

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

OFFICIALS EXCUSED: Nathan Tueller

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

OTHERS PRESENT: Kevin Jepsen, Chris Gemar, Dawson Krager, Travis Green, Andy Low, Nelson Phillips, Bruce Baird, and Geoff Joonsten

ITEM 1: CALL TO ORDER

Mayor Cronin called the City Council meeting to order.

A. INVOCATION

Council Member Wright 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 Wright, Yes Council Member Lewis, Yes
Council Member Taylor, Yes
Council Member Montgomery, 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)

- **Underground Solutions LLC**

Mayor Cronin invited the applicant Chris Gemar to address the Council. She stated his application is for a non-visiting clientele business.

Chris Gemar stated his business was founded 5 years ago in Roy and they are now desiring to expand to Perry. He explained they are an underground utility company and stated he will be based in the Gallegos Construction Building here in Perry.

MOTION: Council Member Lewis made a motion to approve the business license for Underground Solutions LLC. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Lewis, Yes
Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

Mayor Cronin highlighted how successful the Smith & Edwards Range Day went. She explained there was an impressive turn out of an estimated 250 people. She stated there was a lot of positive feedback received from those attending.

Mayor Cronin noted the Guns & Grips Invitational was well attended by numerous Government officials. She said on Monday morning the City received a call from a gentlemen who attended the Guns N' Grips Invitational and the land purchase the City has been working on is now moving forward.

Mayor Cronin recognized Smith & Edwards for their willingness to partner with the City in helping make both events so successful.

ITEM 3: PUBLIC HEARING AND/ OR PUBLIC COMMENT

A. Public Comment

Boyd Montgomery stated he has two concerns, the first regarding having more street lights installed on 1200 West for safety reasons. The second concern regarded the property he owns on 1200 West, Mr. Montgomery said he needs to speak with the City Engineer.

Mr. Montgomery also stated he is not related to Council Member Esther Montgomery.

ITEM 4: ACTION ITEMS

A. APPROVAL OF THE WARRANTS

Mayor Cronin noted that the steel building chosen to be installed out at the gun range has been approved and needs to be invoiced in this fiscal year. She stated the amount would be \$16,686.57 and explained she is bringing this to the Council for preapproval. She said it has been budgeted out in this fiscal year's budget.

Council Member Lewis inquired what the budgeted amount for this project was.

Shanna Johnson stated she believed it was in the \$16,000 range and \$8,000 of this amount comes from a grant from the Tax and Tourism.

MOTION: Council Member Taylor made a motion to approve the warrants with preapproval for \$16K Metal Building. Council Member Lewis seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Lewis, Yes
Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

B. ORDINANCE 17-A CODE ENFORCEMENT

Mayor Cronin inquired if the Council had any feedback regarding this proposed ordinance after reviewing it. The Council praised the efforts of those who have worked on this proposed ordinance.

Mayor Cronin explained the process of this proposed ordinance from a flow chart from the Task Force Members to the written document. She recognized the Task Force Members: Brandon Hansen, Devin Miles, Randy Matthews, Bruce Whiting, Blake Ostler, and Ben Ashcroft. She also noted City Attorney, Craig Hall (who used the flow chart to create the first draft of the proposed ordinance), as well as Greg Westfall, Blake Ostler, and herself (who used this first draft to build the presented proposed ordinance with finishing touches by Craig Hall).

Council Member Lewis inquired if the Administrative side of this ordinance is ready for implementation once the ordinance is in place.

Mayor Cronin explained the City will need to update the fee schedule for the Administrative side of this ordinance.

Council Member Wright inquired how the City will keep this ordinance as a reactive code enforcement.

Mayor Cronin stated she felt it would be a time element and explained the City has already been notified by the Fire Marshall of a few locations which are a fire hazard.

Council Member Wright stated he thought complainants should have to put their name on the complaint and worried about lawsuits, arguments, etc. arising between neighbors.

Shanna Johnson said in her experience often times it is better for the complaint reporter to remain anonymous, otherwise, arguments and other issues tend to arise between neighbors.

Greg Westfall explained that just because the City receives a complaint about a resident does not mean that that resident is out of compliance. He stated this simply allows the City to investigate the complaint and see if the resident is out of compliance and to enforce the matter if they are out of compliance.

Mayor Cronin stated this document is built to guide noncompliant residents to compliance. However, she continued, the fee amount is there for those who refuse to comply.

Council Member Montgomery reviewed her suggestions and feedback with the Council.

The Council and Staff discussed and expounded upon these suggestions and decided to use those they found to be in the best interest of the City.

MOTION: Council Member Lewis made a motion to approve the Ordinance 17-A with discussed edits. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Lewis, Yes

Council Member Taylor, Yes

Council Member Montgomery, Yes

Motion Approved. 4 Yes, 0 No.

C. ORDINANCE 17-E GRAVEL PITS

Mayor Cronin stated that City Attorney, Craig Hall, informed her there are some grammatical issues with the document which need to be adjusted. She explained that she would turn the time over to Mr. Hall as well as Bruce Baird (Geneva Representative).

