

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

OFFICIALS EXCUSED: Brady Lewis and Nathan Tueller

CITY STAFF PRESENT: Greg Westfall, City Administrator
Shanna Johnson, Chief Deputy Recorder
Craig Hall, Attorney
Ryan Arbon, Chief of Police

OTHERS PRESENT: Kaden Christensen, Gavin Nielson, Catherine Pommier, Devin Miles

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 Montgomery led the audience in the Pledge of Allegiance.

C. REVIEW AND ADOPT THE AGENDA

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

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 3 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)

Clue Inn Escape Mayor Cronin stated it was her understanding this Business License had gone before the Planning Commission. City Administrator, Greg Westfall affirmed this and that the Planning Commission had a recommendation for approval. He explained it had also come before the Council previously as a temporary Business License for 45 days at Alpine Gardens Parking Lot. He continued they are now seeking a permanent Business License and the only difference from the original license is adding a second location at Tractor Supply.

Mayor Cronin inquired if there was documentation to prove Tractor Supply was in agreement with this. Mr. Westfall affirmed this with Council Member Montgomery stating it was found in the packet.

Council Member Wright inquired how business was going for them. Catherine Pommier, representative of Clue Inn Escape, stated it had been slow for the 45 days of the temporary license. She explained many of her clientele had been people from out of town. She explained Tractor Supply has invited Clue Inn Escape to be at their store for most of the year.

MOTION: Council Member Montgomery made a motion to approve the Business License for Clue Inn Escape at Alpine Gardens and Tractor Supply with operational hours as listed. Council Member Taylor seconded the motion.

DISCUSSION: Mayor Cronin restated the motion to approve the two locations (Tractor Supply and Alpine Gardens) and the dates of operation which will be usually Monday-Saturday 1PM-11PM and 8AM-11PM by special request. Ms. Pommier stated that Monday and Sundays are usually their days off and inquired if they would be allowed to ever be open on those days. Mayor Cronin replied whatever is on the application is what must be held to.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
 Council Member Montgomery, Yes
Motion Approved. 3 Yes, 0 No.

Mayor Cronin recognized the Box Elder High students attending the meeting.

ITEM 3: PUBLIC HEARING AND/OR PUBLIC COMMENTS

A. PUBLIC HEARING REGARDING ORDINANCE 17-B AMENDING THE INTERSTATE COMMERCIAL (IC) ZONE AND LAND USE CHART

City Administrator, Greg Westfall explained the reasoning for the amendment to the IC zone is there was previously a Development Agreement which dictated what could be built on Pointe Perry Property. He stated there is no longer a Developer which cancels out the Development Agreement. Therefore, he continued, to allow new structures to be built in this area it needs to be defined (the area is zoned as an IC Zone.)

Mr. Westfall explained the Planning Commission decided to adjust the definition of an Interstate Commercial Zone (The purpose of this zone is to provide space for development of business which focuses on retail and wholesale sales along with professional offices. The zone is considered prime business district and does not allow residential development or heavy commercial development such as processing plants, etc. Appropriate uses are defined in the Land Use Chart and will be approved through the Design Review process).

The Planning Commission also proposed modifying the Land Use Chart regarding the C1 zone, to address the proposed amendments.

MOTION: Council Member Wright made a motion to open the public hearing. Council Member Taylor seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
 Council Member Montgomery, Yes
Motion Approved. 3 Yes, 0 No.

MOTION: No Comments were received or made, Council Member Montgomery made a motion to close the public hearing. Council Member Taylor seconded the motion.

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

Motion Approved. 3 Yes, 0 No.

B. PUBLIC HEARING REGARDING RESOLUTION 17-01 TRANSFERRING PROPERTY LOCATED IN THE POINTE PERRY SUBDIVISION TO THE PERRY CITY REDEVELOPMENT AGENCY

City Attorney, Craig Hall explained in 2015 the City acquired a large amount of acreage due to a foreclosure in the Pointe Perry Subdivision located in the Community Development Project Area. He continued, in the last few years there has been little interest in developing the area. He stated there is an outstanding Special Improvement Bond for Public Improvements in this area for which the City has taken responsibility over a number of years.

Mr. Hall explained the proposal tonight is to transfer two parcels of property to the Redevelopment Agency (the properties are identified by parcel numbers and contain approximately 40 acres of land). He expounded the Redevelopment Agency has much more flexibility when it comes to promoting development and redevelopment of the area. He continued, at this point, the City feels it prudent to transfer these parcels first, as it gives the City options to promote development later on, based on what happens on this first transfer to the Redevelopment Agency.

