

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

**CITY STAFF PRESENT:** Shanna Johnson, Chief Deputy Recorder  
Craig Hall, City Attorney  
Ryan Arbon, Police Chief

**OTHERS PRESENT:** Aaron Watkins, Andrew Watkins, David Rogers, Chuck Palmer, Orié Valenzuelo, Kevin Jeppsén, Laurie Abraham, Jonny Bott, Clay Smoot, Tina Smoot, Monica Taylor, Brett Jones, Nelson Phillips, Carl Powell, Andres Powell, Bryson Roberts, David Roberts, Dave Kallas, Rick Fairbourn, Brady Fairbourn, and Brian Fairbourn

### **ITEM 1: CALL TO ORDER**

Mayor Cronin called the City Council meeting to order.

#### **A. INVOCATION**

Mayor Cronin 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 Lewis made a motion to approve the agenda. Council Member Taylor seconded the motion.

**ROLL CALL:** Council Member Montgomery, Yes      Council Member Wright, Yes  
Council Member Taylor, Yes                      Council Member Tueller, 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 (PLANNING COMMISSION, SPECIAL USES & APPEALS, WASTEWATER, ECONOMIC DEVELOPMENT, FLOOD CONTROL, JOINT ADVISORY)**

Mayor Cronin stated she is recommending George Benford to be the Chairman to the General Plan Update Committee. She explained his credentials are in the packet and she feels he is amply qualified to fill this position.

**MOTION:** Council Member Montgomery made a motion to accept the appointment of George Benford as the Chairman of the General Plan Committee. Council Member Taylor seconded the motion.

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

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

#### **D. BUSINESS LICENSE(S)**

- **Chase Smith Auto Sales**

Mayor Cronin explained this business is located at 2600 S Hwy 89 in the commercial zone. She said he is not planning on having visiting clientele and he had the Fire Inspection completed. She stated Planning Commission has recommended this business license be granted.

**MOTION:** Council Member Taylor made a motion to approve the business license for Chase Smith for the business Chase Smith Auto Sales. Council Member Tueller seconded the motion.

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

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

- **Curl Up and Dye**

Mayor Cronin stated the applicant for this business is Camille Judd and it is for a beauty salon located at 875 W 2325 S. Mayor Cronin said there will be visiting clientele at this business.

**MOTION:** Council Member Montgomery made a motion to approve the business license for Camille Judd for the business Curl Up and Dye. Council Member Taylor seconded the motion.

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

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

- **Tina Smoot Daycare**

Mayor Cronin stated the applicant for this business is Tina Smoot. She explained this application went before planning and they found that it met the City Ordinances and was recommended by the Planning Commission for approval.

Council Member Wright said it is located on a corner which has raised some questions. He said the City has no control over the CCR's but they should be conforming to those.

Mayor Cronin said the City Attorney sent out information regarding this application.

Council Member Wright inquired of Mrs. Smoot if she was okay with going against the CCR's.

Mrs. Smoot stated she did not feel it was going against the CCR's.

Council Member Wright stated he is aware that there are other businesses similar to hers throughout the City.

Mayor Cronin stated if it was a CCR issue it is considered a civil matter and would have to be addressed by the subdivision, she explained this is what the City Attorney addressed in his letter.

Council Member Tueller inquired about how many children she is licensed to have.

Mrs. Smoot stated for up to 16 children.

Council Member Taylor said there has been some concern regarding the increased traffic and inquired what she felt the traffic increase would be.

Mrs. Smoot said she tends for 7 families and they each come at different times during the day. She explained there would only be one or two cars coming around the bus stop times and she stated her intention is to stay with these 7 families.

Council Member Lewis stated he felt it might be a good idea for the Council to review the Daycare Business Sections (especially in regards to the number of allowed children) of the Ordinances for future applications.

**MOTION:** Council Member Lewis made a motion to approve the business license for Tina Smoot Daycare. Council Member Tueller seconded the motion.

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

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

**ITEM 3: PUBLIC HEARING AND/ OR PUBLIC COMMENT**

**A. PUBLIC HEARING REGARDING ORDINANCE 17-O ESTABLISHING A ZONE ALLOWING THE OPERATION OF GRAVEL PITS**

Tabled.

