

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

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

OTHERS PRESENT: Brandon Hansen, Nelson Phillips, Melanie Barnhill, Jean Naisbitt, Greg Turner, Jan Kerr, LW, Mark Mackley

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.

B. Appointment – Planning Commission Vice Chairman

Mayor Jeppsen recommended to the City Council, Julie Jones, who is a Planning Commission member, to be appointed to Vice Chairman for Planning Commission for 2021.

MOTION: Council Member Montgomery made a motion to approve the appointment of Julie Jones as Vice Chairman for Planning Commission. Council Member Wright seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

ITEM 3: PUBLIC HEARING (NO VOTE NEEDED)

A. Public Hearing Regarding Resolution 2020-21 Amending the Fiscal Year 2020-2021 Budget

Shanna Johnson discussed the details being presented in the budget amendment. She said the biggest portion of the amendment is the change in the budgeting of the CARES Act funding. She explained that after understanding the parameters of what the grant could be used for, a plan of application to utilize the funds was put in place. She discussed being able to use the funds for the following:

- \$163,670 – Public Safety/ Public Health Personnel costs substantially dedicated to mitigating the public health emergency
- \$162,860 – Small Business Grants
- \$66,786 – 3D Laser Imager
- \$26,250 – Hazard Pay
- \$5,384 – Council Room Audio Visual Equipment
- \$5,000 – Meals on Wheels and Senior Services
- \$4,442 – Telecommuting Equipment
- \$3,268 – Family First Coronavirus Response Act Pay (Quarantining)
- \$1,079 – PPE, Sanitation & Protective Barriers
- \$718 – Web Conferencing System & Tools
- Total: \$439,457

She discussed the General Fund reallocation; explaining \$163,670 was added to building grounds and maintenance in the administration department. This would be used for City Hall improvements, which will help in mitigating the spread of COVID-19 and any other viruses that could cause a public health emergency. These funds were previously assigned to Police and First Responders wages. She advised that the second portion of the amendment involves moving the Mass Transit Tax to a new department budget titled “Contributions to other governments” reducing the community development budget by \$445,012 and increasing the overall budget by \$150,668 based on increased Mass Transit Tax projection (\$595,700).

Mayor Jeppsen opened the public hearing at 7:13 p.m.

Brandon Hansen expressed appreciation to the Council for all they do.

Mayor Jeppsen closed the public hearing at 7:15 p.m.

ITEM 4: ACTION ITEMS

A. Approval of Warrants

The Council reviewed the warrants.

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

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

Motion Approved. 5 Yes, 0 No.

B. Resolution 2020-21 Amending the Fiscal Year 2020-2021 Budget

Council Member Tueller expressed appreciation to the Mayor and staff for the work that went into this budget amendment. Council Member Watkins also thanked the Mayor for the work that went into this.

MOTION: Council Member Wright made a motion to approve Resolution 2020-21 amending the Fiscal Year 2020-2021 Budget. Council Member Watkins seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

C. Resolution 2020-22 Adopting an Interlocal Agreement Between Perry and Willard City for a Road Connection Project

Robert Barnhill explained that this is in connection with the UDOT grant allowing Perry City to expand the south end of 1200 West Perry Street. He explained the project is located on 1200 West just past 3600 South near the Willard/Perry border. He said the project came in way under budget for a few reasons. Funding was able to be changed from federal to state, which meant less regulations and environmental work making it more efficient. In addition, the City was also able to get really good bids, which helped it cost less. He added that UDOT has agreed to let the City continue the project through Willard down to 750 North in Willard. Mr. Barnhill explained that Willard City has agreed to pay the matching portion of the grant that is required. He discussed the corrections to the agreement that were made by Council Member Ostler with the Council.