Mr. Hall continued the reason why the parcels are being transferred for no monetary value is because if development occurs the City will be benefitted by the various taxes (property tax, sales tax, possibly room tax, etc.) from the new businesses. Thus the City will be paid back by the businesses brought and built upon these two parcels of property. He stated the City welcomes Public Comment on this matter.

MOTION: Council Member Wright made a motion to open the public hearing. Council Member Taylor seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 3 Yes, 0 No.

MOTION: No public comments were received or made, Council Member Taylor made a motion to close the public hearing. Council Member Wright seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 3 Yes, 0 No.

A. PUBLIC COMMENT

None.

ITEM 4: ACTION ITEMS

A. APPROVAL OF THE WARRANTS

Council Member Montgomery inquired about payment to the Romero's construction. Mr. Westfall explained the sidewalks were installed in the Ansley Subdivision.

MOTION: Council Member Taylor made a motion to approve the warrants as presented. Council Member Wright seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 3 Yes, 0 No.

B. ORDINANCE 17-B AMENDING THE INTERSTATE COMMERCIAL ZONE AND LAND USE CHART

Mayor Cronin inquired if the Council had any questions from the explanation given prior to the public hearing on this ordinance. No comments from the Council.

MOTION: Council Member Taylor made a motion to approve the Ordinance 17-B amending the Interstate Commercial Zone and Land Use Chart as presented. Council Member Wright seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 3 Yes, 0 No.

C. RESOLUTINO 17-01 TRANSFERRING PROPERTY LOCATED IN POINTE PERRY SUBDIVISION TO THE PERRY CITY REDEVELOPMENT AGENCY

Mayor Cronin inquired if the Council had any questions from the explanation given prior to the public hearing on this ordinance. No comments from the Council.

MOTION: Council Member Wright made a motion to approve the 17-01 transference of property located in Pointe Perry Subdivision to the Perry City Redevelopment Agency as presented. Council Member Taylor seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 3 Yes, 0 No.

D. 2017 PERFORMANCE GUIDELINES

Mayor Cronin stated the Council has the opportunity to consider a change in policy regarding the Performance Guidelines. She explained there have been very minor changes made to the training guidelines (word choice changes). She continued there is \$400.00 allotted in the budget for team members who desire further trainings. She expounded the City can allow up to \$200.00 more for trainings. She stated, with this extra funding, the City asks for the team member to give a presentation on their training in the Department Head Meeting or the Direct Reports Meeting.

Mayor Cronin proposed the addition of a section called Certifications, this section clearly defines how employees can qualify for pay increases based on certifications (see table). Mayor Cronin stated this allows team members the information on opportunities of pay increase options (as well as what the City currently stands in need of, certification wise). She explained the certification would require preapproval of the Mayor and the team member's Department Head. She continued, the team member would give a 10 minute presentation to the Mayor and their Department Head of how this certification will increase their productivity.

Shanna Johnson added it could also be used to increase their efficiency in their job. As not every certification will allow for a productivity increase, but will allow for an increase of efficiency in their job and help to protect the liability of the City.

Mayor Cronin noted that at the bottom of the Certification Matrix Document the Emergency Medical Technician Certification would not be a salary addition but a differential pay. Meaning, the pay is in place only when they are working and could respond as an Emergency Medical Technician.

Mayor Cronin also proposed a tuition reimbursement from the City for team members who accomplish job related training (on their own time) for up to \$400.00.

Council Member Taylor inquired if this would cause any type of budget issue. Mayor Cronin replied it would not, due to the preauthorization for certifications. She explained the \$400.00 tuition reimbursement could be an issue this budget year, but feels there are other areas the City could compensate for it this year and budget for in the next year.

MOTION: Council Member Wright made a motion to approve the Performance Guidelines as presented. Council Member Montgomery seconded the motion.

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

Motion Approved. 3 Yes, 0 No.

E. APPROVAL OF POLICE TRAINING REQUEST

Mayor Cronin explained Chief of Police, Ryan Arbon has submitted a written request to the Council. She expounded the current policy allows up to \$600.00 for the training of each staff member. She stated he is requesting to use some of his training money for next year for a training course this year. She continued Chief Arbon went to a training course last fall as part of the Sheriffs Association which utilized his training budget for this year.

