

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

**CITY STAFF PRESENT:** Shanna Johnson, Chief Deputy Recorder  
Bob Barnhill, City Planner and Office Manager  
Ryan Arbon, Chief of Police  
James Dunkelberger, City Attorney Representative

**OTHERS PRESENT:** Joseph Bach, Kent Jepsen, Mike Young, Barbara Pincombe, Greg Hansen, and Randy Matthews

**ITEM 1: CALL TO ORDER**

Mayor Jeppsen called the City Council meeting to order.

**A. INVOCATION**

Council Member Watkins offered the invocation.

**B. PLEDGE OF ALLEGIANCE**

Mayor Jeppsen 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 Tueller seconded the motion.

**ROLL CALL:** Council Member Montgomery, Yes      Council Member Wright, Yes  
Council Member Taylor, Yes                      Council Member Tueller, Yes  
Council Member Watkins, 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. APPOINTMENT- SEWER FACILITY BOARD**

Mayor Jeppsen stated he would like to propose the reappointment of Greg Hansen to the Sewer Facility Board.

**MOTION:** Council Member Montgomery made a motion to reappoint Greg Hansen to the Sewer Facility Board. 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 Watkins, Yes

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

**D. BUSINESS LICENSE(S)**

• **Mirrored Images- Barbara Pincombe**

Barbara Pincombe expressed her excitement to be part of this community and hopes the Council will approve her business license today.

Bob Barnhill reviewed the public hearing regarding this license which is for Ms. Pincombe to do massage therapy out of her home. He explained the seller of the home to Ms. Pincombe believes that any concerns of the neighbors are founded on misunderstandings and that this business will have unnoticeable impact on the traffic in the area.

Mr. Barnhill noted this application meets the City Codes and was given the HOA's support. He stated there were several neighbors who opposed this application and he reviewed the concerns listed by the public members. He explained that the Planning Commission recommended this application for approval with the fire marshal's punch list being completed (the applicant currently does not own the home and cannot complete the list until she has ownership.)

Council Member Taylor inquired about the traffic coming to her home.

Ms. Pincombe stated it would be one car at a time and they would park in her driveway. She stated it would be no different from someone coming to visit her. She stated she has closed on the home at this time.

**MOTION:** Council Member Tueller made a motion to approve the business license for Mirrored Images. 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 Watkins, Yes

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

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

**A. PUBLIC HEARING REGARDING ORDINANCE 18-D ADOPTING A COMPENSATION SCHEDULE FOR STAFF INCLUDING STATUTORY/APPOINTED OFFICIALS AND AMENDING THE MUNICIPAL CODE PERTAINING TO ELECTED AND STATUTORY/APPOINTED OFFICIALS COMPENSATION**

Mayor Jeppsen opened the public hearing portion of the meeting.

Shanna Johnson reviewed what Ordinance 18-D includes and stated the City is seeking feedback from the public regarding updating the compensation for Staff including Statutory and Elected Officials.

No public comment received.

Mayor Jeppsen closed the public hearing portion of the meeting.

**B. PUBLIC COMMENT**

Kent Jensen stated he is concerned about the final approval of the Suncrest Subdivision Phase 3. He explained he does not feel the building codes are sufficient in regards to secondary access roads in this area. He reviewed the Box Elder County Codes in regards to secondary access roads. He explained this subdivision currently has one access road and there are over 90 approved lots which is far and above the County limit. He proposed a solution to grant an approval only if the developer includes extending 100 W to 200 S which would create a secondary access road for this area.

No other comment received.

**ITEM 4: ACTION ITEMS**

**A. APPROVAL OF THE WARRANTS**

The Council and Staff discussed and clarified the warrants.

**MOTION:** Council Member Montgomery made a motion to approve the warrants. 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 Watkins, Yes

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

**B. RESOLUTION 18-04 ADOPTING A FINAL FISCAL YEAR 2018-2019 PERRY CITY BUDGET AND COMPENSATION PLAN**

Shanna Johnson clarified this compensation plan does not include Ordinance 18-D which will be a separate action item at the next meeting. She clarified a mistake written in the Box Elder News Journal regarding the FY2018-2019 Perry City Budget. She reviewed the updates which have occurred since their last meeting in regards to the FY 2018-2019 Perry City Budget, explaining that the Certified Tax Rate revealed that the City will receive \$4,843 more in property tax than was originally projected. She stated this has been added to revenues and expenses.

