

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

**CITY STAFF PRESENT:** Shanna Johnson, Chief Deputy Recorder  
Robert Barnhill, City Planner  
Scott Hancey, Chief of Police  
Brett Jones, City Engineer

**OTHERS PRESENT:** Tyler Lackey, Justin James, Misty Moesser, Jan Kerr, Ryan Forsyth, and Zac Burk

**ITEM 1: CALL TO ORDER**

Mayor Jeppsen called the City Council meeting to order.

**A. INVOCATION**

Council Member Tueller offered the invocation.

**B. PLEDGE OF ALLEGIANCE**

Council Member Wright 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**

• **PLANNING COMMISSION (CHAIR, VICE CHAIR, AND NEW MEMBER)**

Bob Barnhill reviewed the appointment of Julie Jones as a new member to the Planning Commission and the recommendation of Jan Kerr as Vice Chair [with former Vice Chair, Michelle Drago filling the Chair seat].

**MOTION:** Council Member Montgomery made a motion to approve the appointments of Julie Jones as a new Planning Commissioner and Jan Kerr as the new Vice Chairman. Council Member Wright seconded the motion.

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

**Motion Approved.** 5 Yes, 0 No.

• **FIRST RESPONDERS (ASSISTANT CHIEF AND SECRETARY)**

Misty Moesser reviewed the recommendation for Monica Taylor as the Assistant Chief and herself as the Secretary for the First Responders.

**MOTION:** Council Member Wright made a motion to approve the appointments of Monica Taylor as Assistant Chief and Misty Moesser as Secretary. Council Member Watkins seconded the motion.

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

**Motion Approved.** 5 Yes, 0 No.

**ITEM 3: PRESENTIONS**

**A. HOLIDAY LIGHT WINNER**

Tabled.

**ITEM 4: PUBLIC HEARING AND/ OR PUBLIC COMMENT**

**A. PUBLIC HEARING REGARDING AN APPLICATION TO VACATE A PUBLIC RIGHT OF WAY AT 2830 SOUTH AND A PORTION OF 1000 WEST**

Mayor Jeppsen opened the public hearing portion of the meeting.

Bob Barnhill reviewed the application to vacate the public right of way at 2830 South and a portion of 1000 West. He reviewed the current surrounding land uses and explained the current layout of the roads. He advised that 2830 South would be vacated and the road would be moved north and dedicated as 2820 South.

Justin James stated he is one of the landowners for this development and reviewed some of the issues they have run into regarding the roads currently not aligning. He explained the current plan for the property is to remove the trailer homes and construct approximately 28 town homes. He stated to do this they need to align the roads {the street access point from Highway 89 adjacent to the subject development, which is on the west side of Highway 89, does not align with the street access point to the east across Highway 89}. He clarified the proposal is to shift 2830 South north to 2820 South and 1000 west will remain the same [note: a portion of 1000 West is planned to be vacated as part of this proposal].

The Council discussed and clarified the land swap with the applicant, as well as, details of the proposed development.

Tyler Lackey stated he is also a landowner for this development. He clarified some of the details regarding the plans for the development and reiterated the need for the roads to be adjusted. He said this property cannot be utilized in any other way until the roads are fixed. He also stated fixing the roads, and installing a second access at 2750 South will open the surrounding areas for development.

**B. PUBLIC HEARING REGARDING RESOLUTION 2019-21 AMENDING THE FISCAL YEAR 2019-2020 BUDGET**

Shanna Johnson reviewed the Resolution 2019-21 amendment for the Fiscal Year 2019-2020 Budget, which addresses a few initiatives the City is working on i.e. purchasing land for a future City Hall, paying taxes on Pointe Perry Land, and funding the recent City Election. These changes required adjustments to the budget in the Debt Service Fund, General Fund, and Capital Projects Fund.

No public comment given.

Mayor Jeppsen closed the public hearing portion of the meeting.

**C. PUBLIC COMMENTS**

No public comment given.

**ITEM 5: ACTION ITEMS**

**A. APPROVAL OF THE WARRANTS**

The Council and Staff discussed and clarified the warrants.

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

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

**Motion Approved.** 5 Yes, 0 No.

**B. APPROVAL OF THE 2020 PERRY CITY MEETING SCHEDULE**

**MOTION:** Council Member Tueller made a motion to approve the 2020 Perry City Meeting Schedule. Council Member Wright seconded the motion.