Mr. Hall explained he met with Mr. Baird and Mr. Baird expressed some concerns Geneva has with some of the wording and language in the proposed Ordinance 17-E.

Mr. Hall explained he has made the condition with Mr. Baird that if (due to these concerns) the City is to exceed the expiration date of the Moratorium then Geneva Rock must wait a substantial amount of time before applying to do a Phase 2 of the gravel pit.

Mr. Hall reviewed the language and wording concerns from Geneva and then asked if the Council would move this item from the agenda tonight until these concerns can be addressed. Mr. Hall assured the Council that none of the concerns were substantial but still needed to be adjusted.

Bruce Baird reiterated what Mr. Hall has expressed. Mr. Baird said he feels the City and Geneva can come to an agreement on the wording and language. He thanked Mr. Hall for meeting with him and stated Geneva will agree to this standstill agreement with a 30 day written agreement if either party decides to terminate the standstill agreement.

Mr. Hall inquired the time period since the moratorium is expiring.

Mr. Baird stated he believed a 45-60 day time frame would suffice for the matter to be resolved. He reminded the Council that there are a few Holidays to consider in this time period but he felt that timeframe would suffice.

Mr. Baird stated in his meeting with Mr. Hall they were able to discuss the majority of the concerns and come to an understanding on both entities perspectives on said concerns. He stated he hoped to have everything ready for the Council by early September.

MOTION: Council Member Montgomery made a motion to agree to the mutual standstill agreement with Geneva with the 30 day written option for either party to terminate the standstill agreement. Council Member Taylor seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Lewis, Yes
Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

D. ORDINANCE 17-F ADOPTING THE REVISED TRANSPORTATION & TRAFFIC CIRCULATION ELEMENT PLAN

Greg Westfall presented the Transportation & Traffic Circulation Element Plan to the Council. He explained upon further investigation, it has been discovered that a planned road placement is geographically impossible to be placed for a planned subdivision. Mr. Westfall stated the City Engineer has looked this over and created a plan to move the road placement to a realistic location. However, he continued, due to this change it will no longer connect to the Maple Springs Subdivision as was originally planned.

Mr. Westfall stated this was the only change to the Transportation & Traffic Circulation Element Plan.

Mayor Cronin commented that the road would need to be curved rather than have the noted hard 90 degree turns.

Mayor Cronin stated this has come to the Council upon recommendation from the Planning Commission.

Council Member Taylor noted a grammatical change.

MOTION: Council Member Montgomery made a motion to adopt Ordinance 17-F, adopting the revised Transportation and Traffic Circulation Element Plan with grammatical adjustment. Council Member Wright seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Lewis, Yes
Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

E. RESOLUTION 17-19 APPROVING A CERTIFIED TAX RATE FOR TAX YEAR 2017

Shanna Johnson explained the certified Tax Rate can fluctuate based on the spending power of the dollar at that point in time (inflation) and allows for new growth. She explained approving this Certified Tax Rate is approving the current rate for the spending power of the dollar in 2017. She reiterated this is not a tax increase. She stated the current tax rate from the County Auditor is 0.002377 which will generate \$616,652 of revenue in the General Fund.

Mayor Cronin explained it is this amount which the City Budget was based on.

MOTION: Council Member Lewis made a motion to approve Resolution 17-19 the Certified Tax Rate for Tax Year 2017. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Lewis, Yes
Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

Mayor Cronin recognized the Boy Scouts in attendance who are working on their Citizenship in the Community and Communication merit badges. She presented each Boy Scout with a Perry City pin: Collin Hadfield, Keaton Hadfield, Dawson Krager, and Travis Green.

F. RESOLUTION 17-20 ADOPTING FIREWORK RESTRICTIONS

Mayor Cronin explained in the last three years the City has been advised by Fire Chief Bach to set restrictions on fireworks in this area. She stated in the past two years they have restricted fireworks east of Highway 89 and that is the recommendation for this year's restriction as well.

Council Member Taylor inquired what the enforcement policy will be for those who violate this restriction.

Mayor Cronin explained the Police Officers will inform the residents of the restrictions, if after being informed the restriction continues to be broken the officer can cite those breaking the restriction. She stated there were no citing's last year.

Greg Westfall stated he received a phone call from a public member who desired for this restriction to be made permanent in the City.

The Council felt this was a good idea and would be addressed further in a later meeting.

Craig Hall advised instead of citing violators having the officers make sure the illegal fireworks are destroyed so they cannot be used at a later time.

MOTION: Council Member Lewis made a motion to approve Resolution 17-20 with the specification that anything east of Highway 89 is a firework restricted area. Council Member Wright seconded the motion.

