

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

OFFICIALS EXCUSED: Toby Wright left after Item 3A

CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder
Robert Barnhill, City Planner
Craig Hall, City Attorney
Scott Hancey, Police Sergeant
Mark Jordan, Police Officer

OTHERS PRESENT: George Schnurle, Judy Schnurle, Dave Hancey, Gene Watson, Colleen Hancey, Seth Hancey, Koryann Freeze, Porter Merrill, Ethan Ingersell, Zayne Christenson, Spencer Rector, Todd Christensen, Ardell Jenks, Opal Jenks, Dave Marshall, Dawneen Marshall, Dallen Mason, Tom Murdock, Christina Jorgensen, Gage Jorgensen, and Mike Johnson

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.

C. REVIEW AND ADOPT THE AGENDA

MOTION: Council Member Montgomery made a motion to approve the agenda. Council Member Wright seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

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. BUSINESS LICENSE(S)

- **Quickhatch Armory**

Robert Barnhill reviewed the application and history for Quickhatch Armory's Business License. He stated the home in which this business will be run out of is now finished and there are no issues with the application.

MOTION: Council Member Tueller made a motion to approve the Business License for Quickhatch Armory. Council Member Montgomery seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

Mayor Jeppsen recognized the Scouts in attendance.

D. APPOINTMENTS –

- **Chief of Police**

Mayor Jeppsen reviewed the process of interviewing for the Chief of Police position. He appointed Sergeant Scott Hancey to the position of Chief of Police.

MOTION: Council Member Taylor made a motion to accept the appointment of Scott Hancey as the Chief of Police. Council Member Tueller seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

- **Planning Commission: Chairman and Vice Chairman**

Mayor Jeppsen appointed Stuart Grover as Planning Commission Chairman and Michelle Drago to Vice Chairman.

MOTION: Council Member Taylor made a motion to accept the appointment of Stuart Grover as the Planning Commission Chairman and Michelle Drago as the Vice Chairman. Council Member Watkins seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

- **Utopia Board**

Mayor Jeppsen turned the time over to Todd Christensen to explain his qualifications and desire to fill the open Utopia Board position.

Todd Christensen explained that he has served on the Utopia Board on and off for around 10 years. He reviewed the history of Utopia and Perry City with the Council.

Shanna Johnson stated she believes he would be an excellent choice to represent Perry City on the board.

MOTION: Council Member Wright made a motion to accept the appointment of Todd Christensen to the Utopia Board. Council Member Tueller seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes

Council Member Tueller, Yes
Council Member Montgomery, Yes

Council Member Watkins, Yes

Motion Approved. 5 Yes, 0 No.

ITEM 3: PUBLIC HEARING AND/ OR PUBLIC

COMMENT A. PUBLIC COMMENT

No public comment received.

ITEM 4: PRESENTATIONS:

- **HOLIDAY LIGHT WINNER**

Mayor Jeppsen presented this year's Holiday Light Winner to George and Judy Schnurle.

- **OATH OF OFFICE**

Shanna Johnson conducted the oath of office ceremony swearing Sergeant Scott Hancey into Office as the Chief of Police.

The Council and Staff congratulated Chief Hancey.

Chief Hancey thanked the Council and Staff for the appointment and expressed how much he loves Perry City.

- **DEPARTMENT REPORT**

Chief Hancey reviewed the current statistics of the Police Department with the Council and Staff (See Attached Presentation).

Chief Hancey reviewed his goals moving forward as Chief of Police with the Council and Staff:

- Filling the vacant Sergeant position
- Updating policies
- Case and record management
- Preparing a schedule of training for staff
- Cleaning and organizing the property and evidence room
- Ensuring the use of comp time hours in the department

ITEM 5: ACTION ITEMS

A. APPROVAL OF THE WARRANTS

The Council and Staff discussed and clarified the current warrants.

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

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

Motion Approved. 4 Yes, 0 No

B. MOTION OF APPROVE THE 2019 MEETING SCHEDULE

The Council and Staff reviewed the 2019 Meeting Schedule and decided to eliminate the February 14th meeting and amend it if needed in January.

MOTION: Council Member Taylor made a motion to approve the 2019 Meeting Schedule with the removal of the February 14th meeting. Council Member Watkins seconded the motion.

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

Motion Approved. 4 Yes, 0 No

C. MOTION TO ACCEPT THE FISCAL YEAR 2019 IMPACT FEE PLAN

Shanna Johnson reviewed the Fiscal Year 2019 Impact Fee Plan and the changes from Fiscal Year 2018's Impact Fee Plan (budget expansion of Parks department, budget expansion of City water services, added budgets for planned projects for Fiscal Year 2019, etc.)

