

OFFICIALS PRESENT: Mayor Karen Cronin presided and conducted the meeting. Toby Wright, Nathan Tueller, Esther Montgomery, James Taylor, Brady Lewis

CITY STAFF PRESENT: Greg Westfall, City Administrator
Susan Obray, City Recorder
Craig Hall, City Attorney

OTHERS PRESENT: Lawrence Gunderson, Catherine Pommier, Nelson Phillips, Lance Bryce, Monica Taylor, Paula Smith, Ryan Stokes, Dean Stokes, Jennifer Hurd

ITEM 1: CALL TO ORDER

Mayor Cronin called the City Council meeting to order.

A. INVOCATION

Council Member Wright offered the invocation.

B. PLEDGE OF ALLEGIANCE

Council Member Taylor 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 Tueller, Yes
Council Member Montgomery, Yes Council Member Taylor, Yes
Council Member Lewis, 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. APPOINTMENTS

Mayor Cronin reported that the Planning Commission changes the chair and vice chair at the beginning of each New Year and they have recommended that Travis Coburn be moved from Vice Chair to the Chairman of the Planning Commission and that Devin Miles be appointed as the Planning Commission Vice Chair. Mayor Cronin concurred with the recommendation and asked for the Council's approval of the appointments.

MOTION: Council Member Wright made a motion to approve the appointments of Travis Coburn as Planning Commission Chair and Devin Miles as Planning Commission Vice Chair. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
Council Member Montgomery, Yes Council Member Taylor, Yes
Council Member Lewis, Yes
Motion Approved. 5 Yes, 0 No.

ITEM 3: PRESENTATIONS

A. CITY HIGHLIGHTS

Mayor Cronin reported that the city sponsored a successful Holiday Movie last Saturday at Walkers Cinemas. She advised that the movie was going to be "The Peanuts Movie", but Santa Clause got a request, last minute, and the movie was changed to "Alvin and the Chipmunks - the Road Chip". She said that everyone who attended the movie enjoyed the movie and had an opportunity to visit with Santa Claus.

Mayor Cronin reported that the City hosted a Range Safety Officer (RSO) Appreciation Holiday Party. She said that there were 50 RSOs that were active last season and they donated over 2,000 hours at the gun range. She said they are a great asset to the City.

Mayor Cronin said Perry City also had a C.E.R.T. dinner to recognize the members who were able to attend at least 7 or more of the monthly meetings; the City paid for their entire dinner, she said the other members were also invited and the City paid for their dessert.

ITEM 4: PUBLIC HEARINGS AND/OR PUBLIC COMMENTS

A. PUBLIC COMMENTS

No Comments were made.

ITEM 5: ACTION ITEMS

A. APPROVAL OF THE WARRANTS

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

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
Council Member Montgomery, Yes Council Member Taylor, Yes
Council Member Lewis, Yes
Motion Approved. 5 Yes, 0 No.

B. RESOLUTION 16-16 TO ADOPT THE BOUNDARIES OF THE STATE SPONSORED ENTERPRISE ZONE IN PERRY CITY

Mayor Cronin advised that the State has allowed cities to declare an Enterprise which provides tax incentives to business that locate in the zone and meet certain criteria. She explained that one of the criteria that can be met is that a business can move into an existing building that has been vacant for 2 or more years, or if they bring on more than 12 employees they are eligible to apply for tax incentives. She added that the enterprise zone encourages business and job creation in Perry City. She said that staff has put together the application and it now is before the City Council to be approved as a Resolution. Council Member Lewis asked about where on the map indicates the enterprise zone. Shanna Johnson explained that the City is applying for the entire city to be approved as our enterprise zone and the map indicates this with the boarder outlining the City. Greg Westfall advised that our codes still govern what business types are allowed within City zoning. Mayor Cronin said this Resolution indicates that the City is business friendly and we as a city are applying for our entire City to be included as an Enterprise Zone. Council Member Taylor asked if tax incentives would be a negative to the City. The Mayor indicated that the tax incentives

