

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Council Member Toby Wright, Council Member Nathan Tueller, Council Member Blake Ostler, Council Member Watkins, and Council Member Esther Montgomery.

OFFICIALS ABSENT: None.

CITY STAFF PRESENT: Robert Barnhill, City Administrator
Shanna Johnson, City Recorder
Scott Hancey, Chief of Police
Tyler Wagstaff, Public Works Director
Bill Morris, City Attorney

OTHERS PRESENT: Bryan Loveless, Nelson Phillips, Melanie Barnhill

ITEM 1: CALL TO ORDER

Mayor Jeppsen called the electronic City Council meeting to order. The Mayor read the statement from the CDC and Utah Department of Health regarding electronic meetings: The CDC and Utah Department of Health have declared a national and state pandemic for COVID-19 where social distancing and other requirements are in place to prevent the spread of this infectious disease.

ITEM 2: PROCEDURAL ISSUES

A. Conflict of Interest Declaration

None.

ITEM 3: ACTION ITEMS

A. Approval of Warrants

The Council reviewed and discussed the warrants.

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

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

Motion Approved. 5 Yes, 0 No.

B. Ordinance 21-B Zone Change from R1A to R1/3 for Omni Development LLC. Property Address: Approximately 122 W 2000 S, Parcels: 03:159:0419 & 03:159:0230, Applicant: Bryan Loveless

Robert Barnhill discussed the zone change request and location with the Council. He discussed the surrounding property including mostly residential with some agricultural. He said that the most common zone in this area is R1. The applicant is requesting this property to be zoned as R1/3 and is approximately 4.5 acres. This development would allow 100 W to connect from the north to the south. This request conforms to the general plan and future land use being

residential. He stated that Planning Commission did consider this item with a public hearing and received no comment.

Council Member Ostler said he did not have the ordinance in the packet. Bill Morris, City Attorney, stated that the printed ordinance must be given to the Council before approval. Mr. Barnhill emailed the ordinance to the Council.

Council Member Ostler said that the agenda lists two parcel numbers but the ordinance only lists one. Mr. Barnhill explained that there was one piece of property when the application was made and another piece of property was transferred to a new owner. The right of way was obtained since that time. The parcel should be listed as 03:159:0254.

Mayor Jeppsen pointed out that the right of way was still showing listed as the original owner's name. Mr. Barnhill stated that the County had just not updated it yet.

MOTION: Council Member Montgomery made a motion to approve Ordinance 12-B Zone Change from R1A to R1/3. Council Member Tueller seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

C. Ordinance 21-C Zone Change from RE1/2 to R1/3. Property Address: 3100 S 1200 W, Parcels: 02:029:0046 & 02:029:0022, Applicant: Steve Pettingill

Mr. Barnhill discussed the zone change request and location with the Council. He discussed the surrounding property included a lot of agricultural area as well as single-family homes. There is also commercial use in the area. The future land use chart shows this area as mostly residential. He explained that the entire property is approximately 6 acres but the zone change request is for only 1/3 acre in the northwest corner of the property. Mr. Barnhill said this also had a public hearing at the Planning Commission meeting with no comments other than from the applicant requesting just the 1/3 acre portion to be re-zoned and not the entire property.

The Council discussed the area being proposed for the zone change. Council Member Montgomery asked if there has been any talk of widening the road on 1200 W. Mr. Barnhill said there was nothing immediate. Council Member Tueller asked if they would be required to have curb and gutter put in when they do widen the road in the future. Mr. Barnhill explained that this does not jut out into the right of way and most likely would have a parcel boundary adjustment instead of creating a new lot. He said if they have to create a new lot then they would be required to put in curb and gutter.

MOTION: Council Member Tueller made a motion to approve Ordinance 21-C Zone Change from RE1/2 to R1/3. Council Member Watkins seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

D. Resolution 2021-03 Adopting a Map Amendment Policy

Mr. Barnhill explained that this amendment is in connection with the multi-family housing and density map. This is set up by resolution as a policy (it is not binding or code) to reference when making decisions. It is also a tool to use when talking to developers so they can conform to policy. It explains what is limit and scatter, how this will relate to the general plan, and how it will relate specifically to requests. Mr. Barnhill added that this will not bind or limit the Council's power.

Council Member Ostler expressed that he feels this is a well done document and that this is decent policy making and a desire to balance regulation with meeting the needs of people.

Council Member Tueller said he thinks it is a great document as well and had positive feedback from others. He is not a fan of over regulation but feels this will give the developer a presumption of where they can go with their plans and what the City is wanting.

Mr. Barnhill stated that he feels this will help with clarity and if nothing else, it will start the dialogue in the right direction.

Council Member Tueller said that he wants to help developers and offer good customer service. Council Member Wright said that he feels that it will. Council Member Watkins said he feels it offers plenty of freedom but also encourages open space and direction to what the developer may do.