Mayor Cronin explained since then he has discovered another training (Intermountain FBI Command College) which he believes would be beneficial to him as a Chief of Police and for Perry City. As the current policy does not allow for this second training unless approved by the Council and the Mayor, his request is brought before the Council. She noted this forwarded budget would be about two months in advance, as this training would be taking place in May and the new funding would be made available in July. She stated he has written a list of the benefits which would occur from him attending this course. She stated she is advancing this to the Council with her recommendation and inquired if Chief Arbon had anything he would like to add.

Chief Arbon stated he concurred with the Mayor's recommendation. He stated this is an annual course which he has never before attended. He explained due to the large size of this training a Chief can attend only once. He explained he could be passed over this year but this would open him up for a better chance the next year. He explained this is the FBI's version to instruct Chiefs to increase their abilities and make them more knowledgeable. He explained it would include subjects such as: Trends of Current Law Enforcement in the Intermountain West, Media Relations, Crisis Management, etc. He expounded with this training he would then be able to better train Perry City Officers and other relevant persons on such matters.

Council Member Wright inquired why it was located in West Yellowstone and if there was one closer to Perry. Chief Arbon stated this was the closest location of the locations available. Council Member Wright inquired what the cost included. Chief Arbon stated it would include his stay, travel, and many of the meals.

MOTION: Council Member Taylor made a motion to approve the Police Training Request as presented. Council Member Montgomery seconded the motion.

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

Motion Approved. 3 Yes, 0 No.

F. DISCUSSION AND POSSIBLE ACTION REGARDING APPOINTING JOSH BRAEGGER AS THE MUTUALLY AGREED UPON 5TH MEMBER OF THE PERRY/WILLARD WASTEWATER FACILITY TREATMENT BOARD

Mayor Cronin and the Council discussed the appointment of Josh Braegger, summarizing that in the Council is excited to move forward with Willard on this matter, the Council believes Josh Braegger will do a great job in this position, the Council has inquiries for Willard City on what their intent is on the number of Council Members on the Sewer Board, and stated the Council feels it would be best to have Council Member Tueller in attendance before any action is taken on this matter.

The item was tabled.

G. DISCUSSION AND POSSIBLE ACTION REGARDING FIRST ADDENDUM TO THE INTER-LOCAL COOPERATION AGREEMENT BETWEEN PERRY CITY AND WILLARD CITY CLARIFYING TERMS, APPOINTMENT, AND TRAINING OF PERRY-WILLARD WASTEWATER TREATMENT FACILITY MEMBERS

Tabled.

H. DISCUSSION AND POSSIBLE ACTION REGARDING THE WASTEWATER TREATMENT FACILITY BOARD'S (WWTB) RECOMMENDATION TO SELL THE VAC TRUCK

Mayor Cronin stated the Vac Truck was purchased with a grant in the initial stages of opening the Wastewater Treatment Plant. She explained it was believed the cities would have more use for it, however, they have not. She continued, the expense of keeping the vehicle and the fact it is depreciating in value and the WWTB recommends selling the Vac truck.

Mr. Westfall explained he made the motion at the WWTB to recommend to the City Councils that the truck get maintained and both cities (Willard and Perry) split the cost for this maintenance. After this maintenance the WWTB will then sell the truck and the Cities will be refunded for the maintenance costs. The rest of the proceeds may then go to the Wastewater Treatment Plant as negotiated with the State, who initially gave the grant to the Wastewater Treatment Plant for the truck.

Council Member Taylor inquired if the truck is sellable and has value. City Administrator, Greg Westfall affirmed it was and that the maintenance of the vehicle would increase this sellable value.

Council Member Wright inquired if the truck needed maintenance because it had not been used. Mr. Westfall affirmed this, stating, Perry City used it roughly two or three times a year which does not justify keeping it as you can rent for such instances. (Willard has used this vehicle even less than Perry.)

Mayor Cronin stated Willard and Perry Cities would both have to approve this, and that the money needed for maintenance would not come from the Sewer budget but from the Sewer Collections Budget. She explained the money for the truck's maintenance costs would then be reimbursed upon the selling of the truck, as Mr. Westfall stated.

MOTION: Council Member Taylor made a motion to approve the selling of the Vac Truck as presented. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 3 Yes, 0 No.

ITEM 5: DISCUSSION ITEMS

A. GENERAL PLAN UPDATE

Shanna Johnson presented the tabulation of the City Initiative Prioritization Survey received from residents, she explained the City received 119 surveys. The top five items of importance to the residents remained the same from the General Plan Green Dot Results, though varied in order of importance.