She clarified how the City can utilize the Impact Fees in their financial budgets for Fiscal Year 2019 and going forward.

MOTION: Council Member Taylor made a motion to accept the Fiscal Year 2019 Impact Fee Plan. Council Member Watkins seconded the motion.

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

Motion Approved. 4 Yes, 0 No

D. MOTION TO SELECT AN ARCHITECT TO ASSIST WITH CONCEPTUAL DESIGN AND NEEDS ASSESSMENT

Robert Barnhill stated the City received proposals from three different architects for the needs assessment and conceptual design of a new City building. He advised that after further discussing the scope of the project with the architects he received some adjusted proposals. He reviewed the amended submittals from the architects and discussed with the council which architect would be the best fit for assisting in the proposed City project.

MOTION: Council Member Watkins made a motion to approve JRCA as the Architect to assist with Conceptual Design and Needs Assessment. Council Member Tueller seconded the motion.

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

Motion Approved. 4 Yes, 0 No

E. RESOLUTION 18-16 TO AWARD A CONTRACT FOR CITY SEWER LINE CLEANING

Shanna Johnson explained the City completed a request for proposal to award a new contract for cleaning the City Sewer Lines. She stated three companies put forth proposals for this contract and summarized each of those proposals with the Council.

She stated Public Works Director, Greg Braegger, would like to switch to a three-year contract instead of a five-year contract, which would match the insurance recommendations.

The Council and Staff discussed if a five-year or a three-year contract would be most suitable and what could be afforded in the budget.

The Council requested further information from the Public Works Department regarding the results of prior sewer cleaning and how the three-year contract is beneficial for the City.

They decided to approve a five-year contract for now and with this added information possibly amend or adjust it in the future.

MOTION: Council Member Taylor made a motion to approve Resolution 18-16 and award a five-year contract to Propipe for cleaning the City Sewer Line. Council Member Montgomery seconded the motion.

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

Motion Approved. 4 Yes, 0 No

F. PRELIMINARY AND FINAL APPROVAL FOR PHEASANT HOLLOW PHASE 3 SUBDIVISION

Robert Barnhill reviewed the Preliminary and Final Approval applications for Pheasant Hollow Phase 3 Subdivision. He stated the applicant is proposing development of an eight lot subdivision in a R1 zone. He stated the City Engineer’s corrections have been met from the original review of the application. He explained after re-review by the City Engineer there are some minor corrections which still need to be met but are not breaking any City Codes. He stated the Fire Marshall has not given any concerns regarding the proposed development.

The Council and Staff reviewed the utilization of the detention pond within the development.

MOTION: Council Member Tueller made a motion to approve the Preliminary and Final Approval for Pheasant Hollow Phase 3 Subdivision. Council Member Taylor seconded the motion.

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

Motion Approved. 4 Yes, 0 No

G. PRELIMINARY AND FINAL APPROVAL FOR POINTE PERRY SUBDIVISION

Robert Barnhill explained the City is the applicant for this subdivision. He reviewed the application for both the Preliminary and Final Approval for Pointe Perry Subdivision. He stated the City is working to utilize this property to trade with the State for property around the Gun Range. He stated the City Engineer recommended a few items especially once a developer is involved but had no issues with it meeting City Codes.

The Council and Staff clarified and discussed the proposed Land Exchange between the City and the State.

MOTION: Council Member Tueller made a motion to approve the Preliminary and Final Approval for Pointe Perry Subdivision. Council Member Taylor seconded the motion.

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

Motion Approved. 4 Yes, 0 No

H. RESOLUTION 18-15 ADOPTING BYLAWS FOR THE PERRY-WILLARD SEWER FACILITY BOARD

MOTION: Council Member Tueller made a motion to approve Resolution 18-15 Adopting Bylaws for the Perry-Willard Sewer Facility Board with corrections. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Taylor, Yes
Council Member Tueller, Yes

Council Member Montgomery, Yes
Council Member Watkins, Yes

Motion Approved. 4 Yes, 0 No

ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF CONSENT ITEMS

- **November 8, 2018 City Council Meeting Minutes**
- **November 10, 2018 City Council Retreat Meeting Minutes**

MOTION: Council Member Tueller made a motion to approve the November 8th City Council Meeting and November 10th City Council Retreat Minutes. Council Member Watkins seconded the motion.