Council Member Ostler asked if the exhibit was included in the agreement and wanted to make sure the document expresses the scope of the project. He also expressed wanting a statement added that says no grant money can go toward the Willard project until everything on the Perry side is completely paid for. Mr. Barnhill said that the language could be added in but stated that the project on the Perry side is 90% completed. Bill Morris explained that adding this statement may end up costing more due to the contractor having to stop work right at the City line instead of being able to do the project more efficiently. Mr. Morris also said that he understands the risk using State money for this explaining if there were not enough funds to complete the project, you cannot ask for more. He suggested adding that if there are any project overages, Willard would be responsible for them. Council Member Ostler expressed his main concern is that he wants to make sure Perry's portion is paid for and complete before any money goes toward Willard. Council Member Tueller asked what is needed to complete the project. Mr. Barnhill said that there is a little bit of asphalt and storm drain, but added that this project is 90 percent complete. Mayor Jeppsen suggested holding payments to Willard with Jones and Associates until payments for Perry City are done. Council Member Tueller asked if Willard could pay for project costs up front and Perry reimburse them. Shanna Johnson explained that since the grant is through Perry City, all the payments need to be done through Perry City. She said she can check with the State to see if it is a possibility to do it that way.

Council Member Ostler discussed the wording in section two, paragraph one, expressing that he would like the language to state Perry City agrees to request that the project engineer will engineer the plans according to Willard's staff. He also said in section four, that he would like to bill Willard 100% instead of 10%. He expressed not wanting Perry paying amounts on behalf of Willard. Council Member Montgomery said that Willard has not been planning on this project like Perry has, so they may be unable to do it that way. Mr. Barnhill said that Perry has the money set aside for this project and feels that if Perry requires it to be done this way, it may not be able to be done at all. Council Member Montgomery stated that she feels that cooperating with Willard in something that would be productive for both communities and may smooth over some animosity that has been there in the past. Council Member Wright stated that he understands Council Member Ostler's concern but he feels that this is an improvement for both cities and benefits Perry more.

Council Member Tueller asked if there was any chance that the State would take the funds from this grant back. He said that with UTOPIA, there were plans with the federal government

to pay for infrastructure and then they left cities with the bill. Mr. Barnhill said that these funds have been set aside. Ms. Johnson said that it is very unlikely for that to happen. Council Member Tueller added that he feels this benefits both cities equally and wants to make sure that there are no bad deals that can happen. Ms. Johnson explained that it is similar to the bond with the wastewater treatment plant and that these funds are restricted to the projects they are assigned to. She said that the only time they would not reimburse is if the project was not completed the way it was planned.

Mr. Barnhill said that he wants to make sure that the Council Members are comfortable with the agreement and asked them to make sure they add the language they want in the motion.

Mayor Jeppsen wanted to make sure that the wording Council Member Ostler suggested regarding Perry requesting the engineer to follow Willard's requirements, and not have Perry be the ones responsible.

MOTION: Council Member Montgomery made a motion to approve Resolution 2020-22 Adopting an Interlocal Agreement Between Perry and Willard City for a Road Connection Project with a modification in section two, paragraph one indicating that Perry agrees to request engineering plans for the design layout follow Willard's specifications. Council Member Wright seconded the motion.

ROLL CALL: Council Member Montgomery, Yes Council Member Tueller, Yes
Council Member Wright, Yes Council Member Watkins, Yes
Council Member Ostler, No

Motion Approved. 4 Yes, 1 No.

D. Ordinance 20-S Amending the Multi-Family Dwelling and Apartment Density Map

Mr. Barnhill explained the changes to the multi-family dwelling and apartment density map saying that there were a couple of property owners that expressed interest in changing some of the numbers. He said that previously Perry did not allow apartments, townhomes, or condos. This map was created as the City's way of saying yes to those developments. He explained that the intent of the map, with feedback from the public, is to scatter these developments throughout the community. He talked about the importance of sticking to the intent of the map and supporting the public's input, adding that this may require saying no to some developers. He discussed the property at 2700 South and stated that the plat had not been recorded yet. He also discussed another property at the southern end of Perry that had a change request from the property owner regarding the number of units that are allowed. He clarified that this property was impacted by the grid more than any other due to the agricultural nature of the area that it is in and that it is also located partly in Willard. Mr. Barnhill then discussed a concept plan for a potential developer for apartments located at Pointe Perry.

Council Member Montgomery asked for clarification on what would be changing with the passing of this Ordinance. Mr. Barnhill said that the Council could approve the changes suggested by the Planning Commission or not, and make any other changes they may want.

