

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

OFFICIALS EXCUSED: Toby Wright

CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder  
Robert Barnhill, City Planner  
Scott Hancey, Chief of Police

OTHERS PRESENT: Todd Meyers and Jan Kerr

**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 Watkins seconded the motion.

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

None.

**D. APPOINTMENTS:**

- **City Attorney and Prosecuting Attorney**  
Tabled.

- **Flood Control Board**

Mayor Jeppsen initially tabled this item and then revisited it later in the meeting.

Mayor Jeppsen presented Tyler Wagstaff as a member of the Flood Control Board.

**MOTION:** Council Member Taylor made a motion to approve the nomination of Tyler Wagstaff as a member of the Flood Control Board. Council Member Tueller seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

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

#### **A. PUBLIC HEARING REGARDING ORDINANCE 18-E AMENDING THE PMC REGARDING BUSINESS LICENSING, APPEAL AND VARIANCE AUTHORITIES, AND OTHER GENERAL LAND USE CODES RESOLUTION**

Mayor Jeppsen opened the public hearing portion of the meeting.

Robert Barnhill stated this ordinance revises the City's Business License process. He stated the City Attorney advised adjusting this code so that the variance and appeal authority would shift to a hearing officer instead of the Special Appeals Board.

Mr. Barnhill reviewed the major changes which include:

- Administrative Staff being able to approve business licenses
- Business License Requirements condensed and reworked
- Reorganizing the Business License Ordinance definitions into one place
- Appointing a Hearing Officer in lieu of the Special Appeals Board
- Defining Allowable Home Based Businesses

The Council and Staff discussed the list of allowable home based businesses and how that would affect those businesses which are not on the list. The Council and Staff discussed the idea of restricting business licenses to a list and whether or not that would best option for the City moving forward.

No public comment received.

#### **B. PUBLIC HEARING REGARDING ORDINANCE 19-B AMENDING THE PMC REGARDING SIGN REQUIREMENTS IN THE IC ZONE**

Robert Barnhill stated this ordinance is proposing to amend the sign requirements for interstate commercial (Pointe Perry area). He stated this was brought to the City's attention by Maverik, who are requesting a larger sign than is currently allowed.

He stated the proposal is to increase height from 50 ft. to 110 ft. and copy area from 350 sq. ft. 1525 sq. ft. with the option to include a three faced sign. He stated this has been reviewed by the Planning Commission.

Todd Meyers, representative of Maverik, expressed his appreciation to Mr. Barnhill for assisting them through this application. He stated he would like to add to Mr. Barnhill's comments that this amendment is only applicable to this specific zone, Interstate Commercial Zone, and will not affect other Commercial Zones in the City.

No other public comment received.

Mayor Jeppsen closed the public hearing portion of the meeting.

**C. PUBLIC COMMENTS**

No public comment received.

**ITEM 4: ACTION ITEMS**

**A. APPROVAL OF THE WARRANTS**

The Council and Staff discussed and clarified the current warrants.

**MOTION:** Council Member Tueller made a motion to approve the warrants. Council Member Watkins seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**B. ORDINANCE 18-E AMENDING THE PMC REGARDING BUSINESS LICENSING, APPEAL AND VARIANCE AUTHORITIES, AND OTHER GENERAL LAND USE CODES RESOLUTION**

Council Member Tueller stated he has concerns restricting the home based businesses to a list format. He also stated that when there is a public hearing on an item he would like to take action on the item at the next meeting, especially if there is a lot of public comment given which needs to be taken into account.

Robert Barnhill stated that usually the public hearing takes place at the Planning Commission level, but that for this item they missed the timeline to have it posted in the Newspaper.

Council Member Watkins stated he felt that because this can always be amended and he did not feel that it was a problem to have the allowable home based business list.

The Council and Staff discussed whether or not using this allowable home based businesses list is in the best interest of the City moving forward.

**MOTION:** Council Member Tueller made a motion to table Ordinance 18-E until the next meeting. Council Member Watkins seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**C. RESOLUTION 19-B AMENDING THE PMC REGARDING SIGN REQUIREMENTS IN THE IC ZONE**

Robert Barnhill re-reviewed the proposal and expounded on the sign sizes and square footage on a 3 faced signs, stating that one business gets 700 sq. ft. for their sign, an additional business gets 1100 sq. ft. and another business would add 400 sq. ft. He gave the example of Maverik because they have a Dairy Queen located at their facility and so they qualify for the larger square footage.

The Council and Staff discussed the reasoning behind the square footage and height for these new signs and if they were in the best interest of Perry City.

Mr. Barnhill reviewed with the Council the history behind the current sign restrictions in this area. He explained that they regard a wetland mitigation which originally required these

restrictions, however, this wetlands permit has dissolved—making the restrictions unnecessary for Pointe Perry.

The Council came to the consensus that they felt these measurements would be appropriate for this specific zone.