**MOTION:** Council Member Taylor made a motion to approve Resolution 18-04. 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 Watkins, Yes

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

**C. RESOLUTION 18-05 AMENDING THE FISCAL YEAR 2017-2018 PERRY CITY BUDGET**

Shanna Johnson stated there have been no changes since the last public hearing. She stated they are trending to stay within the presented budget plan.

**MOTION:** Council Member Montgomery made a motion to approve Resolution 18-05. 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 Watkins, Yes

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

**D. RESOLUTION 18-06 ADOPTING THE CERTIFIED TAX RATE AS THE FINAL TAX RATE FOR TAX YEAR 2018/ FISCAL YEAR 2019**

Shanna Johnson stated they are accepting the Certified Tax Rate which has been assigned to the City by the County Assessor and State Tax Commission.

**MOTION:** Council Member Watkins made a motion to approve Resolution 18-06 adopting the Certified Tax Rate as the Final Tax Rate for Tax Year 2018/ Fiscal Year 2019. 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 Watkins, Yes

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

**E. FINAL APPROVAL OF SUNCREST SUBDIVISION PHASE 3**

Bob Barnhill reviewed and clarified this application with the Council. He stated the comments given by City Engineer, Brett Jones have been incorporated by the applicant.

Mr. Barnhill reviewed the public hearing comments with the Council regarding this application (secondary access roads, storm and irrigation water, etc.)

He reviewed a new concern given by the City Engineer which regards installing a new water line which was damaged by the developer and repaired, however, the repair does not meet City standards. He stated the developer has agreed to this replacement of this damaged section of the water line.

The Council and Staff discussed and clarified the current Subdivision Code and the need for it being updated.

The Council and Staff discussed the planned secondary access road for this area.

Fire Marshall Mike Young highly recommended the City follow the County Codes regarding secondary access roads (which states that a secondary access road is needed per 30 lots). He stated he believes there are currently 90 lots plus the proposed lots with this phase which could be very hazardous for those needing to evacuate if a fire were to occur in this area. He clarified for the Council what the definition of an access road is.

Fire Chief Joseph Bach recommended sending this item back for review to the Fire Marshall and not approving it tonight.

Council Member Taylor inquired when the Fire Marshall Office was made aware of this situation.

Chief Bach stated around two months ago it was brought to their attention by the public member Kent Jensen. He stated they were not aware that the Planning Commission was reviewing this item or they would have attended those meetings.

Greg Hansen (representative of the applicant) proposed a way to give a secondary access road to this area would be by updating the dirt road with gravel. He hoped with this option the Council would not table this item for another month.

The Council and Staff discussed this option and it was established that this road is private property and therefore, could not be used for this purpose.

**MOTION:** Council Member Montgomery made a motion to follow the Fire Marshall's recommendation by sending this item back for their review and then have it be brought back for the Council's review with the Fire Marshall's recommendation for approval. Council Member Watkins seconded the motion.

**MOTION WITHDRAWN**

**MOTION:** Council Member Watkins made a motion to table the Suncrest Subdivision Phase 3. Council Member Montgomery seconded the motion.

**ROLL CALL:** Council Member Montgomery, Yes      Council Member Wright, No  
Council Member Taylor, Yes                      Council Member Tueller, No  
Council Member Watkins, Yes

**Motion Approved. 3 Yes, 2 No**

**ITEM 5: DISCUSSION ITEMS**

**A. ORDINANCE 18-D ADOPTING A COMPENSATION SCHEDULE FOR STAFF INCLUDING STATUTORY/ APPOINTED OFFICIALS AND AMENDING THE MUNICIPAL CODE PERTAINING TO ELECTED AND STATUTORY/APPOINTED OFFICIALS COMPENSATION**  
No discussion.