**B. PUBLIC HEARING REGARDING RESOLUTION 17-33 ADOPTING AN ADMINISTRATIVE FEE REGARDING APPLICATIONS FOR GRAVEL PITS**

City Engineer, Brett Jones explained this is his best estimate of what the Administrative Fees will be regarding applications for gravel pits. He explained most often applications have to be reviewed multiple times and that was taken into account when creating this proposed resolution.

Mayor Cronin opened the public hearing for Resolution 17-33.

Kevin Jeppsen (153 W 1820 S) thanked the Mayor, the City Council, and the Administration for all the work they have done for the City. He stated he is looking forward to working with those members who remain. He said there is a zoning issue regarding the gravel pit and he feels this needs to be addressed before any action is taken on this resolution. He requested the Council hold off on passing this item until those who are coming into office can be brought up to speed fully on this matter.

Dave Kallas with Geneva Rock stated he sees no issues with the fee schedule. He desired to comment on the Gravel Pit Ordinance and stated he feels it looks good. He thanked the City for addressing Geneva's concerns and thanked Craig Hall for his help. Mr. Kallas expressed his concern with the dust containment section and has issue with the wording "prevent dust" which he felt is unrealistic. He stated another issue he has is in the hours of operation section, where it states Geneva must get a written request from the State or Federal government. He said it is very difficult to procure such a letter and explained this particular gravel pit is a subcontractor site, so they don't deal directly with UDOT. He also asked for clarification in the concrete and aggregate section of the ordinance.

**C. PUBLIC HEARING REGARDING RESOLUTION 17-31 ADOPTING PUBLIC WORKS STANDARDS AND TECHNICAL SPECIFICATIONS**

Brett Jones explained this is standards on how things will be constructed in the right of way. He stated he has simply updated the current standards so they are more relevant to the current time.

Mayor Cronin opened the public hearing for Resolution 17-31.

No public comment received.

**D. PUBLIC HEARING REGARDING FINAL APPROVAL OF THE SUNRIDGE 5 SUBDIVISION WITH POTENTIAL REVISED LOT LINES**

Brett Jones stated this is a subdivision which the Council has approved 2 or 3 years ago. He explained the detention basin was consolidated for safety reasons on lot 3. He explained now that the subdivision is nearing completion the developer will deed lot 3 to the City.

Mayor Cronin opened the public hearing for Final Approval of Sunridge 5 Subdivision.

Blake Ostler stated the access to this lot is a 15 ft. easement and it was represented to the Planning Commission that the owners are okay with this lot being basically land locked.

Mr. Jones said they are planning on joining the locked parcel with another parcel so it will not be locked.

**E. PUBLIC COMMENT**

Andrew Watkins thanked the Mayor and the Council for all their incredible work for the City. He also thanked the Administration, Police, and Planning Commission for all their service to the City as well. He said he is very interested in Hwy 89 safety and was happy to attend the Town Hall Meeting regarding this issue. He said he has written a letter regarding this which he hopes they will read and give consideration. He presented the letter to Shanna Johnson (who later distributed the letter to the Council).

A public member thanked the City for approving Tina Smoot's application and said they have been going to her for three years. She said there are never more than two people at her home and they are all responsible drivers. She said Mrs. Smoot's business helps Perry and it also helps working moms like herself.

Mayor Cronin recognized the Scouts in attendance and presented them with a Perry City Pin.

**ITEM 4: PRESENTATIONS**

**A. FISCAL YEAR 2016-2017 FINANCIAL AND AUDIT REPORT**

David Rogers and Chuck Palmer reviewed the Fiscal Year 2016-2017 Financial and Audit Report. They explained that Perry City complied in all material respects with the general compliance requirements identified above for the year ended June 30, 2017. They stated Perry City had two minor findings: The City's General Fund exceeds 25% of the total revenue for the year and the meeting minutes were not uploaded within 3 days of approval. They recommended the City make transfers to the fund Capital Projects and upload minutes more timely. (For further information reference Financial Statements for the Year Ended June 30, 2017).

**ITEM 5: ACTION ITEMS**

**A. APPROVAL OF THE WARRANTS**

The Council and Staff reviewed and discussed the warrants and the preapprovals.

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

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

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

**B. MOTION TO ACCEPT THE FISCAL YEAR 2016-2017 FINANCIAL AND AUDIT REPORT**

**MOTION:** Council Member Taylor made a motion to approve the Fiscal Year 2016-2017 Financial and Audit Report. Council Member Montgomery seconded the motion.