MOTION: Council Member Wright made a motion to approve resolution 2021-03 Adopting a Map Amendment Policy. Council Member Watkins seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

E. Resolution 2021-04 Adopting a Municipal Wastewater Planning Program for Wastewater Treatment

Shanna Johnson reviewed the report information in the packet that was sent to the Council stating it discussed revenues and whether they are put into their own dedicated fund (and they are). This plan combines Willard and Perry and is filled out by herself and Jeff Hollingsworth (WWTP director). She added that Jeff completed the section regarding effluent and indicated that the plant is in compliance. Council Member Ostler wanted to know what the collection rate is on fees. Bill Morris (City Attorney) clarified that the collection rate from municipalities should be at 95% and that Perry is at that rate. Shanna noted that Perry City is collecting 98% of fees. Bill advised that the State is asking these questions to make sure that the sewer rates being collected are enough to cover the cost of running the sewer plant. Ms. Johnson said this report analyzes how the Perry-Willard Wastewater Treatment plant is doing (with finances, sewer treatment, and effluent) and allows the City Councils to determine where the plant can improve.

MOTION: Council Member Wright made a motion to approve Resolution 2021-04 Adopting a Municipal Wastewater planning Program for Wastewater Treatment. Council Member Tueller seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

ITEM 4: DISCUSSION ITEMS

A. Cemetery Survey

Council Member Watkins clarified that the survey deadline is March 31st. He said so far there have been 370 responses. He explained that the QR code allowed one survey per person but the cards only allow one per household. The results so far show 227 yes and 124 no. The two main reasons for the no responses are that they don't want tax increases and they already have a lot purchased elsewhere. He feels the QR code had more yes responses and the cards had more no responses. He said the average amount they would be willing to spend was \$41 on the cards and \$60-70 on the QR code. When the deadline for the survey is up he will compile all of the information for the Council to review.

ITEM 5: MINUTES & COUNCIL/MAYOR REPORTS (INCLUDING COUNCIL ASSIGNMENTS)

A. Approval of Consent Items

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MOTION: Council Member Watkins made a motion to approve the consent items.

Motion Approved, All Council Members were in favor.

B. Mayor's Reports

Mayor Jeppsen congratulated Chief Hancey for obtaining certification allowing him to apply for federal grant money for the Perry City police department and for completing an executive order for safe policing. Chief Hancey explained that the Department of Justice (DOJ) came up with a few standards specifically regarding use of force. If you certify for safe policing you are then eligible for grant money to be awarded. Mayor Jeppsen thanked Chief Hancey for his work with this.

Mayor Jeppsen said he read an article that had to do with awards that were given to some municipalities in Utah. Two Utah towns were on the list ranked best to work from home, Kaysville and Price. The criteria for these decisions were based on connectivity, median house prices below \$500,000, trail systems (for being able to take a break and go for a walk), coffee shops within walking distance, and eating-places that were not chained based. The Mayor feels that Perry City fits in well with meeting the criteria.

Mayor Jeppsen reported that there have been some complaints with the use of ATV's in the community and asked if anyone had received any feedback from constituents. He asked the Council's opinion of how to move forward with the issue. Council Member Tueller said he does not have a problem with it unless they are speeding. Council Member Wright agreed. Council Member Watkins said that he has received two complaints in the last year. Council Member Ostler wanted clarification on whether it was legal. Mayor Jeppsen said that with the rural city that we live, it has been allowed in the past but there is a noise and dust factor. He said that there is a responsibility on the people riding but also on their parents. Mr. Morris said that it falls within the City on whether it is allowed or not, but would need to be in an ordinance if it is allowed. Chief Hancey said that compared to last year, there have not been as many complaints. He said there are still a few problem areas but feels there has been improvement.

C. Council Reports

Council Member Montgomery said she is excited about the cemetery survey data and looking forward to the future budget sessions.

Council Member Watkins asked when the best time would be to review the draft for Mountain View Park. Mr. Barnhill said he could email that out. Council Member Watkins asked him to also include Dale Young Park. Council Member Ostler wanted to know if these plans get un-useful over time. Mr. Barnhill stated that there may be some small things that would need adjusted but overall they should still be useful. Mr. Morris informed the Mayor that this was turning into more of a discussion item instead of a council report.

Mayor Jeppsen moved on to staff comments after stating that there would be a July 4th celebration this year.

D. Staff Comments

Shanna Johnson discussed doing the July 4th celebrations and the dates being considered. She also said that staff would be reaching out and asking for help with things the Council had been involved in helping with in the past and noted that many community volunteers have already agreed to help.

E. Planning Commission Report

None.

ITEM 6: EXECUTIVE SESSION

MOTION: Council Member Montgomery made a motion to close the public meeting and move into an executive session to discuss the purchase, exchange, lease or sale of real property, and pending or reasonably imminent litigation at 8:13 p.m. Council Member Tueller seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

MOTION: Council Member Tueller made a motion to close the executive session and reopen the public meeting at 9:04 p.m. Council Member Wright seconded the motion.

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

Motion Approved. 5 Yes, 0 No.

ITEM 7: ADJOURNMENT

MOTION: Council Member Montgomery proposed to adjourn the meeting.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 9:06 p.m.

Shanna Johnson, City Recorder

Kevin Jeppsen, Mayor

Tyra Bischoff, Deputy Recorder