Council Member Watkins said that as it stands, this is a first come first serve basis, stating that once the number of units allowed has reached the limit then no more would be allowed. He said that he is conflicted because of the south end and wanted to know what was in place for

enforcing the landscape design standards along the highway in that area. His other concern is about the number of units being requested seeming high to him, and wanting to compromise on the number allowed and not wanting to lose the agricultural feel. Mr. Barnhill answered concerning the design standards, stating that any new applications submitted would have to comply with the standards that have been set.

Tyler Wagstaff, Public Works Director, commented that the infrastructure in place may not be able to handle what is being proposed. Mr. Barnhill said that he agrees with Tyler, especially at the South end of the City, that the infrastructure is not in place in that area yet, but adding the perspective that it is also not ready to accommodate what is currently allowed by the zoning currently in place. Council Member Watkins said that he thinks there has to be the water, infrastructure, and support there. Mayor Jeppsen added that the developer knows that those things need to be put in before being able to develop. Mr. Barnhill added that if a developer wanted to develop a property, knowing that infrastructure would need to be put in place and knowing it was zoned and allowed for they could pay for the infrastructure. He added that is what the City Council needs to think about and prepare for. The Council discussed the density map, the number they feel should be allowed, and the intent of the general plan. Council Member Tueller said that he feels that 50 units is too high at the south end and also discussed protecting the grid system. Mark Mackley, property owner on the south end, gave a history on the property being discussed and what he is hoping to do. He added that if the City doesn't allow more than the current 10 units allowed, it would change what his plans are with working with Willard City to try and get utilities to that area.

Mayor Jeppsen and Mr. Barnhill discussed focusing on certain areas of the grid map one at a time instead of approving it all at once. Council Member Watkins suggested tabling the south end property but approving Pointe Perry with their concept applications.

The Council discussed the properties on the grid map. Ms. Johnson asked if the numbers could be changed on the grid, for example if you put more in one area, does this reduce the number allowed in another. Mr. Barnhill said that the numbers could be changed and discussed the amount of units the developers are wanting allowed.

Council Member Montgomery discussed wanting to be able to help the property owners to be able to do what they want but also knowing that there is concern to approve everything.

Ms. Johnson asked if the infrastructure at Pointe Perry would be adequate to handle all of the residential and commercial as well. Mr. Barnhill said that commercial typically requires less than residential and that Brett Jones, City Engineer, had taken a close look at it and that he wouldn't be concerned as far as commercial goes.

MOTION: Council Member Tueller made a motion to table all but Pointe Perry. Council Member Ostler seconded the motion.

DISCUSSION: Mr. Barnhill asked what information the Council would want to have on the two properties that were being tabled going forward. Council Member Tueller said he needs to better understand the intent of the general plan, the intent of the Council when first allowed scattering multifamily in the city, and the grid system and what is allowed. Council Member Montgomery said she wanted more time to look at the grid map and the concept plans that the developers are coming up with to make them work. Mayor Jeppsen said that on the Hargis Hill development, he would like to see the intent of getting utilities out there. Mr. Barnhill added

that they need to make sure they are comfortable with the number allowed outside of concept plans because a different developer could come in with another plan.

ROLL CALL: Council Member Montgomery, Yes Council Member Tueller, Yes
 Council Member Wright, Yes Council Member Watkins, No
 Council Member Ostler, Yes

Motion Approved. 4 Yes, 1 No.

E. Zone Change from CVC to R1, Parcel 02-028-0021 located at 2485 S 900 W, Applicant: Brandon Hansen

Mr. Barnhill discussed the property petitioning a zone change with the Council. He explained that it was previously owned by the City and that the property is currently vacant. He said the surrounding property is zoned as R1 and that the Planning Commission had unanimously voted for the change to go forward to City Council for approval.

