

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Toby Wright, Nathan Tueller, Andrew Watkins, and Blake Ostler were present. Esther Montgomery was absent. Andrew Watkins left at 8:14 p.m.

CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder
Robert Barnhill, City Planner
Scott Hancey, Chief of Police
Zach Waddoups, Police Officer
Bill Morris, City Attorney

OTHERS PRESENT: Nancy Green, Sheila Harper, Jan Kerr and Julie Jones

ITEM 1: CALL TO ORDER

Mayor Jeppsen called the City Council meeting to order.

A. INVOCATION

Council Member Wright offered the invocation.

B. PLEDGE OF ALLEGIANCE

Mayor Jeppsen 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.

ITEM 3: PRESENTATIONS

A. BRIGHAM CITY SENIOR CENTER MEALS ON WHEELS

Nancy Green thanked the Council for supporting the Meals on Wheels program. She reported that there are 12 Perry residents receiving meals daily. The Senior Center has their 50-year Anniversary celebration this year and they will be inviting Perry City to join in that celebration. She informed the Council that they have 94 participants and 10 active volunteers at the Center that are Perry residents. She discussed some of the classes they offer including water coloring, silver sneakers and Spanish classes. She stated that they do Medicare counseling and help guide people through the process of health care for senior citizens. She also informed the Council that they are at a 20% increase from where they were last year with the Meals on Wheels program, delivering 163 meals. 25 years ago, there were only 2 routes with the most meals they delivered being 45. The volunteer program today has 17 routes. She discussed one of the biggest concerns for our senior citizens is isolation and how they try and prevent that. She also discussed malnutrition being another big issue for the seniors and that the meal program delivers a nutritious meal for them. She talked about the annual fundraiser coming up in March and that they raise nearly \$20,000 for Meals on Wheels. To qualify for Meals on Wheels services, participants need to be 60 years or older,

homebound or disabled. They are assessed by a social worker to see if there is truly a need. She distributed their newsletter with the menu and told the Council that they could go ride along with a volunteer any time if they wanted to participate in that.

ITEM 4: PUBLIC HEARING AND/ OR PUBLIC COMMENT

A. 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 Watkins, Yes Council Member Ostler, Yes
 Council Member Tueller, Yes Council Member Wright, Yes

Motion Approved. 4 Yes, 0 No.

B. ORDINANCE 19-L AMENDING THE PMC TO ALLOW FOR AND REGULATE CANNABIS PRODUCTS AND OPERATIONS

Attorney Bill Morris explained that voters approved Proposition 2, which allows for medical use of marijuana in Utah. The legislature took that law and modified it with senate bill 1002, which impacts municipalities. The proposition eliminates some zoning ability of the city. When the Legislature modified it, they allowed for a few things. Bill stated that he does not want to deviate from those modifications. He feels an obligation to protect the people of Perry City. He discussed that he worked with Bob Barnhill, City Planner, on where the residential zones are and informed the Council that the state law requires a primary residential zone, which the City designates in its medical cannabis regulations. State law restricts cannabis pharmacies or production sites from being located in or within 600 feet of those primarily residential. With input from Bob, the Council discussed the various commercial and industrial zones where these cannabis facilities could be located. Bill suggested that they should select one manufacturing and one agricultural zone for production and one manufacturing zone for pharmacies to comply with state law. This will make it so that the City is complying with state statute, but also protecting the City from these uses being allowed in any zone.

The Council designated following zones for production and manufacturing:

Use	Zone
Cannabis Production Establishment	A – Agricultural, M/I – Manufacturing
Medical Cannabis Pharmacy	M/I L – Manufacturing Limited

MOTION: Council Member Wright made a motion to approve ordinance 19 L amending the Perry Municipal Code to allow for and regulate cannabis products and operations with the zone changes indicated. Council Member Tueller seconded the motion.

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

Council Member Tueller, Yes

Council Member Wright, Yes

Motion Approved. 4 Yes, 0 No.

C. LOT LINE ADJUSTMENT KERR SUBDIVISION 2925 S HWY 89

Bob Barnhill displayed the property location and discussed the subdivision approval last year that created a small parcel for a pre-existing billboard. He discussed it being in the NC2 zone and informed the council that the property owner wanted the lot lines adjusted to go from 44 to 119 feet deep for more room and navigation on the property.

Jan Kerr, the property owner spouse, stated that since approval last year, they have decided that it may need more room for possible future needs if UDOT needed to expand the road, possible storage, or any other issues.

Council Member Ostler inquired if it was a legal non-conforming use and if it was an expansion of a legal non-conforming use. Bob explained that the use is not being changed since the billboard is not changing. If the billboard were to be increased in size, then it would be an issue.

MOTION: Council Member Wright made a motion to approve the lot line adjustment for the Kerr subdivision. Council Watkins seconded the motion.