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

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

**C. MOTION TO APPROVE THE 2018 PERRY CITY MEETING SCHEDULE**

**MOTION:** Council Member Wright made a motion to approve the 2018 Perry City Meeting Schedule. Council Member Lewis seconded the motion.

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

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

**D. ORDINANCE 17-O ESTABLISHING A ZONE ALLOWING THE OPERATION OF GRAVEL PITS**

Mayor Cronin explained this item was supposed to be listed as 17-E amending chapter 15.31.000 pertaining to gravel pits. She stated due to this clerical error the Council cannot take action on this item at this meeting, however, they can still have discussion.

Mayor Cronin reviewed the concerns Dave Kallas gave earlier in the meeting with the Council. The Council sought clarification from Craig Hall on his insights regarding these concerns.

Craig Hall stated that Geneva is requesting that the City get the gravel pit ordinance in place as soon as possible.

Mayor Cronin inquired if the Council would like to have a special City Council Meeting regarding passing the gravel pit ordinance on Tuesday or if they would like to wait until the next scheduled City Council Meeting.

Craig Hall clarified the zoning of the gravel pit is going to take more time but it will not affect Geneva's permit process.

The Council agreed upon have a special meeting regarding this ordinance on Monday at 5pm.

Craig Hall clarified that if needed the Council can have an electronic meeting for those who would be unable to attend in person.

**E. RESOLUTION 17-33 ADOPTING AN ADMINISTRATIVE FEE REGARDING APPLICATIONS FOR GRAVEL PIT**

Tabled.

**F. RESOLUTION 17-31 ADOPTING THE PUBLIC WORKS STANDARDS AND TECHNICAL SPECIFICATIONS**

Mayor Cronin expressed her appreciation to Mr. Jones for all the work he has done over the past two years to update these for the City.

**MOTION:** Council Member Taylor made a motion to approve the Resolution 17-31 adopting the Public Works Standards and Technical Specifications. Council Member Tueller seconded the motion.

**DISCUSSION:** Council Member Montgomery inquired if the Council would need to remove the current standards.

Mr. Jones stated he believed they would simply be replaced with these updated standards.

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

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

**G. RESOLUTION 17-32 ADOPTING AN EMERGENCY OPERATION PLAN**

Mayor Cronin explained the City has made agreements with the nearby schools. She explained they were simply updating the Emergency Operation Plan. She explained adopting this will create the foundation for the future.

**MOTION:** Council Member Tueller made a motion to approve Resolution 17-32 adopting an Emergency Operation Plan. Council Member Lewis seconded the motion.

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

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

**H. ORDINANCE 17-K CREATING AND ESTABLISHING A CIVIC AND RECREATION ZONE**

Mayor Cronin stated this item has been worked on by the Planning Commission.

Blake Ostler (Planning Commissioner) stated this is somewhat consistent with the current zoning of the City in the General Plan.

**MOTION:** Council Member Montgomery made a motion to approve Ordinance 17-K creating and establishing a Civic and Recreation Zone. Council Member Wright seconded the motion.

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

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

**I. FINAL APPROVAL OF THE SUNRIDGE 5 SUBDIVISION WITH REVISED LOT LINES IF APPLICABLE**

Mayor Cronin explained this item takes the detention basin and puts it into the City's name.

**MOTION:** Council Member Lewis made a motion to approve Final approval of the Sunridge 5 Subdivision with revised Lot Lines. Council Member Montgomery seconded the motion.

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

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

**J. FINAL APPROVAL OF AMENDMENT OF THE OYLER SUBDIVISION, APPLICANT JONATHAN JEPPSEN, LOCATION: 590 W 2400 S IN PERRY**

Jonathan Jeppsen stated this is simply removing the easement.

Mayor Cronin stated this has gone through planning commission and is recommended for approval.

**MOTION:** Council Member Lewis made a motion to approve the Amendment of the Oyler Subdivision. Council Member Taylor seconded the motion.

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

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

**K. FINAL APPROVAL OF AMENDMENT 1 TO THE BRAD BARTO SUBDIVISION, APPLICANT: LEANNE BROCKBANK, LOCAITON 2309 N 900 W IN PERRY**

Mayor Cronin explained this is a lot line amendment and they will be straightening the lines. She stated this has gone through the Planning Commission and is recommended for approval.

**MOTION:** Council Member Lewis made a motion to approve the amendment to the Brad Barto Subdivision. Council Member Wright seconded the motion.