come from the State. Council Member Lewis said this is just the leg work needed to apply for the Enterprise Zone. Mayor Cronin agreed stating this also indicates where we would like our Enterprise Zone; she explained that some cities only want business growth within certain sections of their City. She said that Brigham City also applied for their entire City to be their Enterprise Zone. Council Member Wright asked about the approval process. Mayor Cronin stated that Perry City submits the application and the State determines whether or not we qualify to be an Enterprise Zone. Shanna noted that the application is due tomorrow, December 9, 2016. Council Member Lewis asked what the possible negative impact of this. Mayor Cronin advised that we used to have an Enterprise Zone within the City and the State took this away she was not sure of the reason why. Shanna Johnson reported that this had to do with a population threshold that was exceeded, but has now been increased the population threshold making the City eligible again. Mayor Cronin said it is designed to help with economic growth in rural areas. Council Member Lewis asked if the County was in support of this. Mayor Cronin said yes, they helped with our application process. She stated Box Elder County and Brigham City have also applied for their own Enterprise Zones. Shanna advised that Davis and Bott will be helping businesses to understand the Enterprise Zones and tax incentives, via seminars, etc. Mayor Cronin said that the city will need to track the progress of the Enterprise Zone via number of business license applications, etc. She said that the City will also continue to work with businesses to help them understand our zoning and the best locations for their business.

MOTION: Council Member Lewis made a motion to adopt Resolution 16-16. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
Council Member Montgomery, Yes Council Member Taylor, Yes
Council Member Lewis, Yes
Motion Approved. 5 Yes, 0 No.

C. 2017 MEETING SCHEDULE

Mayor Cronin presented the 2017 Meeting Schedule for approval. Council Member Taylor asked if the Council will need to approve the Planning Commission Schedule as well. Mayor Cronin said yes. Shanna Johnson advised that they have reviewed it. The Mayor said that the Planning Commission has recommended their dates for approval.

MOTION: Council Member Wright made a motion to approve the 2017 Meeting Schedule. Council Member Lewis seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
Council Member Montgomery, Yes Council Member Taylor, Yes
Council Member Lewis, Yes
Motion Approved. 5 Yes, 0 No.

D. FINAL APPROVAL OF DEAN STOKES CONSTRUCTION DESIGN REVIEW

Greg Westfall advised that Dean Stokes Construction has purchased the Matthews fruit stand and they are remodeling this so that a dance studio can be in a section of this. He said that they meeting all of the guidelines for a commercial business. He said that the other portion of the business will be for storage. He said the use has changed from a fruit stand therefore it requires a design review. Greg stated that the zoning allows the business use being presented. Mayor Cronin asked if there was going to be any office space for the construction business in the building. Greg said no. Council Member Montgomery said there will be an office for the dance studio.

MOTION: Council Member Wright made a motion to give final approval for the Dean Stokes Construction Design Review. Council Member Montgomery seconded the motion.

DISCUSSION: Mayor Cronin asked if parking was addressed and if it included the provision that there should be minimal parking on the street. Greg said it had, and it was advised that there was to be no parking on the street. He said that the business feels confident that their on-site parking will meet the needs of the business and they can expand parking to additional property that they own if needed.

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
Council Member Montgomery, Yes Council Member Taylor, Yes
Council Member Lewis, Yes
Motion Approved. 5 Yes, 0 No.

E. BUSINESS LICENSES

• **DIVERSITY DANCE**

Mayor Cronin presented the business license application for Diversity Dance. Jennifer Hurd was present to answer questions. Council Member Taylor asked what the maximum number of cars that could be onsite. Ms. Hurd said at worst case there would be 25-30 cars. Council Member Lewis said his daughter takes dance from Diversity Dance and when he picked her up tonight there were 4 cars there. Council Member Taylor asked if additional parking could be put on the street going east and west. Greg said that the business has been asked not to do this and they are happy to utilize additional parking in a gravel area before this would be used. Council Member Wright asked if any sound proofing was installed. Ryan Stokes said that they have installed additional insulation and cinder block walls that should provide sufficient sound proofing.

MOTION: Council Member Lewis made a motion to approve the Business License for Diversity Dance. Council Member Tueller seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
Council Member Montgomery, Yes Council Member Taylor, Yes
Council Member Lewis, Yes
Motion Approved. 5 Yes, 0 No.