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

**Motion Approved.** 5 Yes, 0 No.

**C. MOTION TO ACCEPT THE FISCAL YEAR 2020 IMPACT FEE PLAN**

Shanna Johnson explained that every year the City is required to put together an Impact Fee Plan, which usually takes place at the same time as the City financial audit. She explained there was a meeting in which the City Engineer, Public Work Director, Planner and herself reviewed and adjusted the prior year's Impact Fee Plan based on the current year's projects. She briefly reviewed this year's proposed projects. She stated the Impact Fee Plan may be adjusted annually if these projects change.

The Council and Staff discussed and clarified some of the planned projects for this year (especially regarding the trail projects).

**MOTION:** Council Member Wright made a motion to accept the Fiscal Year 2020 Impact Fee Plan. Council Member Montgomery seconded the motion.

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

**Motion Approved.** 5 Yes, 0 No.

**D. APPLICATION TO VACATE PUBLIC RIGHT OF WAY AT 2830 SOUTH AND A PORTION OF 1000 WEST**

Bob Barnhill stated the applicant has proposed several different concepts regarding this property. He stated that thus far the idea of developing this area into town homes has been

received favorably. He reviewed some of the notes and recommendations he and the City Engineer have put together regarding this application (vacating 2830 South and dedicating 2820 South at the same time, clarifications on legend and outline, right of way dimensions of 50 ft. or more, etc.).

Council Member Tueller inquired what the applicant is wishing to do with the parcel gained in the land swap.

The applicants (Tyler Lackey and Justin James) clarified they are seeking to put in more town home units on this property. They explained UDOT will not allow any development in this area until the roads align, which the land swap allows.

The Council, Staff, and applicants discussed the various road access options, the right of way dimensions, and how this application affects the neighboring property owners.

The Council and Staff discussed and clarified the process of preparing the plat and having all of the property owners sign it.

Planning Commissioner Kerr stated the Commission has reviewed multiple plans of this applicants, because they were not sure what they could do based on the (existing misaligned) road situation. She explained having the applicants know what they can do with the road will allow them to move forward with the Commission [in the development application process].

**MOTION:** Council Member Montgomery made a motion to grant preliminary approval to vacate public right of way at 2830 South and a portion of 1000 West, subject to the Staff changes of the City Engineer, and signed agreements with all landowners affected by the vacated streets. Council Member Wright seconded the motion. [It is noted that the Council gave “preliminary” approval for this subject application to offer guidance to the applicants for the development they are pursuing in the subject area. The City’s final approval of the street vacation request will be manifested by City signature on the final development plat to be recorded on Box Elder County property records.]

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

**Motion Approved.** 5 Yes, 0 No.

**E. RESOLUTION 2019-21 AMENDING THE FISCAL YEAR 2019-2020 BUDGET**

Shanna Johnson noted some corrections to the Resolution including the addition of Council Member Ostler to the roll call vote and changing the date to December.

The Council and Staff discussed the projects addressed in the amendment.

In addition to reviewing the proposed amendment, the Council discussed future budget items, debating what took priority: funding of a new City Hall/Public Safety Building or implementing a transportation utility fee for road maintenance and projects. As part of this discussion, the council and staff reviewed current utility and impact fees in place, whether a transportation impact fee should also be implemented and how to best utilize these fees going forward.

**MOTION:** Council Member Watkins made a motion to approve Resolution 2019-21 amending the Fiscal Year 2019-2020 Budget with the discussed revisions of adding Council Member Ostler and changing the date to December. Council Member Wright seconded the motion.

**ROLL CALL:** Council Member Watkins, Yes  
Council Member Tueller, Yes  
Council Member Ostler, Yes

Council Member Montgomery, Yes  
Council Member Wright, Yes

**Motion Approved.** 5 Yes, 0 No.

## **ITEM 6: DISCUSSION**

### **A. CITY COUNCIL RETREAT**

Shanna Johnson stated she and Mayor Jeppsen had discussed having the City Council Retreat on Saturday, January 18<sup>th</sup>. She clarified that the date would work for the Council, starting at 7am at the City Building with breakfast being served. No conflicts were noted.

### **B. THREE MILE CREEK GUNRANGE**

Mayor Jeppsen asked if there were any questions regarding the gun range packet.