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

Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

G. RESOLUTION 17-21 AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT WITH THE DIVISION OF NATURAL RESOURCES WILDLIFE MANAGEMENT

Mayor Cronin explained the State has put in place a program which states if a city does a certain amount of fire prevention, and a fire spreads on State land from City land, and the State needs to step in to assist the State will not charge for their services. She stated the State wants the cities to use the money they would've used to pay them for their services for fire prevention in their area.

Mayor Cronin stated the amount for Perry is \$3,931 and the City has budgeted \$5,000 for this fire prevention.

MOTION: Council Member Taylor made a motion to approve Resolution 17-21. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Lewis, Yes
 Council Member Taylor, Yes
 Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

H. REOLTUION 17-22 AUTHORIZING THE MAYOR TO SIGN AN ANIMAL CONTROL SERVICE AGREEMENT WITH BRIGHAM CITY

Mayor Cronin explained this the same agreement the City has had with Brigham City for the last two years and this is allowing that agreement to continue as it expires this year.

MOTION: Council Member Wright made a motion to approve Resolution 17-22. Council Member Taylor seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Lewis, Yes
 Council Member Taylor, Yes
 Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

I. RESOLUTION 17-23 AUTHORIZING THE MAYOR TO SIGN A LETTER OF COMMITMENT TO PARTICIPATE IN THE BEAR RIVER REGION MULTI-JURSIDICITONAL HAZARD MITIGATION PLANNING PROCESS

Mayor Cronin explained this allows the City to plan for mitigation of hazards in the area and enable the City to plan for FEMA funds if anything were to happen in this area.

Craig Hall explained this is a 5 year agreement and the plan has to be updated on a two year basis.

MOTION: Council Member Wright made a motion to approve Resolution 17-23. Council Member Taylor seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Lewis, Yes
 Council Member Taylor, Yes
 Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

J. RESOLUTION 17-24 AUTHORIZING THE MAYOR TO SIGN A LEASE AGREEMENT WITH UTAH STATE DIVISION OF FORESTRY, FIRE, AND STATE LANDS FOR LANDS NORTH AND WEST OF THE THREE MILE CREEK SHOOTING SPORTS COMPLEX

Mayor Cronin explained this takes the current lease the City has for the gun range and extends it for two and a half years.

MOTION: Council Member Taylor made a motion to approve Resolution 17-24. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Lewis, Yes
Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

K. APPROVAL TO OPEN A REQUEST FOR PROPOSAL (RFP) PROCESS FOR RIGHT-OF-WAY ACQUISITION SERVICES

Mayor Cronin explained the City has received funding from the County Corridor Preservation Fund right of way access purchase of land. She stated going out for RFP is a step in the process.

MOTION: Council Member Wright made a motion to approve Resolution 17-17. Council Member Lewis seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Lewis, Yes
Council Member Taylor, Yes
Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

ITEM 5: DISCUSSION ITEMS

A. 4TH OF JULY

Mayor Cronin reviewed this year's City award recipients: Grand Marshall-John and Ione Baxter, Citizen of the Year- Blake Ostler, Business of the Year- Rusted Spoon, Boyd White Service Award- Chuck Woolums, and Mayor's Award- Perry City First Responders. She stated all those recipients have accepted their awards and the 27th will be the night of the dinner at 6:30pm at the USU building to celebrate their award.

Mayor Cronin explained the three tier system the City used this year to encourage business sponsors and how it has resulted in the City receiving more sponsors than they have in the past.

Mayor Cronin reviewed the 4th of July events with the Council.

ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF CONSENT ITEMS

- **June 8, 2017 City Council Meeting Minutes**
Tabled.

B. MAYOR'S REPORT

Mayor Cronin presented the official certificate for the Perry City First Responders. She stated they are up and running. She stated Bryan Moser is the Chief, Jason Ship is the Assistant Chief, Cami Brewer is the Medical Trainer, Monica Taylor is the Secretary, and Holly Matthews is the Treasurer. Mayor Cronin reported there are 15 QRU members all together.

C. COUNCIL REPORTS

- D.** None.

E. STAFF COMMENTS

Craig Hall reminded that for the month of July he will not be here and his associate, James Tracy, will be providing the legal services for Perry City.

F. ITEMS FOR NEXT CITY NEWSLETTER

- QRU Officers

ITEM 7: EXECUTIVE SESSION: DISCUSSION OF THE PURCHASE, EXCHANGE, LEASE, OR SALE OF REAL PROPERTY AND STRATEGY SESSION REGARDING PENDING, OR RESONABLY IMMINENT LITIGATION

MOTION: Council Member Lewis made a motion to close the Public Meeting and go into an Executive Session to discuss purchase, exchange, lease, or sale of real property and strategy session regarding pending, or reasonably imminent litigation. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
 Council Member Lewis, Yes
 Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

The regular meeting closed at 8:43 pm.

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

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
 Council Member Lewis, Yes
 Council Member Montgomery, Yes
Motion Approved. 4 Yes, 0 No.

The regular meeting reopened at 9:06 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 9:06 PM.

Susan Obray, City Recorder

Karen Cronin, Mayor

Shanna Johnson, Chief Deputy Recorder