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

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

**L. PRELIMINARY AND FINAL APPROVAL OF PHEASANT HOLLOW SUBDIVISION PHASE 2**

Brett Jones explained this subdivision is phasing into its second phase. He stated he has not received from Hansen and Associated the improvement drawings and therefore, he has not been able to review those as of yet. He explained they have a temporary detention basin which needs to be moved down.

Blake Ostler clarified this was approved by the Commission per the approval of Mr. Jones of the improvement drawings.

Mayor Cronin stated she feels there would be no problem in waiting to approve this until Mr. Jones has reviewed these drawings.

The Council agreed to table the item until Mr. Jones has reviewed the drawings.

**M. FINAL APPROVAL OF PHEASANT HOLLOW SUBDIVISION PHASE 1, LOTS 8 AND 9 LOCATED AT 1300 W STREET IN PERRY**

Brett Jones stated this is the extension of having the lots be 5 ft. larger. He said he has no concerns with this plan.

**MOTION:** Council Member Wright made a motion to approve the final approval of Pheasant Hollow Subdivision Phase 1 lots 8 and 9. Council Member Montgomery seconded the motion.

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

**ITEM 6: DISCUSSION ITEMS**

**A. EXECUTIVE ORDER REGARDING HOME BUSINESS LICENSES**

Mayor Cronin explained in speaking with Craig he felt the best way to put new state requirements regarding Home Business Licensees into place was by enforcing it with an executive order. She stated she has asked the Planning Commission to review the state law regarding the home business licenses and amend the City's Business License Code accordingly.

**B. FISCAL YEAR 2018 BUDGET UPDATE**

Shanna Johnson reviewed with the Council the Fiscal Year 2018 Budget Update for November (See attached presentation).

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



**A. APPROVAL OF CONSENT ITEMS**

- **November 16, 2017 Board of Canvassers Meeting Minutes**
- **November 16, 2017 City Council Meeting Minutes**

**MOTION:** Council Member Montgomery made a motion to approve the City Council Meeting Minutes. Council Member Wright seconded the motion.

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

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

**B. MAYOR’S REPORT**

Mayor Cronin explained UDOT will be putting a task force together regarding increasing the safety on Hwy 89.

Mayor Cronin stated the Holiday Light Contest went well and reviewed the winners.

- **Affordable Housing Plan Update**

Mayor Cronin thanked Brian Carter with Bear River Association with Governments. She stated most the information that she will be giving comes from him. Mayor Cronin reviewed the Affordable Housing Plan Update (See attached Presentation).

**C. COUNCIL REPORTS**

Council Member Tueller stated he will be attending the next Wastewater Treatment Board meeting.

Council Member Lewis thanked the Council for the opportunity to serve with them and is grateful for all that he has learned from this experience.

**D. STAFF COMMENTS**

Chief Arbon inquired about if the Council had all read the Emergency Operation Plan and if it involved the police.

Mayor Cronin stated he was involved with it last year.

Chief Arbon stated he has never received the final draft of it and therefore isn’t sure what the police’s role is in it.

Mayor Cronin stated it is the same as what they discussed last year.

Shanna Johnson explained the only difference is the updated letters and that everything else remained the same.

Mayor Cronin thanked the Council for the opportunity to serve with them. She expressed her thanks to the Staff for all they do. She stated Perry is an incredible City and she is excited to watch it continue to grow.

**E. ITEMS FOR NEXT CITY NEWSLETTER**

- Holiday Lights Winners

**ITEM 7: EXECUTIVE SESSION: DISCUSSION OF THE PURCHASE, EXCHANGE, LEASE, OR SALE OF REAL PROPERTY, WHEN PUBLIC DISCUSSION WOULD DISCLOSE THE VALUE OF THE PROPERTY OR PREVENT THE AUTHORITY FROM COMPLETING THE TRANSACTION OF THE BEST POSSIBLE TERMS.**

**MOTION:** Council Member Lewis made a motion to close the regular session and open the Executive Session regarding a discussion of the purchase, exchange, lease, or sale of real property. Council Member Taylor seconded the motion.

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

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

The regular meeting closed at 8:55pm

**MOTION:** Council Member Montgomery made a motion to close the Executive Session and reopen the regular session. Council Member Taylor seconded the motion.

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

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

The regular meeting reopened at 9:01 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 9:02 PM.

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Susan Obray, City Recorder

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Karen Cronin, Mayor

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Shanna Johnson, Chief Deputy Recorder