Council Member Ostler inquired if the contact information in the document should be the City versus an individual (based on changing personnel).

The Council and Staff discussed the gun range policies and possibly updating some areas of concern.

Mayor Jeppsen stated he would like more feedback from the Council so that he can discuss it with the Chief Range Safety Officer as they update the policies.

Shanna Johnson explained the reasoning of the old polices, which were adopted by the previous City administration.

### **C. ANNUAL TRAINING MEETING**

Bill Morris stated that this year he desires to have several cities participate in an Annual Training Meeting on Wednesday, January 29<sup>th</sup> from 7pm-9pm. He explained this would fulfill the State-mandated training requirement for the year.

## **ITEM 7: MINUTES & COUNCIL/MAYOR REPORTS**

### **A. APPROVAL OF CONSENT ITEMS**

- **November 14, 2019 City Council Meeting Minutes**
- **November 19, 2019 Board of Canvassers Meeting**

**MOTION:** Council Member Watkins made a motion to approve the November 14, 2019 City Council Meeting Minutes and November 19, 2019 Board of Canvassers Meeting Minutes with edits provided by Council Member Ostler. Council Member Montgomery seconded the motion.

**ROLL CALL:** Council Member Watkins, Yes  
Council Member Tueller, Yes  
Council Member Ostler, Yes

Council Member Montgomery, Yes  
Council Member Wright, Yes

### **B. MAYOR REPORT**

Mayor Jeppsen said he will discuss his report further in the executive session.

### **C. COUNCIL REPORTS**

Council Member Montgomery said they are coming up on the anniversary of the landfill voucher agreement. She said there were 258 vouchers taken from the citizens last year, which is equivalent to \$1,800. She said the City is currently paying \$4,000 and wondered if they wanted

to negotiate with the Box Elder County Landfill for a better cost. She said more people may take advantage of it this year, but she is willing to negotiate with the landfill if desired.

Mr. Barnhill stated it might be worth looking into billing based on how many vouchers the landfill receives. He committed to discussing this with the County.

Council Member Wright reviewed the meeting he attended at the bird refuge and the possible effects on the gun range (water-bank overflow). He also reported there were about 100 people who attended the City's Christmas Movie event.

Council Member Watkins reviewed some pictures of t-shirt ideas for a Perry Youth Council. He explained he thought it would be a great opportunity for both the City and youth. He said if the Council is interested in moving forward with that idea, he could start pursuing it. The Council expressed their support of this idea.

Council Member Tueller reviewed some matters from the Sewer Board regarding the improvements of Willard Bay, which could open options of working with them to utilize a pond for the Sewer Plant.

#### **D. STAFF COMMENTS**

Shanna Johnson reminded the Council of the City's Holiday Dinner, which was scheduled to take place the next night at the Eagle Mountain Golf Course.

Chief Scott Hancey reported the department handled approximately 5,000 cases so far in 2019, which is a little more than last [calendar] year.

Bob Barnhill stated he had some items to discuss in the executive session.

#### **E. PLANNING COMMISSION REPORT**

Planning Commissioner Jan Kerr reviewed the Planning Commission's last meeting and the items, that will be coming to the Council. She said the Commission had a work session for the design standards and have a timeline to be done with them by May.

Misty Moesser (Secretary of the First Responders) reviewed they have had approximately 130-140 calls this year.

#### **ITEM 6: EXECUTIVE SESSION**

**MOTION:** Council Member Montgomery made a motion to close the regular meeting and open the executive session regarding discussion of the purchase, exchange, lease, or sale of real property and a strategy session regarding pending or reasonably imminent litigation. Council Member Watkins seconded the motion.

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

**Motion Approved.** 5 Yes, 0 No.

#### **The Regular Meeting Closed at 8:59 PM**

**MOTION:** Council Member Wright made a motion to close the executive session and reopen the regular meeting. Council Member Tueller seconded the motion.

**ROLL CALL:** Council Member Ostler , Yes  
Council Member Wright, Yes  
Council Member Tueller, Yes

Council Member Montgomery, Yes  
Council Member Watkins, Yes

**Motion Approved.** 5 Yes, 0 No.

**The Regular Meeting Reopened at 9:46 PM**

**ITEM 7: 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 9:46 PM.

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Susan Obray, City Recorder

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Kevin Jeppsen, Mayor

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Shanna Johnson, Chief Deputy Recorder