

OFFICIALS PRESENT: Mayor Karen Cronin presided and conducted the meeting. Peter Gerlach, Jana Nelson, Esther Montgomery, Todd Christensen

OFFICIALS EXCUSED: Brady Lewis

CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder
Malone Molgard, City Attorney

OTHERS PRESENT: Lani Braithwaite, Jamie Scott, Cory Bennion, Vicki Call, Trent Scott, George Benford

ITEM 1: CALL TO ORDER

Mayor Cronin called the meeting to order.

A. INVOCATION

Council Member Gerlach offered the invocation.

B. PLEDGE OF ALLEGIANCE

Council Todd Christensen 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 with an Executive Session afterward. Council Member Christensen seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Montgomery, Yes
Council Member Gerlach, Yes Council Member Nelson, Yes
Motion Approved. 4 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)

Mayor Cronin presented a new business:

- PME Sporting Goods

Business owner, Jamie Scott was present. Mayor Cronin explained that PME is an online retail store with hunting, fishing, and sporting goods, and will have no visiting clientele.

Mayor Cronin reviewed the details including the pros & cons of each option. Shanna Johnson explained that after the Council decides on project, she will get final cost estimates from the City Engineer, Brett Jones. Mayor Cronin stated she believes any of the options would be appreciated by the community and asked the Council to discuss their opinion for a few minutes.

Council Member Christensen said there was not a bad decision because all the projects need to be done. He liked that sidewalks would be installed near the schools in Option 1, which would have citizen appeal. He has heard opinions from Perry citizens on Option 3 and Option 4. Some new property owners are unsure of their drive way boundary. He mentioned that Option 2 would be easier since there is little development in that area. He commented that Option 3 would be a good choice because of traffic in that area and a streetlight is also needed for public safety in that area. He stated he prefers Option 3.

Council Member Montgomery said she prefers Option 1 for public safety from traffic near the schools. Council Member Montgomery asked how the Coburn's drive way would be handled. Council Member Christensen reported that Mr. Coburn wants to replace it and that they may not need it in that area. Mayor Cronin explained that in addition to the improvements included in Option 1 the Public Works department would like to complete the curb, gutter, and sidewalk all the way to 1200 West and extend all improvements to Highway 89, as budget allows. She said that the area has the most traffic in Perry and was a focal point when the budget was reviewed with the Public Works Director. Mayor Cronin mentioned that this area is a safety concern of Police Chief Weese.

Council Member Gerlach said liked all of the options. He has had citizens suggest improving north of 900 West, so he prefers Option 3 and Option 1 is his second choice.

Mayor Cronin advised the Council to base their decision more on public safety than on public clamor.

Council Member Nelson said she missed last meeting and hasn't heard citizen clamor. She recommended Option 1 because of the health and safety of school children. Council Member Nelson also recognizes the need for the other projects. Council Member Montgomery inquired if the City was ready to buy land. Mayor Cronin mentioned that the City would have to move on purchasing land if we get the grant. Mayor Cronin explained the City could acquire and record the property and then move forward on the project. She believes one of the land owners is ready to sell.

Shanna Johnson reminded the Council that the project chosen must benefit the low to moderate income citizens. She also reported that the water line included in Option 2 will be completed this year anyway, as it is an impact fee project that must be completed in order to expend impact fees within the required 6 years. Council Member Montgomery asked if the City could install the waterline where there is soil, which may save the City money. Shanna Johnson agreed to check with Brett and Paul regarding this suggestion and said that she would report back her findings. Mayor Cronin suggested researching with the Flood Control Board regarding storm lines in that area. She also mentioned that in an email sent to her Council Member Lewis recommended going with Option 1.

MOTION: Council Member Montgomery made a motion to approve project Option 1 for the CDBG grant application. Council Member Nelson seconded the motion.

DISCUSSION: Council Member Christensen asked if the population density in the area of the option chosen would have an effect on our success in obtaining the grant. Mayor Cronin explained that

population density affects the decision by 1 percent. Mayor Cronin said she investigated which option would get the City more points, and Option 2 would give us the most points due to the water line component of the project.