**B. CODE ENFORCEMENT**  
Chief Arbon stated his recommendation of code enforcement by recommending the hiring of a part time employee who is part of the Police Department but is not a police officer. He explained it could also be a means of retention, by having someone start in code enforcement and then move into law enforcement.

Bob Barnhill reviewed his experiences thus far with code enforcement in the City and how the Council would like to move forward with the current codes.

The Council and Staff discussed and clarified the current codes regarding code enforcement and the best manner of enforcing them.

**C. SMITH AND EDWARDS RANGE DAY**  
Mayor Jeppsen stated he has contacted the Chief RSO and the Smith and Edwards representative and everything is looking good. He said the event takes place this Saturday.

Council Member Taylor inquired about posting that the range is closed for the event.

Shanna Johnson stated they would post this online.

**D. FOURTH OF JULY: COMMUNITY AWARDS AND EVENTS**

Shanna Johnson reviewed the current status of getting ready for the Fourth of July. She asked the Council to donate a Bingo basket.

The Council and Staff discussed and reviewed the various events at the 4<sup>th</sup> of July and how to best prepare them this year.

Shanna Johnson asked the Council to get her any nominations they have for the Community Awards.

The Council thanked Ms. Johnson for all her work in helping put this celebration together.

**E. FIREWORKS RESTRICTIONS**

Fire Marshall Mike Young gave a presentation on the recommendations of the Fire Marshall Department fire restrictions in Perry City this year (See attached Firework Restriction Map).

The Council and Staff discussed these fire restrictions recommendations and how best to enforce them in the City.

The Council and Staff decided to take action on a drafted resolution of the discussed firework restrictions at the next meeting.

Shanna Johnson inquired of the Fire Marshall ideas on fire prevention projects.

Fire Marshall Young stated he would gladly work with the City on putting together a list of ideas for fire prevention projects.

**F. BOX ELDER COUNTY FAIR COMMUNITY BOOTH**

Shanna Johnson stated a Council Member needs to assist community member Scott Nelson with this booth. Council Member Watkins stated he would be willing to aid Mr. Nelson with the booth.

**ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS**

**A. APPROVAL OF CONSENT ITEMS**

Shanna Johnson reviewed corrections she received from Council Member Montgomery which have been incorporated.

- **May 10, 2018 City Council Meeting Minutes**
- **May 24, 2018 City Council Meeting Minutes**

**MOTION:** Council Member Montgomery made a motion to approve the May 10, 2018 City Council Meeting Minutes and the May 24, 2018 City Council Meeting Minutes with corrections. 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 Watkins, Yes

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

**B. MAYOR'S REPORT**

Mayor Jeppsen reviewed with the Council the pavement repairs in the City Building Parking Lot and the repair of the air conditioner and furnace in the City Building.

**C. COUNCIL REPORTS**

Council Member Montgomery reported the CERT Team been doing inventory.

Council Member Watkins stated he desired to get more information on the option of an RFP with Geneva for a cemetery.

Council Member Wright inquired about the operation times of the Green Waste Facility.

Mayor Jeppsen clarified the reasoning behind the operation times for the Green Waste Facility (Public Works Department cannot man it every weekend during summer with current staffing).

The Council and Staff discussed the current needs for the Perry City signs project.

**D. STAFF COMMENTS**

Shanna Johnson thanked the Council for all their support through this Budget and Compensation process.

**E. PLANNING COMMISSION REPORT**

None

**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, STRATEGY SESSION TO DISCUSS THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL, AND STRATEGY SESSION REGARDING PENDING, OR REASONABLY IMMINENT LITIGATION.**

**MOTION:** Council Member Montgomery made a motion to close the regular meeting and open the Executive Session regarding Item 8A (Discussion of purchase, exchange, lease, or sale of real property), 8B ( Strategy session to discuss the character, professional competence, or physical or mental health of an employee, and Item 8D (Strategy session regarding pending, or reasonably imminent litigation). Council Member Tueller seconded the motion.

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

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

**The Regular Meeting Closed at 9:23pm**

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

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

**The Regular Meeting reopened at 10:00pm**

**ITEM 8: ADJOURNMENT**

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

**Motion Approved.** All Council Members were in favor.

The meeting adjourned at 10:01 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