

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

OFFICIALS EXCUSED: Nathan Tueller

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

OTHERS PRESENT: Rick Palfreyman, Tresa Peterson, Rick Scadden, Melanie Barnhill, Nelson Phillips, Meredith Bauer, Darren Bauer, Roger Kelly, and Eric Johnson (joined the meeting at approximately 8:09 p.m.)

ITEM 1: CALL TO ORDER

Mayor Jeppsen called the City Council meeting to order.

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.

Shanna Johnson shared a presentation with the Council and others present explaining the reason of the suggested sewer utility rate increase as well as the reason for refinancing the sewer revenue bond. (See presentation in the packet)

ITEM 3: PUBLIC HEARING AND/ OR PUBLIC COMMENT

A. PUBLIC COMMENTS

Bob Barnhill read the letters that were submitted for public comment at the meeting. He said that Mike Wood had brought in a letter in response to the notice and request for public comment in the Perry City Newsletter that was sent out at the beginning of August. Bob stated that he was able to answer a lot of his questions in person. He had several questions about how to access the meeting and the background information regarding the sewer rate and refinance that Shanna Johnson went over during the presentation given to the Council.

The other letter was from Becky Pettingill. She questioned why the City needs an almost 12% increase in the sewer fee if the City is saving on average \$200,000 per year in just the bond alone. She stated that 2020 is not the year to be increasing revenue by fees or taxation. She feels that the Covid 19 pandemic has hurt all residents and asked the City to not add to the economic pain and hardship that citizens of Perry are already experiencing. She asked for the increase to be delayed and be reconsidered a different year.

Rick Palfreyman stated that he appreciated the presentation that Shanna gave and stated that it helped explain the reason for the extension and still needing the price increase. He felt

reassured as a resident that the City is looking at it closely and that it makes sense to him and appreciates the City giving the citizens a chance to let their voices be heard.

Darren Bauer questioned the growth projection in 2008, stating if what was projected was 80 new homes per year over the life of the bond, which would have been 1760 new homes. He said it did not seem reasonable and wondered the thought process of those in charge at the time. Mayor Jeppesen agreed that no one that is in the Council now was in charge at that time and would not be able to answer the thought process of those that were in charge at the time. He said that even with the General Plan update, if the City were completely built out, it would only be able to accommodate 1600 new homes. Darren agreed that the explanation given in Shanna's presentation clearly shows that the situation is being handled the best way that it can.

Mayor Jeppesen closed the Public Comment portion of the meeting.

ITEM 4: ACTION ITEMS

A. APPROVAL OF THE WARRANTS

The Council and Staff clarified and discussed the warrants. Shanna pointed out that a separate email had been sent to the Council for a warrant pre-approval regarding the Stokes Spring rehabilitation project that may slightly change the budget needing to be approved at the next meeting. Mayor Jeppesen reviewed in detail the need for this project, explaining that it is a requirement to be in compliance with the State and explained that an inspection would be coming soon. Council Member Wright questioned if this project was planned. Tyler Wagstaff, Public Works director said that it has been planned for quite a while. He stated that the previous Public Works Director had planned to do the work himself, but Tyler said this would take up a lot of time and that the City did not really have the resources to do it that way. After discussing the project with the engineers, the City decided to get bids and have it hired out. Bob Barnhill, City Administrator, said that the budget was planned for parts only so the additional expense would be needed to cover the amount for hiring out this project. Shanna explained that it would come from the utility fund.

MOTION: Council Member Montgomery made a motion to approve the warrants and pre-approve the Stokes Spring rehabilitation project and the tentative budget increase as explained. Council Member Wright seconded the motion.

DISCUSSION: Council Member Ostler wanted to know the role the spring plays in the water system. Mayor Jeppesen said that the percentage is approximately 13%. Tyler explained that the State is requiring a system to tell how many gallons are pumping from the spring; he stated that what is in place now is old and needs replacement.