After a tie vote occurred, Mayor Cronin asked what the procedure is in the event of a tie vote. City Attorney, Malone Molgard advised that the Mayor makes the deciding vote. Mayor Cronin stated there is no bad choice. She advised that staff input, and health and safety will be the main items for which she bases her decision, therefore she supports Option 1.

ROLL CALL: Council Member Gerlach, No Council Member Montgomery, Yes
Council Member Nelson, Yes Council Member Christensen, No
Mayor Cronin, Yes
Motion Approved. 3 Yes, 2 No.

Council Member Christensen asked if a unanimous vote is required for the application. Shanna responded that a unanimous vote regarding the project is not required to submit the CDBG Grant application. She did recommend the Council make a motion to authorize the Mayor to move forward with submitting an application for CDBG funding.

MOTION: Council Member Christensen made a motion to authorize Mayor Cronin to move forward with the bid for Option 1 for the CDBG grant application. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Gerlach, Yes Council Member Montgomery, Yes
Council Member Nelson, Yes Council Member Christensen, Yes
Motion Approved. 4 Yes, 0 No.

C. APPROVE CAPITAL PROJECTS AND IMPROVEMENTS LIST FOR BRAG

Mayor Cronin asked Shanna Johnson to review the Consolidated Capital Improvements list prepared for BRAG (Bear River Association of Government) as part of the CDBG application process. Shanna explained that the presented form was in a draft form at this time; CDBG grant projects need to be reorganized moving the Option 1 project selected (2700 South East of 1050 West, just past 900 W toward Hwy 89) to the current year and the others to future years. She said the 12" water main located at 1080 West was also added to the capital improvements list. Shanna stated that the projects listed came from City Capital Facilities plans and other projects identified by the Mayor and Council, such as the 1100 South Fire Station. Shanna said that if the City submits a project list at this time, it can still be modified in the future. BRAG reviews the list and uses this to assist the City in obtain funding for projects. Shanna said she will get information from Public Works Director, Paul Nelson, and will add upcoming street projects to the list. Shanna explained that the list breaks out funding into columns:

- Local Cash Match – Includes cash from City budget or Impact Fees to be used for the projects
- Other – Includes cash that the developer would be required to pay toward the projects.
- CIB Grants / CIB Loans – Shanna explained that some projects are more expensive than others and will require a loan or grant funding. These columns outline grant or loan funds that would be needed.

Mayor congratulated Shanna for creating the format for this report which will be very useful for comparison by the BRAG Community Impact Board.

MOTION: Council Member Gerlach made a motion to approve the Consolidated Capital Improvements list with the amendments discussed and approve submitting the list to BRAG. Council Member Christensen seconded the motion.

ROLL CALL: Council Member Gerlach, Yes Council Member Montgomery, Yes
Council Member Nelson, Yes Council Member Christensen, Yes
Motion Approved. 4 Yes, 0 No.

D. APPROVE CDBG THRESHOLD & GENERAL POLICIES

Shanna Johnson reviewed the CDBG Threshold and General Policies with the City Council (see attached). She explained that accepting these policies is part of the application process.

MOTION: Council Member Montgomery made a motion to approve the CDBG Threshold and General Policies. Council Member Gerlach seconded the motion.

ROLL CALL: Council Member Gerlach, Yes Council Member Montgomery, Yes
Council Member Nelson, Yes Council Member Christensen, Yes
Motion Approved. 4 Yes, 0 No.