• **CLUE INN ESCAPE**

Mayor Cronin presented the business license application for Clue Inn Escape. She explained that this business went before the Planning Commission and was recommended for approval. She advised that the business will have visiting clientele and will be operating out of a trailer parked in the Alpine Gardens parking area. Mayor Cronin reminded the Council that the business owner Cathy Pommier came and talked with the City Council in a meeting prior during public comment. Mayor Cronin asked if the parking in the Alpine Gardens parking lot would be sufficient as to not have any parking on the highway. Ms. Pommier agreed. Mayor Cronin advised the operating hours will be from 4-11pm, Monday thru Friday, and 8am – 1pm on Saturday. Shanna Johnson advised that this will be a temporary business license for a period of 45 days. Council Member Lewis asked about the discussion that took place prior to the Planning Commission recommending approval. Commissioner Gunderson advised that they discussed the service provided, parking, hours, etc. He advised that there were no real concerns.

MOTION: Council Member Tueller made a motion to approve the Business License for Clue Inn Escape. Council Member Wright seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
Council Member Montgomery, Yes Council Member Taylor, Yes
Council Member Lewis, Yes
Motion Approved. 5 Yes, 0 No.

F. EMERGENCY RESPONSE – Tabled. To be discussed under agenda item 9B.

ITEM 6: DISCUSSION ITEMS

A. BUDGET UPDATE

Shanna Johnson presented a Fiscal Year 2016-2017 budget update for the month of October 2016. She advised that 34% of the fiscal year has elapsed. 14% of General Fund revenues show as collected, and stated that the amount collected will increase significantly once property taxes are received and forwarded on to the City. She reported that 23% of Utility Fund Revenues have been collected, and the sewer fund has received 28% of its revenues. Shanna advised that there will be some transfers of funds to the Utility and Sewer areas as well as some reimbursements to the Sewer fund that will help to balance out the revenues. Shanna reported that the City has collected 73% of non-operating revenues, which is made up of impact fees. She said this is higher due to an increase in building. Shanna said this is also true for our permit fees which are coming in higher than expected not only due to new construction, but also due to the roofing and siding permits after the big hail storm last June. Council Member Lewis asked what the revenue line item titled DWQ Interest is. Shanna answered that this is interested gained in our PTIF form our Division of Water Quality Phosphorous grant. She said that these funds are restricted and can be used toward that purposes of this phosphorous removal. She advised that all non-operating revenue is restricted as to the use of the funds and the timeframe for use.

Shanna reported on expenses stating that the General Fund has spent 30.9% of its budget. Shanna reviewed areas that will balance out overtime due to one-time expenditures (Administration & Fire) and advised that a budget amendment will be needed in the Community Development area to account for additional Mass Transit Tax. She said that the City did budget for Mass Transit taxes, but there are two portions to this the original tax passed and then a second tax passed titled Mass Transit Additional of which was not included in the original budget. Shanna reported that 33.1% of the Utility Fund budget has been expended; this includes the Evans Canyon Storm Drain which will be transferred out to impact fees. She said the Sewer Fund has spent 25.3% of its budget and advised that the equipment budget is trending high and we will want to watch this.

Shanna reported that the sales tax has been collected thru November 2016 and we are 9.48% better than the prior year.

Shanna advised that the Fiscal Year 2015-2016 audit is well underway and will be completed by the required deadline of December 31st and will be reported to the City Council in January. She said that things are looking good so far.

B. ECONOMIC DEVELOPMENT

Mayor Cronin said that Brigham City has contacted us and they are making plans for development in the 1100 West area (near the 1100 South Development Area). She said that if development gets going Perry City has offered to provide sewer collections and disposal or whatever they feel works best. The developer was impressed at the two cities willingness to work together. [Mayor Cronin feels that a rising tide lifts all ships and therefore Perry City is very supportive of all development even if it is not necessarily in Perry]. She advised that we are part of a Joint Advisory Board with Brigham City for the 1100 South area and they will be bringing that board together as they get more information.