ROLL CALL: Council Member Taylor, Yes
Council Member Tueller, Yes

Council Member Montgomery, Yes
Council Member Watkins, Yes

Motion Approved. 4 Yes, 0 No

B. MAYOR'S REPORT

Mayor Jeppsen stated he has had a few meetings regarding the SITLA and DNR properties which they will discuss in greater detail in the Executive Session.

Mayor Jeppsen invited Craig Hall to speak to a recent matter regarding a public member seeking to say the invocation at a City Council Meeting.

Craig Hall stated there is a member of the public who has requested to say an invocation at a City Council Meeting. He explained that this person goes around the Country saying invocations at public meetings. He stated he reviewed City Codes, which allows for this with certain guidelines. Mr. Hall reported that a letter has been sent to the individual inviting him to provide invocation at a public meeting as long as he follows the guidelines listed in City Code. The code requires that individuals desiring to participate in opening ceremonies should write a letter to the Mayor (or Chair of the meeting) at least two weeks in advance of when they desire to so participate, giving at least one alternate date for participation. The letter should indicate the person(s)' name(s), address(es), telephone number(s), and other contact information, as well as a brief description of the proposed opening ceremony. He said the city has received a response from the individual requesting to participate whom plans to attend a meeting on June 13, 2019. He stated that he feels that the individual desires to provide an invocation in good faith and has no ulterior motives.

Attorney Hall reviewed a prior situation he was involved with at a different City in which a member of the public requested to conduct opening ceremonies and was denied this opportunity after he and the City reviewed what was planned to be said and determined that it was inappropriate. He advised that the individual sought litigation against Mr. Hall personally as well as the City that denied him this opportunity, claiming it was a violation of his constitutional rights.

Mr. Hall stated that many cities have done away with opening ceremonies all together because of situations such as this. However, it is a practice in Perry City and therefore will be made available as long as the requests made follow the provisions listed in the Municipal Code.

Mayor Jeppsen stated all the excavation has been completed in preparation of getting the cement pad poured out at the Gun Range and they hope to get this project completed soon, weather permitting.

A. COUNCIL REPORTS

Council Member Tueller reported on the Christmas dinner with the Sewer Board and explained it has been a positive and productive year for the Sewer Board. He reviewed some of the future plans and needs of the Wastewater Plant in the future (4500 units planned to be developed in South Willard, BOD concerns, etc.)

Council Member Montgomery stated the bring one/take one library formerly at the City office has been donated to the Navajo Reservation in Arizona.

Council Member Watkins stated he and Mr. Barnhill have gone to the City Parks and made a prioritized list of improvements, which need to be made to them. He stated they plan to update the Park Master Plan trails.

He reported the City Welcome Signs are completed and just need to be installed.

D. STAFF COMMENTS

Shanna Johnson reminded the Council of the Holiday Party for Staff and Officials on December 14th at Bellas.

Ms. Johnson stated she is in the process of preparing for the Audit and said the City is still over on their Fund Balance, due to some projects being pushed from last Fiscal Year's budget into this Fiscal Year. She said the Audited Financial Report must be submitted to the State by December 31st and will be reviewed in the January city council meeting.

Mr. Barnhill reviewed with the Council the plan for distributing Landfill Vouchers to Perry City. He explained that the city plans to use civic review online forms for these.

E. PLANNING COMMISSION REPORT

Commissioner Jan Kerr reviewed the Planning Commission's current prioritized project list moving into 2019.

ITEM 7: EXECUTIVE SESSION

MOTION: Council Member Tueller made a motion to close the regular meeting and open the Executive Session regarding purchase, exchange, lease or sale of real property and pending, or reasonably imminent litigation. Council Member Taylor seconded the motion.

MOTION: Council Member Tueller made a motion to approve the November City Council Meeting Minutes. Council Member Watkins seconded the motion.

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

Motion Approved. 4 Yes, 0 No

The Regular Meeting Closed at 8:46 PM.

MOTION: Council Member Tueller made a motion to close the Executive session and reopen the regular meeting. Council Member Taylor seconded the motion.

ROLL CALL: Council Member Taylor, Yes
Council Member Tueller, Yes

Council Member Montgomery, Yes
Council Member Watkins, Yes

Motion Approved. 4 Yes, 0 No

The Regular Meeting Reopened at 9:38 PM

ITEM 8: ADJOURNMENT

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

Motion Approved. All Council Members were in favor.

The meeting adjourned at 9:39 PM.

Susan Obray, City Recorder

Kevin Jeppsen, Mayor

Shanna Johnson, Chief Deputy Recorder