ITEM 6: DISCUSSION ITEMS

A. ORDINANCE 14-L ADOPTING AN ORDINANCE ALLOWING CHICKENS TO BE KEPT ON SINGLE-FAMILY RESIDENTIAL LOTS

Mayor Cronin announced that Attorney Molgard reviewed the comments received by the Council and put the draft ordinance in a digital format for Council review. The Mayor said she discussed item 4-I, regarding the slaughter of chickens with Chief Weese, Paul Nelson, and Susan Obray at the last staff meeting. They expressed concern that young children may view the slaughter of chickens and suggested language be included stating that the slaughter be out of public view. She suggested that chicken owners could obtain approval of neighbors before the slaughter and then this may be done in public view. Council Member Christensen noted that the Council wants to protect the public and be sensitive to neighbors of the chicken owners. There is a concern about the smell and nuisance of rotting eggs and dead chickens, and language has been included regarding how soon both must be removed. Mayor Cronin discussed the need of chicken permits to enforce violations when police officers get complaints. The chicken owners would sign acknowledging the rules when they obtain a permit. It also protects the city from liability if the City is required to remove the chickens from someone's property. The Council discussed a nominal fee of \$5.00 for a chicken permit. Mayor Cronin thought it would be easier to change the ordinance in the future if chicken owners get a permit. Council Member Montgomery stated she did not see a need to restrict the size of chicken coops. Malone recommended language in the ordinance to meet requirements of current building codes for accessory buildings. Council member Montgomery recommended adding reference to the noise ordinances. Council Member Montgomery suggests a minimum distance from the neighboring boundary lines. Malone requested the Council Members to email changes to the ordinances to him. He also suggested that the ordinance include a certain amount of time for chicken owners to become compliant. Mayor Cronin asked the Council Members to share their opinions about the ordinance.

Council Member Gerlach stated he wants to see that permits are required in the ordinance.

Council Member Montgomery said she would like some of the language simplified and include the distinction that the ordinance is for chicken owners on a single family residence.

Council Member Christensen said he likes the permit requirement and that it needs annual renewal. He prefers clear language on 4D and thinks Council Member Montgomery made some good points regarding minimum distance to property lines of neighbors.

Council Member Nelson said she liked the look of the ordinance, but questioned enforcement, and how the City would ensure the ordinance is followed.

B. Emergency Services Interlocal Agreement with Brigham City

Mayor Cronin reported that she met with Mayor Vincent, and the new fire chief to discuss reducing the rates charged for emergency services. Brigham City currently charges \$945.00 for the first hour and an extra \$600.00 if the pumper truck, brush truck, and ambulance are called out. Mayor Cronin reviewed the different scenarios of emergency services used and presented a chart to the Council. She explained with the new proposed billing, a fire could cost up to approximately \$1,300, rather than the current average fee of \$963. She stated that the new fire chief recommended changing the emergency service rates to those charged by the BLM (Bureau of Land Management). She advised that if this occurs it would increase costs for Perry by 80-120%. Mayor Cronin reported that for 80% of the people it will cost more if we change our rates with Brigham City. She recommended that if a brush truck is required to utilize Willard City Fire and man it with Perry City volunteers. Mayor Cronin suggested we negotiate with Brigham City to lock in the present rates for 3 years. She also recommended sending notice to citizens regarding the basic rates for emergency services in the City newsletter. Mayor Cronin said she wants citizens to be aware of the financial risks involved when they use fireworks, etc. Council Member Christensen wondered if citizens would delay calling the fire truck because of costs involved.

Mayor Cronin said she is requesting Brigham City send billing for the emergency services within 60 days. She explained that a citizen received a bill in November for services received a year ago. The Mayor explained that bills for emergency services are passed directly to the resident responsible for the fire. She said the City is responsible for payment to Brigham City and the City is stuck with these fees if the citizen does not pay the fire bill back to Perry.

Mayor Cronin said that Brigham City is willing to sign a three year agreement; she hopes the conditions of the agreement with Brigham City will be the same as presented in December.

C. TOURISM BOARD GRANT PROJECTS AND APPLICATION PROCESS

Mayor Cronin announced that applications for tourism grants are due in February. Council Member Christensen noted the projects in the past were the gun range, the Perry 4th of July Celebration, and the restroom at Centennial Soccer Park. She said last year the gun range was funded by this grant, but not the 4th of July. The restroom at Dale Young Park also was not funded. Council Member Gerlach mentioned that the Dale Young Park is presently used by nearby residents, but would attract more citizens if the City continues to improve it. Mayor Cronin requested Council Members email grant project suggestions to her.