Council Member Watkins wanted clarification on the Republic Services final bill. Shanna explained that the City was billed for the final dumping of a dumpster that was on the City property since this billing, therefore one additional payment would be made. He also asked Tyler when the SCADA system was approved. Tyler said that the State is cracking down how much water is being used versus how much is billed. He explained that they feel that the meter at the spring is not reading correctly. Council Member Wright asked if the City could postpone this project and try to get a grant. Tyler explained that the timeline is running out of when it needs be complete. Mayor Jeppesen stated that if it is shut off completely the City could lose that resource. Tyler explained that this is where the chlorination comes from as well. Council Member Wright wanted clarification that this is a one-time project. Tyler stated that he thinks it should be a one-time project.

Council Member Ostler wanted clarification if the streetlight purchases were completely funded by the developer and Shanna stated that they were.

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

Motion Approved. 4 Yes, 0 No.

B. ORDINANCE 20-M AMENDING THE PERRY CITY FEE SCHEDULE, INCLUDING THE SEWER UTILITY RATE

Bob Barnhill stated that the Fee schedule had been updated from the last meeting. He discussed the sewer rate being included in the fee schedule at \$49.50 with a notation stating it could be reduced to \$47.25 if the requisite down payment is paid with the bond refinance. He also stated that Tyler and the Public Works department looked at the last year of requests for soccer games. They found that \$100/day would cover the costs to maintain the field. Bob stated that there was concern from a citizen that the cost for one game at \$100 is too much. Bob explained to him that the cost to prepare the field is the same whether it is one game or a dozen games in one night but that he would state the concern from the individual to the Council. Bob explained that to be consistent we should remove the late fees from the business license ordinance and only have them listed in the fee schedule. The ADU ordinance that was passed at the last meeting will also be included in the fee schedule at a proposed \$100.00.

Council Member Ostler inquired about the necessity to codify the sewer rate today. Shanna explained that it needed to be done before the final bond to ensure that the sewer rate increase show that the City can afford the bond. Eric Johnson joined the meeting and explained that the requirement for the sewer rate is a lender requirement to show that the bond can be paid before going through with the transaction. Council Member Ostler stated he understood but questioned why not wait until the dollar amount is set. Shanna explained that the rate can be changed later depending on if there is a buy down approved and if the Council wants to put a down payment or not. Bob Barnhill stated that it will be \$49.50 as it is set right now in the fee schedule and then if the down payment is paid it would go down to \$47.25. Mr. Johnson explained that the rate just needs to be set in place before the transaction is closed. Mr. Johnson stated that in parameters resolution the amount listed is not the amount that is in the final bond, and that it is common for the amount to be set at a higher rate than the expected amount. Shanna discussed the timing with Mr. Johnson, and it was clarified that the City can wait until September to set the rate.

MOTION: Council Member Toby Wright made a motion to approve Ordinance 20-M amending the Perry City Fee Schedule, as outlined including the sewer utility rate as proposed. Council Member Montgomery seconded the motion.

DISCUSSION: Council Member Watkins asked about how the soccer fee is paid if more than one team is playing. Bob explained that it would be \$100 for the day regardless of how many teams or games are playing.

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

Motion Approved. 4 Yes, 0 No.

C. PARAMATERS RESOLUTION #2020-14: A RESOLUTION AUTHORIZING NOT MORE THAN \$8,850,000 OF SEWER REVENUE REFUNDING BONDS, SERIES 2020 TO REFINANCE THE ISSUER'S OUTSTANDING SEWER REVENUE REFUNDING BONDS, SERIES2008; PROVIDING FOR PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED; PROVIDING FOR A PLEDGE OF SEWER REVENUES FOR REPAYMENT OF THE BONDS;

FIXING THE MAXIMUM AMOUNT, MATURITY, INTEREST RATE, AND DISCOUNT AT WHICH THE BONDS MAY BE SOLD; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.

Eric Johnson reviewed the parameters resolution with the Council stating that it is giving authority to publish a notice in the paper. He explained there are main things that must be in that notice:

- The maximum amount of the bond
- The maximum interest rate
- The maximum duration
- The maximum discount on the bond

The parameters resolution is authorizing that notice and the intent of the City Council. Council Member Wright inquired what the extra incurred costs that are being referred to in the parameter resolution would be. Shanna clarified that the bond has been approved for \$7.35 million but it is stating that the maximum approval is for \$8.85 million so what Council Member Wright is asking Mr. Johnson is what the unexpected incurred cost of the extra \$1.5 million would be. Mr. Johnson stated that this will be a cashless transaction, exchanging the old bond for a new bond. He explained that there will not be any extra expenses. Council Member Ostler said that at the end of the parameter resolution it states that Susan Obray is listed as one of the attendees and asked if she was present. Shanna stated that it should be listed as herself and said they will change that.