C. CITY CENTER SUBDIVISION

Mayor Cronin reported that the City has all infrastructure and improvements installed in the City Center Subdivision and we are working with legal counsel on a purchasing mechanism for those interested in buying lots. She explained that there are 5 City owned lots in the subdivision and we will be looking to put this up for sale the first part of January. Council Member Taylor asked how

we plan to advertise the sale of the lots. Mayor Cronin said it will be in the City newsletter, in the newspapers, and on the City webpage.

ITEM 7: MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF CONSENT ITEMS

- **October 13, 2016 City Council Meeting Minutes**
- **October 27, 2016 City Council Work Session Minutes**
- **October 27, 2016 City Council Meeting Minutes**
- **November 10, 2016 Work Session Minutes**
- **November 10, 2016 City Council Meeting Minutes – Tabled**

Council Member Wright advised of some grammatical changes.

MOTION: Council Member Taylor made a motion to approve the Meeting Minutes for the October 13, 2016, October 27, 2016, and November 10, 2016 Work Sessions, and the October 27, 2016 City Council Meeting with grammatical changes. Council Member Wright seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

B. MAYOR'S REPORT: Mayor Cronin reported that she met with a Utah Department of Transportation Representative last week regarding safety concerns on the highway. She said that in regards to the speed on the highway, the State will go out and clock the speed on the highway and they will set the speed at what 80% of the people travel. She said that they just increased the speed in a town in Cache County. She stated if we want the speed to be slower, people need to start driving slower. She said they also suggested putting in traffic signals and he said he would send some people to work with us but cautioned that the number of accidents usually increase when you install signals. Mayor Cronin reported that the UDOT representative said that the severity of crashes may go down but the number usually escalates. Council Member Tueller said that when you install a light on a highway or a new intersection businesses try to locate in these areas and we may want to be careful and ensure we are ready with our General Plan prior to this. Mayor Cronin said in order to get a traffic light a street must meet 8 criteria and we do not have many areas that meet the criteria. She explained that you have to have a cross section and we only have 3 areas in town where there is a direct cross section. She stated the UDOT representative is more than happy to come and talk with the City in regards to the suggested safety efforts. Council Member Taylor said that there is a population in Perry that would like to hear what UDOT has to say. Council Member Tueller said maybe we can make note of some of this information in our newsletter. She said that the City will have him come to a town hall meeting and review this information with the citizens.

Mayor Cronin advised that as the City Council and staff has been completing their National Incident Management (NIMS) training the City will be collecting the certificates and will be applying for the Federal Emergency training in Emmetsburg in January. She said that the State will review this and respond to the training request in February. She asked that all Council Members to get a copy of the certificates to her by the end of December. Mayor Cronin said the Council will be working in January to complete the NIMS 700 training.

C. COUNCIL REPORTS: Council Member Wright asked about the timing on the newsletter and water meter itemization on utility billing. The Mayor explained that it depends on when meters

are read and when the newsletter is proofed and ready. She said the December newsletter went out a little later than normal due to the Thanksgiving holiday. Greg advised that they are still looking at how to itemize the water meter readings on the Perry City bills; this may take some time to complete.

D. STAFF COMMENTS: Shanna Johnson reminded the Council of the Holiday Dinner taking place on December 14, 2016 at 6pm.

E. ITEMS FOR NEXT NEWSLETTER:

- None.

ITEM 8: EXECUTIVE SESSION

MOTION: Council Member Wright made a motion to close the Public Meeting and go into an Executive Session to discuss:

- the purchase, exchange, lease, or sale of real property;
- the character, professional competence, or physical or mental health of an individual; and
- the strategy regarding potential or imminent litigation.

Council Member Lewis seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
 Council Member Montgomery, Yes Council Member Taylor, Yes
 Council Member Lewis, Yes
Motion Approved. 5 Yes, 0 No.

The regular meeting closed at 7:54pm.

MOTION: Council Member Montgomery made a motion to leave the Executive Session and reenter the Public Meeting. Council Member Taylor seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
 Council Member Montgomery, Yes Council Member Taylor, Yes
 Council Member Lewis, Yes
Motion Approved. 5 Yes, 0 No.

The regular meeting reopened at 9:04pm.