ITEM 7: MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF CONSENT ITEMS

- **January 8, 2014 City Council Meeting Minutes**

Shanna Johnson noted the different look of the minutes. She explained that the minutes were formatted specifically for the CDBG application. Mayor noted that she had a few grammatical and spelling errors that she would get to Shanna.

MOTION: Council Member Montgomery moved to approve the minutes for the January 8, 2015 City Council Meeting. Council Member Christensen seconded the motion.

ROLL CALL: Council Member Gerlach, Yes Council Member Montgomery, Yes
Council Member Nelson, Yes Council Member Christensen, Yes
Motion Approved. 4 Yes, 0 No

B. Todd Christensen: reported on scheduling problems with the soccer field and recommended looking at this process. He said he reserved the field in the City office, paid money for its use, and competitive leagues would not leave the field when he arrived to use the park. Last Saturday the Mayor noted a football practice took place on the wet soccer field and their cleats tore up the field. She announced that practice field has been closed to groups larger than ten, but sledding and other uses are allowed. Council Member Christensen asked Shanna to announce that the City Administrator position is open on the City's webpage.

C. Peter Gerlach: talked with the youth committee chairman and suggested quarterly activities instead of monthly because the young people have other commitments. Mayor Cronin discussed transporting the Youth City Council to the league meetings with the Legislature.

D. Jana Nelson: Nothing to report.

E. Esther Montgomery: had nothing to report. Mayor Cronin noted that Brett received information on the trail project and will forward it to Esther. The grants will be awarded in April.

F. Brady Lewis: excused.

G. Mayor Cronin: The building at the gun range has been painted and is ready for carpet. Flooring will be \$4,000-\$5,000 and there will be a warrant to pay for it. She explained that carpet would cost \$4,000, but would not last as long as Luxury Vinyl Tile (L.V.T.) flooring Mayor Cronin desires L.V.T flooring in the kitchen, training area, the hall ways and one of the observation areas. The conference and registration rooms will have low pile, high density carpet. Council Member Christensen asked if the flooring will be financed with grant funds. Mayor Cronin replied that was correct. She informed the Council that Staker Parsons is also donating concrete for walkways at the gun range.

H. ITEMS FOR NEXT CITY NEWSLETTER

Council Member Christensen requested C.E.R.T. training and reservation requirements for the upcoming soccer season be advertised in the next newsletter. Mayor Cronin reminded the Council that the parks must be reserved in the city office.

ITEM 8: ITEMS FOR FUTURE MEETINGS

None discussed.

Mayor Cronin announced that the Utah League of Cities and Towns Conference will be April 9-11 in St. George. She mentioned that Council member may carpool together. The City will pay up to \$400 for the conference to help cover the cost of registration, food, and some of the fuel for Council Members wishing to drive down on their own.

ITEM 9: EXECUTIVE SESSION

The Mayor recommended the meeting end for an executive session regarding possible litigation.

MOTION: Council Member Christensen moved to close the regular meeting and open an Executive Session regarding potential litigation. Council Member Nelson seconded the motion.

ROLL CALL: Council Member Gerlach, Yes Council Member Montgomery, Yes
 Council Member Nelson, Yes Council Member Christensen, Yes
Motion Approved. 4 Yes, 0 No

The regular meeting closed at 8:42pm

MOTION: Council Member Christensen made a motion to close the Executive Session and reopen the regular meeting. Council Member Nelson seconded the motion.

ROLL CALL: Council Member Gerlach, Yes Council Member Montgomery, Yes
 Council Member Nelson, Yes Council Member Christensen, Yes
Motion Approved. 4 Yes, 0 No

The regular meeting resumed at 9:15pm

ITEM 9: Adjournment

MOTION: Council Member Nelson made a motion to adjourn. Council Member Christensen seconded the motion.

Motion Approved. All in favor.

Meeting closed at 9:15pm.

Susan Obray, City Recorder

Karen Cronin, Mayor

Shanna Johnson, Chief Deputy Recorder