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

Council Member Ostler, Yes
Council Member Wright, Yes

Motion Approved. 4 Yes, 0 No.

ITEM 6: DISCUSSION

A. BUDGET UPDATE

Shanna Johnson reviewed the Fiscal Year 2020 Budget Update for the month of December. She advised that 50% of the fiscal year has elapsed and 16% of General Fund revenue shows as collected, noting that this will increase upon receipt of property tax revenues, which should come in January. She reported that 51% of Utility Fund Revenues have been collected. Ms. Johnson stated that the Sewer Fund has received 48% of its revenues and reported that the City has collected 49% of non-operating revenues, which are comprised of impact and connection fees.

Ms. Johnson reviewed expenses stating that the General Fund has spent 32.5% of its budget. She reported that 56.9% of the Enterprise (Utility) Fund show expended and the Sewer Fund has spent 33.8% of its budget.

Ms. Johnson reported sales tax received for the month of December (which reflects taxes collected in October) came in 11.71% higher than the prior year and 10.77% YTD as compared to the prior year. She reviewed that Mass Transit Tax collected in December was 8.49% higher than the prior year and 12.53% higher YTD as compared to the prior year.

Ms. Johnson responded to a prior inquiry from the Council regarding the reasons for the 2019 Community Development budget increase, which included:

- Full year of City Planner vs. 3 months from prior year = \$43,449
- Mass Transit Tax increase = \$25,954
- Welcome Sign Grant = \$8,473
- Professional and Technical increase = \$5,300
- Increased Inspection fees = \$4,717

- 4th of July and Holiday Events = \$3,576
- Land Appraisal costs = \$2,200

B. TOURISM GRANT

Shanna explained that every year, Perry City has put in for money from the Box Elder County tourism board for different projects in the City. She discussed the standard grant that is for projects for over \$1000 or the smaller grants that are under \$1000. She asked the Council if they had any ideas of projects to ask the board for grant money and noted that the deadline for applications is on February 29th. Council Member Tueller asked if the money could be used toward parks and Shanna told him that it could. There was discussion about different project ideas. Shanna reminded the Council that it does have to be geared toward tourism and projects must be completed within one year. The grant money is awarded in April and the project would need to be completed by the next April.

ITEM 7: MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF CONSENT ITEMS

- **December 12, 2019 City Council Work Session Minutes**
Tabled
- **January 9, 2020 City Council Meeting Minutes**
Tabled

B. MAYOR REPORT

Mayor Jeppsen reported that he had met with a representative from My Discovery Destination who is rolling out a program to the schools in the County called Be Internet Awesome. This program is to help kids with being safe on the internet. He told the Council that there would be an opportunity to contribute to this program that would go toward banners that will be displayed at the schools and that he will send the Council an email with the information for them to look over.

He also discussed having attended the County Commission meeting with hopes of getting a decision on the request concerning the property tax at Pointe Perry: he reported they have not come to a decision yet.

He talked about the Box Elder News Journal reporting that Brigham City is making a proposal for a training safety center, and that it sounded like they were looking for surrounding communities to participate in that project. He is waiting for a directive from Chief Bott before further discussion on this item. The center would be for fire and police training.

C. COUNCIL REPORTS

Council Member Ostler said he had spoken with one resident that has interest in helping with July 4th and asked for more information of what the next step would be. It was discussed that there would need to be a meeting with those interested in helping with the 4th of July to form a committee and the administration could help direct that.

Council Member Watkins brought up the Perry City Youth Council. He proposed doing a \$400 budget to help with t-shirts, food, and activities. Shanna said that they would just need to do a budget amendment to add for that. They also discussed doing half of that amount for this year (since the fiscal year is half over).

Council Member Tueller reported on the sewer board meeting. He talked about gearing up for the budget for the sewer plant and some of the upcoming expenses including repairs, and dump trailer. He informed the Council that the Willard Bay park manager is looking into updating and

expanding their sewer system; however, Willard Bay is not interested in tying its sewer into the Willard/Perry wastewater plant.

D. STAFF COMMENTS

Bill Morris stated that the City is required to update Storm Water regulations by March 1st to avoid fines from DEQ. He is almost completed with the draft and will get that to Bob for review.

Bob discussed talking to Ryan Jackson about running softball to help with the July 4th celebrations, that he would work with Paul Nelson this year and plans to take over for Paul.

E. PLANNING COMMISSION REPORT

Jan Kerr gave a quick reminder about the design standards for multifamily being reviewed by Planning Commission. Julie Jones introduced herself as being new to the Planning Commission.

ITEM 6: EXECUTIVE SESSION

None

ITEM 7: ADJOURNMENT

MOTION: Council Member Wright made a motion to adjourn the City Council Meeting.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 8:17 PM.

Susan Obray, City Recorder

Kevin Jeppsen, Mayor

Shanna Johnson, Chief Deputy Recorder