MOTION: Council Member Toby Wright made a motion to approve Parameters Resolution #2020-14. Council Member Montgomery seconded the motion.

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

D. FINAL APPROVAL FOR PERRY CANYON SUBDIVISION PH 1, 1ST AMENDMENT, APPLICANT: SCADDEN, LOCATION 143 WEST 1550 SOUTH, PARCEL #03-159-0130

Bob Barnhill explained that the development will include 16 townhomes and 2 single-family lots. He said the public improvements/streets (curb and gutter) and utilities are already in place on 3 sides. He discussed a private access road that would be developed. He stated the Fire Marshall and Engineer have approved the plans. Bob discussed that the developer has worked with the City and responded to the corrections that have been requested from the City.

MOTION: Council Member Montgomery made a motion to grant final approval for Perry Canyon Subdivision Ph1, 1st Amendment, Applicant: Scadden, Location 143 W 1550 S, Parcel #03-159-0130. Council Member Wright seconded the motion. Council Member Ostler applauded Mr. Scadden for his efforts on this project and working with the city to accommodate the look that the City is trying to achieve.

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

Motion Approved. 4 Yes, 0 No.

ITEM 5: DISCUSSION ITEMS

A. MT. VIEW PARK UPDATE

Bob Barnhill explained that there was an incident at Mountain View Park with a child on the playground equipment. He discussed the Trust coming to look at the equipment and the detailed report they gave. The report was not positive in its assessment of the playground equipment stating that it is unsafe. The City is recommending to the Council remove some of the equipment as soon as possible. Tyler Wagstaff, Public Works Director, explained that there was some vandalism at the park that the City was unaware of and the child fell through the area that was vandalized. He stated the City does not want to be liable for anyone being injured. Council Member Watkins stated that he agreed that it is unsafe from his own experience and cautioned on the removal process asking if it is possible, to restore some of the pieces in the future. The Council discussed the equipment and if there was a way to salvage anything. Bob said that he and Tyler would go and take a closer look to see if there is anything available to salvage. Bill Morris, City Attorney, suggested that the vendor Game Time has a sale/grant program in the fall, and noted this vendor is located in Logan and may be available to help.

ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF CONSENT ITEMS

- **June 28, 2020 City Council Work Session Minutes**
- **June 28, 2020 City Council Meeting Minutes**
- **June 28, 2020 RDA Meeting Minutes**
- **July 9, 2020 City Council Work Session Minutes**
- **July 9, 2020 City Council Meeting Minutes**

MOTION: Council Member Watkins made a motion to approve June 28, 2020 City Council Work Session Minutes, June 28, 2020 City Council Meeting Minutes, June 28, 2020 RDA Meeting Minutes, July 9, 2020 City Council Work Session Minutes, and July 9, 2020 City Council Meeting Minutes. Council Member Montgomery seconded the motion.

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

Motion Approved. 4 Yes, 0 No.

B. MAYOR REPORT

None.

C. COUNCIL REPORTS

None.

D. STAFF COMMENTS

Bob Barnhill informed the Council that on the agenda under consent items, you can move to approve all the consent items by making a motion to approve all of them at once. He also said that the Planning Commission is continuing to work on updating the Ordinances and will have several more for the Council to look at in the next meeting.

E. PLANNING COMMISSION REPORT

Commissioner Peterson said that Urban Livestock and Title 15 will be coming to the Council in a couple of weeks.

ITEM 7: EXECUTIVE SESSION

- None required.

ITEM 8: ADJOURNMENT

MOTION: Council Member Wright made a motion to adjourn the City Council Meeting. Council Member Montgomery seconded the motion.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 8:42PM.

Susan Obray, City Recorder

Kevin Jeppsen, Mayor

Shanna Johnson, Chief Deputy Recorder