MOTION: Council Member Montgomery made a motion to approve the zone change from CVC to R1 for Parcel 02-028-0021 located at 2485 S 900 W, Applicant: Brandon Hansen. Council Member Tueller seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

F. Motion to Approve the Fiscal Year 2021 Impact Fee Plan

Ms. Johnson presented the plan to the Council and explained that each year the City is asked by the State to report what impact fees are on hand from the prior fiscal year and a 5 year plan of how those will be spent. She discussed meeting with City Administrator, Bob Barnhill, City Engineer Brett Jones, and Public Works Director, Tyler Wagstaff to discuss where the fees received would be allocated.

MOTION: Council Member Montgomery made a motion to approve the Fiscal Year 2021 Impact Fee Plan. Council Member Wright seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

G. Approval of the 2021 Perry City Meeting Schedule

Ms. Johnson stated that the City is required to plan a meeting schedule annually and presented the schedule to the Council.

MOTION: Council Member Wright made a motion to approve the 2021 Perry City Meeting Schedule. Council Member Montgomery seconded the motion.

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

Council Member Wright, Yes
Council Member Ostler, Yes

Council Member Watkins, Yes

Motion Approved. 5 Yes, 0 No.

ITEM 5: DISCUSSION ITEMS

A. Council Retreat

Mayor Jeppsen said that he had talked to each Council member individually, and it was indicated that they felt a Council retreat was needed. He asked the Council when they would like to hold that. He felt that if the meeting was pushed to February there may be a couple of items that may be complete by that time, but if the Council wanted to meet sooner that would also be fine. The Council discussed the dates that would fit their schedules and selected the date to be February 13, 2021.

ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS (INCLUDING COUNCIL ASSIGNMENTS)

A. Approval of Consent Items

- November 12, 2020 City Council Meeting Minutes

MOTION: Council Member Wright made a motion to approve the November 12, 2020 City Council Meeting Minutes. Council Member Watkins seconded the motion.

Motion Approved, All Council Members were in favor.

B. Mayor's Reports

Mayor Jeppsen said the land procurement is moving ahead and that things should be complete the first week of January or shortly after. He also discussed meeting with the Bird Refuge manager concerning the gun range operations. He said that everything has been positive up to this point. He discussed the gun range being closed for the season and said that he thinks that the range made an estimated \$38,000 this year.

C. Council Reports

Council Member Ostler said that the City has been signed up with an account on justserve.org that is free to the City and can be used to post service projects and activities. He then asked what the next steps on UTA are. Mr. Barnhill said that he intends to call UTA back and follow up to confirm what their answer is. If they choose to not advocate for the City then the steps would need to be taken to get the resolution back on the ballot. Bill Morris, City Attorney stated that the timing would be up to the County and the County Attorney as to when it would be put on the ballot. The Council and staff discussed the Mass Transit Tax and the Frontrunner and the direction to take.

D. Staff Comments

Shanna Johnson wished everyone a Happy Holiday and said that since the Holiday dinner was not happening due to Covid, they hoped to plan something in the spring.

Robert Barnhill said that he appreciated the thoughtful approach the Council is taking on some of the hard issues that have come along and that he thinks they are doing a great job. He also said that BRAG has been working on a pre-disaster mitigation plan for FEMA and the deadline for it. He said that since Perry City has submitted for a grant from FEMA for upgrades and an emergency generator at the Walmart lift station, the city would have to adopt the plan by the end of the year.. Mr. Barnhill said he will send the link to the Council and that they can make a quick meeting on zoom before the end of the year to adopt the plan. He discussed the plan with

the Council briefly and the Council discussed planning a special meeting on December 17th at 6:00 p.m.

Tyler Wagstaff said the 1200 West project is almost done and that they are getting bids for the 2021 street projects.

E. Planning Commission Report

Jan Kerr thanked the Council and staff for all they do. She said the Planning Commission is working on the design standards and discussed the updates on that. She also said that they are still working on the sign ordinances and they have a draft for that from Mr. Barnhill.

ITEM 7: EXECUTIVE SESSION

None.

ITEM 8: ADJOURNMENT

MOTION: Council Member Montgomery moved that the Council meeting adjourn.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 9:29 p.m.

Shanna Johnson, City Recorder

Kevin Jeppsen, Mayor

Tyra Bischoff, Deputy Recorder