Green Dot Top Five Results:

1. Well Maintained Roads
2. Bike Lanes, Connecting Trails, and access to Healthy Lifestyle Options
3. Safety Features (i.e. streetlights, crosswalks, sidewalks, pedestrian overpass, signage)
4. Availability of Clean Water

5. Parks and Green Spaces

City Service Initiative Top Five Results:

1. Availability of Clean Water
2. Safety Features (i.e. streetlights, crosswalks, sidewalks, pedestrian overpass, signage)
3. Well Maintained Roads
4. Bike Lanes, Connecting Trails, and access to Healthy Lifestyle Options
5. Parks and Green Spaces

Mayor Cronin explained that a taskforce will be created from roughly 5 or 6 volunteers from the public and staff members to review the presented data.

B. GRAVEL PIT ORDINANCE UPDATE

Mayor Cronin stated the City took the recommendations of the Excavation Reclamation Task Force (ERTF) and that the City met with a Geneva representative as well as their attorney. She explained Geneva represented they were in agreement with what the ERTF had recommended. However, she continued, Geneva did have concern with one item which was in regards to the 3 to 1 slop which is a change from the current 2 to 1 slop. She expounded this change of slop was recommended based on Box Elder County Standards and the recommendation standards of the State. However, Mayor Cronin explained the City Engineer stated if a GEO tech report is done from a reputable company and certifies it is safe to mine at a 2 to 1 slope, the City will allow a 2 to 1 slope.

Mr. Westfall reiterated this fact, explaining how the County's standards are 3 to 1 and the State does not require a 3 to 1 but recommends it.

Mayor Cronin stated City Attorney, Craig Hall is currently drafting a proposed ordinance and a proposed application for Phase Two. She explained the application for Phase 2 will be given to Geneva for review and, if accepted by them, can then be taken to the Council for action.

Mayor Cronin explained the City asked for an End of Use Plan from Geneva to be supplied to the City 10 years prior to the end of use of the gravel pit. This Plan is an explanation of what Geneva plans to do with the Gravel Pit area after they are finished with mining the area.

Mr. Westfall interjected the City also asked Geneva to update the Surety Bond and Reclamation Plan every 5 years.

C. BUDGET UPDATE

Shanna Johnson presented a Fiscal Year 2016-2017 budget update for the month of January 2017. She advised that 59% of the fiscal year has elapsed and 58% of General Fund revenues show as collected. She also noted that the majority of property tax has been received and the revenues collected thus far do not include any transfers from fund balance. She reported that 38% of Utility Fund Revenues have been collected, and the sewer fund has received 50% of its revenues. Mrs. Johnson 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. Mrs. Johnson reported that the City has collected 84% of non-operating revenues, which is made up of impact and connection fees. She said this is higher due to an increase in building and building permits due to the wide spread hail damage from the June 2016 Hail Storm. She advised that all non-operating revenue is restricted as to the use of the funds and the timeframe for use.

Mrs. Johnson reported on expenses stating that the General Fund has spent 53.1% of its budget. She advised that a budget amendment will be needed in the Community Development area to account for additional Mass Transit Tax. She said 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. She reported that 48.7% of the Utility Fund budget has been expended; this includes the Evans Canyon Storm Drain which will be

transferred out to impact fees. She stated the Sewer Fund has spent 42.5% of its budget and advised that the equipment budget is trending high and should be monitored closely.

Mrs. Johnson reported that the sales tax has been collected thru February 2017. She noted that the City received more sales tax than ever before in the month of February, which is a reflection of sales tax collected in December, with \$99,135.94 being received in sales tax. She advised, as of February 2017 the City has collected 7.99% more sales tax than collected at the same time, the prior year.

ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF CONSENT ITEMS

- **JANUARY 26, 2017 CITY COUNCIL MEETING MINUTES**
- **FEBRUARY 2, 2017 CITY COUNCIL RETREAT MINUTES**
- **FEBRUARY 9, 2017 CITY COUNCIL MINUTES**

MOTION: Council Member Wright made a motion to approve the January 26, 2017 City Council Minutes, February 2, 2017 City Council Retreat Minutes, and February 9, 2017 City Council Minutes. Council Member Taylor seconded the motion.

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

Motion Approved. 3 Yes, 0 No.