**MOTION:** Council Member Taylor made a motion to approve Resolution 19-B. Council Member Tueller seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**D. RESOLUTION 19-05 AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS TO PURCHASE TRANSPORTATION RIGHT OF WAYS**

Robert Barnhill explained that at the last meeting the Council approved the Mayor to sign a contract for a specific parcel on 1200 W. He stated that there are going to be many of these contracts moving forward and this resolution would allow the Mayor to sign these as they come up, with the following stipulations:

- When all funds are provided by the County or received as a grant.
- All funds are approved in the current Fiscal Year Budget.
- Purchase price is not greater than the appraisal value.

**MOTION:** Council Member Taylor made a motion to approve Resolution 19-05. Council Member Montgomery seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**E. RESOLUTION 19-06 AMENDING THE PERRY PERSONNEL POLICIES REGARDING BENEFITS INCLUDING RETIREMENT BENEFITS**

Shanna Johnson stated that the City was audited in February by Utah Retirement Systems and they discovered that the City needs to have a section amended to outline retirement systems, especially in regards to elected officials.

She stated they had to categorize the elected officials as part-time or fulltime. She reviewed the adjustments to these benefits and stated that part-time elected officials are ineligible for retirement benefits.

She stated that much of the wording for this amendment they pulled from Utah Retirement Systems and from other cities.

She then reviewed with the Council the Retirement Systems for City Employees.

She stated the Retirement System is split into a two tier system, and both elected officials and City Staff must meet the qualifications for those tiers to qualify for benefits.

**MOTION:** Council Member Watkins made a motion to approve Resolution 19-06. Council Member Taylor seconded the motion.

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

Council Member Tueller, Yes

Council Member Watkins, Yes

**Motion Approved.** 4 Yes, 0 No.

**F. MOTION TO AUTHORIZE THE MAYOR TO EXECUTE CONTRACTS FOR CITY LEGAL SERVICES (CIVIL AND PROSECUTION)**

Tabled.

**G. FINAL APPROVAL OF SITE PLAN FOR MAVERIK LOCATED AT 1674 W 1100 S PERRY UT.**

Tabled.

**H. FINAL APPROVAL OF SITE PLAN FOR LEADING TECH SHOP LOCATED AT 1983 S HWY 89 PERRY, UT**

Tabled.

**ITEM 5 MINUTES & COUNCIL/MAYOR REPORTS**

**A. APPROVAL OF CONSENT ITEMS**

- February 28, 2019 City Council Meeting Minutes
- February 28, 2019 Work Session Meeting Minutes

**MOTION:** Council Member Taylor made a motion to approve the February 28, 2019 City Council Meeting Minutes and February 28, 2019 Work Session Meeting Minutes. Council Member Watkins seconded the motion.

**ROLL CALL:** Council Member Taylor, Yes  
Council Member Tueller, Yes

Council Member Montgomery, Yes  
Council Member Watkins, Yes

**Motion Approved.** 4 Yes, 0 No.

**B. MAYOR'S REPORT**

Mayor Jeppsen stated he would like to revisit Item 2D and propose the appointment of Tyler Wagstaff to the Flood Control Board. The Council approved this appointment (see Item 2D).

Mayor Jeppsen stated he attended the County Chambers of Commerce meeting which centered on the economic development of the County. He stated he was given an opportunity to share some of his thoughts on Perry's goal to add to the economic development of the County.

Mayor Jeppsen stated the RSO's at the gun range are wanting to add to the Goldenspike Celebration by holding a special match out at the gun range in May.

**C. COUNCIL REPORTS**

Council Member Tueller stated that the Council needs to approve Josh Braegger as the Joint Member on the Sewer Board. He reviewed the terms of board members and the bylaws regarding the Chairman and Vice Chairman appointments.

Council Member Watkins stated he would like to get to know the First Responders better and learn their system better.

Council Member Watkins stated that Dennis Hershey said he has been going through his father's belonging and has found many historical artifacts and documents about Perry City. He inquired if the City would be interested in going through these documents.

The Council and Staff agreed it would be a wonderful opportunity to look through these items.

**D. STAFF COMMENTS**

Chief of Police Scott Hancey stated he needs to have a head count of the Council Members who would like to attend the training he invited them to in April.

He said that both Maverik and Walmart are in compliance with alcohol checks.

Robert Barnhill stated there is a conflict with the April meeting because he and the Mayor will be at the Utah League of Cities and Towns Conference.

Mayor Jeppsen asked that the next agenda include an action item regarding this meeting.

**E. PLANNING COMMISSION REPORT**

Commissioner Jan Kerr reviewed the items that were tabled at the Commission meeting due to missing documentation. She stated that three of the Commissioners will be attending a Joint 1100 South Advisory Board Meeting which they were invited to attend by Brigham City. She reviewed the process the Commission is currently working on in updating the City Codes.

**ITEM 7: EXECUTIVE SESSION**

**MOTION:** Council Member Tueller made a motion to close the regular meeting and open the Executive Session regarding 8A (discussion on purchase, exchange, lease, or sale of real property) and 8B (strategy session to discuss the character professional competence, or physical or mental health of individual). Council Member Taylor seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**The Regular Meeting Closed at 8:23 PM.**

**MOTION:** Council Member Tueller made a motion to close the Executive Session and reopen the Regular Meeting. Council Member Taylor seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**The Regular Meeting Reopened at 9:06 PM.**

**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 9:07 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