ITEM 9 – ACTION ITEMS

Approx. 9:04pm

A. ACTION REGARDING PUBLIC WORKS STAFFING

Mayor Cronin said this action item is for public works staffing and strengthening this team.

MOTION: Council Member Montgomery made a motion to support the administration in the direction of public works staffing. Council Member Wright seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
 Council Member Montgomery, Yes Council Member Taylor, Yes
 Council Member Lewis, Yes
Motion Approved. 5 Yes, 0 No.

Approx. 9:05pm

B. DISCUSSION/ACTION REGARDING EMERGENCY SERVICES

Mayor Cronin reviewed that in the last meeting she made note that she had asked Police Chief Arbon to chair a task force to review the future of Emergency Services within Perry City. She said that Chief Arbon set up a task force of several volunteers and a couple of Council Members. She said

that they met a couple of times and forwarded their recommendation regarding Emergency Services on to her. She reviewed that the committee recommends the City to get their own QRU (Quick Response Unit) so that the City can operate as their own independent first responder unit. She said that the second choice recommendation is that the City continues to partner with Willard contingent upon Perry City having their own officers reporting to a Perry Chief; the Perry Chief would be appointed by the Mayor and the officers would be nominated by the Chief. She said that these officers would need to be qualified, and they would have captains from other areas. Mayor Cronin said that this is different from the current structure and it was her understanding that the reason for this suggestion would be to help Perry City to become a little more independent. She said that the task force felt that this would help to tailor training to our community specifically and it was suggested that we get more medical training. She said that she is seeking the Council's input as to whether or not they would like her to further investigate the recommendations made by the task force. Council Member Lewis asked what the investigation would include. Mayor Cronin explained the cost of being our own QRU, what the process included, the possibilities of mutual aid agreements, etc. Council Members Lewis and Wright said they would be in favor of further investigating the recommendation. Mayor Cronin advised that some of the task force members were in attendance for further questions. Council Member Lewis asked if it was a pretty unanimous recommendation. Monica Taylor said yes. Council Member Taylor asked if any new information has come forward. Monica said there was not any new information, but stated that she felt it was important that the Council understands why the recommendation was made and it was solely for better patient care for our citizens. She said that we have 14 qualified active members within the community and being our own QRU will open the doors to more members of the community that want to participate. Council Member Taylor stated that Chief Arbon had mentioned that the Police would like to get the needed training and assist with First Responder services. Lance Bryce said that we will want to be careful in relation to having police trained as EMTs as we do not want to have role confusion. He said as long as they understand that they are the bridge until the First Responders arrive it will be good. Mayor Cronin said that if the Council so chooses a motion would be needed showing that the Council is united in further investigating the task force recommendation. Council Member Tueller said he felt that this was necessary due to our growing city.

MOTION: Council Member Taylor made a motion to get more information based on the recommendation of the Emergency Service Task Force to create an independent Perry City Quick Response Unit. Council Member Wright seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
 Council Member Montgomery, Yes Council Member Taylor, Yes
 Council Member Lewis, Yes
Motion Approved. 5 Yes, 0 No.

ITEM 8: EXECUTIVE SESSION CONT'D.

MOTION: Council Member Lewis made a motion to close the Public Meeting and go into an Executive Session to discuss:

- the purchase, exchange, lease, or sale of real property;
- the character, professional competence, or physical or mental health of an individual; and
- the strategy regarding potential or imminent litigation.

Council Member Tueller seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
 Council Member Montgomery, Yes Council Member Taylor, Yes
 Council Member Lewis, Yes
Motion Approved. 5 Yes, 0 No.

The regular meeting closed at 9:16pm.

MOTION: Council Member Wright made a motion to leave the Executive Session and reenter the Public Meeting. Council Member Taylor seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Tueller, Yes
 Council Member Montgomery, Yes Council Member Taylor, Yes
 Council Member Lewis, Yes
 Motion Approved. 5 Yes, 0 No.

The regular meeting reopened at 10:12pm.

ITEM 10: ADJOURNMENT

MOTION: Council Member Montgomery made a motion to adjourn the council meeting.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 10:12pm.

Susan Obray, City Recorder

Karen Cronin, Mayor

Shanna Johnson, Chief Deputy Recorder