B. MAYOR'S REPORT

Mayor Cronin explained the Legislative Session is two-thirds done but the majority of the work will happen in the next few weeks. The City has had wonderful representation from various our elected State Representatives and the ULCT, from which the City has greatly benefited. The Legislative Policy Committee (LPC) will be meeting the next two Mondays, she invites any of the Council members to attend if they so desire. A few of the matters being discussed which the Council would be interested in are: the short term rental, the use of enterprise funds, and the placement of sales tax on food to fund money for education (this last bill would affect the community on a State level not on a City level).

Mayor Cronin stated she attended a meeting this week with the Mayors, County Commissioners, and UTAH Representatives regarding the best location to put the future Front Runner Station. It was decided to note in the General Plans (which both Brigham and Perry are respectively updating) three planned locations: one at 1100 South in Perry, one at 2nd South in Brigham, and one at Willard 750 West. The Cities will then look at some modeling to see which location would make the most sense.

Mayor Cronin stated the City is currently working on Tourism grants for the short range pistol and the welcome to Perry signage.

Mayor Cronin explained it is almost time to start opening the Green Waste Area. She has received many requests on having it open until later in the day. She has discussed with Mr. Westfall about moving the hours from 8 AM- 12 PM on Saturday to 10 AM-2 PM, and on Friday from 2 PM- 6 PM to 3 PM-7 PM or 4 PM-8 PM. Council Member Wright expressed he thought 8 would be too late, however, all Council members agreed on the Saturday time change.

Mayor Cronin stated the National Guard has contacted the City asking if they needed help with filling sandbags. She explained currently she is aware of only one home with undiagnosed flooding issues. She stated the resident has a City storm water pipe running alongside their property and are wondering if it is cracked. She said the City is getting a cost estimate to get the pipeline scoped with a camera to discover if it is cracked.

Mayor Cronin stated the Utah League of Cities and Towns Conference is the 5th, 6th, and 7th of April. She advised if any Council members would like to attend to let her know ASAP.

Mayor Cronin explained the City has a City Council Meeting Scheduled for May 25th which is also the evening of Box Elder High's Graduation. She explained she will be speaking at that event and therefore will not be able to attend the City Council meeting. She continued Shanna Johnson (staff member) also has a son who is graduating from Box Elder High and will not be able to attend either. Mayor Cronin inquired if the Council would like to change the meeting to Tuesday the 23rd of May. Council members expressed no concerns on moving the meeting to May 23rd.

Council Member Taylor inquired if the supervisors were okay with everything which has been discussed. Mayor Cronin stated they were on board with the Performance Guidelines, as well as, the Certifications and explained they were discussed with Direct Reports.

C. COUNCIL REPORTS

Council Member Montgomery referenced the Trails Meeting she was able to attend, which regarded a regional connecting system of trails throughout Box Elder County. She explained this regional system has been posted on Box Elder County's website under Planning and Zoning. She continued the County would like the public to contact them with any information regarding these trails.

Council Member Montgomery stated Perry City has four trails in their Master Plan which would be directly affected by this system of trails. She explained if we align our plans with the County's it opens the City to grants and funding.

D. STAFF COMMENTS

Mr. Westfall explained he spoke with a Pineview representative who stated they do a canal inspection to make sure it is clear and free from debris. They reported the canal is in good condition and the moisture currently in there is not from the reservoir.

Mr. Westfall reported two out of the five lots in the City Center Subdivision (for sale by the City) are in the process of being sold. He explained the other three lots are available for offers until March 6th 2017. He related if they are not sold during that time the City will determine how to proceed from there.

E. ITEMS FOR NEXT CITY NEWSLETTER

None.

ITEM 7: EXECUTIVE SESSION: DISCUSSION OF THE PURCHASE, EXCHANGE, LEASE, OR SALE OF REAL PROPERTY, WHEN PUBLIC DISCUSSION WOULD DISCLOSE THE VAULE OF THE

PROPERTY OR PREVENT THE AUTHORITY FROM COMPLETING THE TRANSACTION OF THE BEST POSSIBLE TERMS

MOTION: Council Member Montgomery made a motion to close the Public Meeting and go into an Executive Session to discuss purchase, exchange, lease, or sale of real property. Council Member Wright seconded the motion.

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

The regular meeting closed at 9:05pm.

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

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
 Council Member Montgomery, Yes
Motion Approved. 3 Yes, 0 No.

The regular meeting reopened at 9:28pm.

ITEM 8: ADJOURNMENT

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

Motion Approved. All Council Members were in favor.

The meeting adjourned at 9:28pm.

Susan Obray, City Recorder

Karen Cronin, Mayor

Shanna Johnson, Chief Deputy Recorder