry City, aided in past projects for the City, retired Civil Service, and extensive traveling) and why he is interested in being on the City Council.

The Council inquired about Mr. Montgomery's highest priorities for the City.

Mr. Montgomery stated he is most interested in the 1200 W project and representing the senior residents of Perry.

Shanna Johnson distributed the ballots to the City Council Members, the Council Members voted, and Ms. Johnson added up the votes.

Mr. Morris stated that Mr. Montgomery had been eliminated in the first round of voting.

The City Council proceeded with the second round of voting.

Shanna Johnson stated the unanimous first consensus vote of the Council was Blake Ostler.

- **Appointment to fill Midterm Vacancy on the City Council**

MOTION: Council Member Montgomery made a motion to appoint Blake Ostler to fill the Midterm Vacancy on the City Council. Council Member Watkins seconded the motion.

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

Motion Approved. 4 Yes, 0 No.

ITEM 3: PRESENTATIONS

A. OATH OF OFFICE- NEW CITY COUNCIL MEMBER

Shanna Johnson swore Mr. Ostler into office as a City Council Member.

The Council thanked all those who applied for this position and congratulated Mr. Ostler.

B. PRESENTATION OF DONATION FROM REPUBLIC SERVICES

Reece Demille presented a donation from Republic Services of \$300 for the City’s summer activities.

The Council thanked Mr. Demille for the donation from Republic Services.

ITEM 4: PUBLIC HEARING AND/ OR PUBLIC COMMENT

A. PUBLIC HEARING REGARDING RESOLUTION 2019-19 AMENDING THE PERRY CITY FISCAL YEAR 2019-2020 BUDGET

Shanna Johnson reviewed Resolution 2019-19, which is to move funds from the previous year’s budget (2018-2019) that was not spent into this fiscal year’s budget. She reviewed the various projects and areas that this money will be placed in this year’s budget (See Attached Document).

Mayor Jeppsen opened the public hearing.

Ms. Johnson stated there will be extra money in Fund Balance in the budget this fiscal year as a result of projects planned in Fiscal Year 2018-2019 not being completed by June 30, 2019.

No Public Comment received.

Mayor Jeppsen closed the public hearing.

B. PUBLIC COMMENTS

Brandon Hansen stated his neighbor was cited for some waste that was left in the gutter in front of his home. He said this neighbor felt frustrated because, though he did have some grass clippings in the gutter, the majority of the waste was sand, which had washed down from the construction projects. Mr. Hansen urged the Council to address its enforcement of such things with communicating a warning before issuing a citation.

Mr. Hansen offered his services to help the City with implementing more technology and saving money in the technology it already utilizes.

Mr. Hansen congratulated Council Member Ostler on his appointment.

Boyd Montgomery thanked the City Staff and the City Council for all they do for the City. He inquired about why so much money is being invested in the gun range.

Chief Scott Hancey introduced the newest police officer, Zach Waddoups to the Council.

ITEM 4: ACTION ITEMS

A. APPROVAL OF THE WARRANTS

The Council and Staff discussed and clarified the current warrants

MOTION: Council Member Wright made a motion to approve the warrants. Council Member Tueller seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

B. RESOLUTION 2019-19 AMENDING THE PERRY CITY FISCAL YEAR 2019-2020 BUDGET

MOTION: Council Member Wright made a motion to approve Resolution 2019-19 amending the Perry City Fiscal Year 2019-2020 Budget. Council Member Montgomery seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

ITEM 5 DISCUSSION ITEMS

A. REGULATIONS REGARDING SMOKING AND OTHER MODERN SMOKING PRACTICES

Bill Morris reviewed the plan the City is working on with Bear River Health Department to create an ordinance regarding no smoking in public parks and facilities.

Council Member Watkins stated he would like an e-cigarette added to the signage to make clear that citation will be given to both regular cigarettes and e-cigarettes.

The Council discussed with Chief Hancey the enforcement of this issue.

The Council and Staff discussed whether or not this ordinance was needed in Perry and if it was appropriate for the City to regulate.

It was established by Council Member Ostler that the City Codes (Perry Municipal code 12.03.040(10)) already regulate this matter.

B. UPDATING THE MUNICIPAL CODE REGARDING FIREWORKS

Bill Morris stated he has rewritten the Municipal Code regarding fireworks. He reviewed the State Codes regarding fireworks with the Council, which includes that a city is not allowed to ban class C fireworks (aerials).

The Council and Staff discussed the State Code and how best to apply it to the City Codes regarding fireworks.

Mr. Morris clarified the State Code to the Council about how the Fire Marshall can ban fireworks due to environmental reasons.

The Council and Staff discussed and reviewed the matter of negligence regarding fireworks.

It was agreed upon by the Council and Staff to strike the ban on aerials from the updated code.

ITEM 6 MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF CONSENT ITEMS

- **July 11, 2019 City Council Meeting Minutes**

MOTION: Council Member Montgomery made a motion to approve the July 11, 2019 City Council Meeting Minutes. Council Member Watkins seconded the motion.

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

Motion Approved. 4 Yes, 0 No, 1 Abstain.

B. MAYOR'S REPORT

Mayor Jeppsen stated he attended a meeting with UTA and the Box Elder County Commissioners; he expressed that the City is not on board with how the UTA is obtaining land for the future front-runner system. He said Mr. Morris is going to look into options regarding this issue.

He said the gun range canopy is up over the new short-range pistol range. He said the City will be getting a bid for the erection of the storage building at the gun range and the parking lot is almost complete. He said slag was contributed to the project and it is looking very good.

C. COUNCIL REPORTS

Council Member Montgomery congratulated Council Member Ostler.

She reviewed the status of the landfill vouchers and how the Council needs to get the word out, so that everyone who wants to can utilize them.

Council Member Watkins added his congratulations to Council Member Ostler.

Council Member Watkins stated he has received many calls regarding Eagle Scouts projects. He said if the council members receive any more calls regarding this, to give them Jeff Dinsdale's number because he has projects available.

D. STAFF COMMENTS

Shanna Johnson stated the Tour of Utah will be passing through Perry next week and reviewed the planned activities for that event.

She reminded the Council that the Box Elder County Fair is coming up.

Bob Barnhill said the State has come to Perry and given violations for storm water. He said the City will be actively enforcing and educating residents on this matter more. He said the Public Works Department has been giving educational documents when it sees an issue. He clarified no citations have been given as of yet.

The Council and Staff discussed how best to approach this storm water issue occurring in the City to reach compliance with the State's requirements.

Chief Hancey reviewed the National Night Out evening with the Council. He said it went really well and was happy with the turn out.

E. PLANNING COMMISSION REPORT

Planning Commissioner Kerr stated the Planning Commission recommended a land use request by the Bowden's at 1350 W 2250 S for approval. She said the Commission recommended RE ½ for the zone change for this application.

Commissioner Kerr reviewed the Density Chart for the Multi-family zoning created by Mr. Barnhill to spread Multi-Family Housing throughout the City.

The Council and Staff discussed and clarified the reasoning behind using this chart.

Commissioner Kerr reviewed the current status of the General Plan and Title 15.

ITEM 7: EXECUTIVE SESSION

None required.

ITEM 8: ADJOURNMENT

MOTION: Council Member Tueller made a motion to adjourn the City Council Meeting.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 8:51 PM.

Susan Obray, City Recorder

Kevin Jeppsen, Mayor

Shanna Johnson, Chief Deputy Recorder