

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

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

OTHERS PRESENT: Boyd Montgomery and Nelson Phillips

ITEM 1: CALL TO ORDER

Mayor Cronin called the City Council meeting to order.

A. INVOCATION

Council Member Lewis offered the invocation.

B. PLEDGE OF ALLEGIANCE

Shanna Johnson led the audience in the Pledge of Allegiance.

C. REVIEW AND ADOPT THE AGENDA

MOTION: Council Member Tueller made a motion to approve the agenda. Council Member Lewis seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
 Council Member Tueller, Yes Council Member Lewis, Yes
 Council Member Montgomery, 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. BUSINESS LICENSE(S)

None.

ITEM 3: PUBLIC HEARING AND/OR PUBLIC COMMENTS

**A. PUBLIC HEARING REGARDING ORDINANCE 17-C ADOPTING TRANSPORTATION
CORRIDOR PROPERTY ACQUISTIION PROCEDURES**

Mayor Cronin explained the County has a Corridor Preservation Fund which is funded (by state law) from \$10.00 of each vehicle registration fee in the County. She expounded these funds are held at the County level and reviewed by the County Association of Government (COG) and the City can apply to have some of its Corridor Preservation costs from the fund. She continued to do this the

City must have a procedure in place to help outline the process, which is what Ordinance 17-C would allow.

MOTION: Council Member Lewis made a motion to open the public hearing. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
Council Member Tueller, Yes Council Member Lewis, Yes
Council Member Montgomery, Yes
Motion Approved. 5 Yes, 0 No.

Boyd Montgomery inquired if this funding would include purchase of lighting for the City. Mayor Cronin stated it would not, this Ordinance is for purchase of land only as specified by State.

MOTION: Council Member Lewis made a motion to close the public hearing. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
Council Member Tueller, Yes Council Member Lewis, Yes
Council Member Montgomery, Yes
Motion Approved. 5 Yes, 0 No.

A. PUBLIC COMMENT

Boyd Montgomery stated he appreciated the fill dirt received from the Flood Control and Council in regards to his property on 1200 W. He stated there is work yet to be done but the Flood Control and Council are aware of this.

Mr. Montgomery stated there was a proposal (regarding a ditch/culvert which empties onto City property and then onto his) he sent to the City Attorney several months ago and he has yet to receive a response. He would like a response to this proposal.

Mr. Montgomery advised the future walking/bike trail (which will be put on 1200 W) needs to have some kind of lighting. He suggested the City confer with Rocky Mountain Power to assist with this, and alleged there have been past incidents of attacks in this area and, he believes, lighting would minimize these.

Mr. Montgomery expressed his gratitude to the Council for all they do for the City.

ITEM 4: ACTION ITEMS

A. APPROVAL OF THE WARRANTS

Shanna Johnson explained there is a warrant not listed on the agenda which needs to be preapproved by the Council. She stated it regards a bill from Keller Technologies which provides the IT services for the City, the bill includes a firewall and spam filter. She continued the regular monthly cost is \$500.00 and the annual bill (which the City has opted to cover two years of service) is \$4,000, both of which are already budgeted for this year. She stated this payment needs to be preapproved so the City computer systems continue to be protected, and explained this warrant will appear on the next meeting's warrant list.

MOTION: Council Member Montgomery made a motion to approve the warrants as presented. Council Member Lewis seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
Council Member Tueller, Yes Council Member Lewis, Yes
Council Member Montgomery, Yes
Motion Approved. 5 Yes, 0 No.

MOTION: Council Member Montgomery made a motion to preapprove the Keller Technologies warrant check number 20872 as presented. Council Member Taylor seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
 Council Member Tueller, Yes Council Member Lewis, Yes
 Council Member Montgomery, Yes
Motion Approved. 5 Yes, 0 No.

B. ORDINANCE 17-C ADOPTING TRANSPORTATION CORRIDOR PROPERTY ACQUISITION PROCEDURES

Mayor Cronin explained the amount of funds received is not a set amount from the County, but that the City must apply to the COG for funds (showing the need for funding). She explained the COG usually provides funding towards larger corridor preservation transportation projects. She explained based on a bill just passed by legislature it could also, in future times, be used for maintenance.

MOTION: Council Member Tueller made a motion to approve the Ordinance 17-C Adopting Transportation Corridor Property Acquisition Procedures. Council Member Wright seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
 Council Member Tueller, Yes Council Member Lewis, Yes
 Council Member Montgomery, Yes
Motion Approved. 5 Yes, 0 No.

C. ORDINANCE 17-D ADOPTING AMENDMENTS TO THE R2 ZONE

City Administrator, Greg Westfall explained the Planning Commission has adjusted the City Zoning to fit the City's current needs. He explained the R2 zone has been removed from the Land Use Chart. He continued the original information for R2 zones has been left in the ordinances as there are existing R2 zones which must be regulated. However, moving forward there will be no more R2 Zones developed.

MOTION: Council Member Wright made a motion to approve the 17-D Adopting Amendments to the R2 Zone as presented. Council Member Lewis seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
 Council Member Tueller, Yes Council Member Lewis, Yes
 Council Member Montgomery, Yes
Motion Approved. 5 Yes, 0 No.

D. RESOLUTION 17-02 APPOINTING JOSH BRAEGGER AS THE MUTUALLY AGREED AUPON 5TH MEMBER OF THE PERRY-WILLARD WASTEWATER TREATMENT FACILITY BOARD

Council Member Tueller expressed his full support of appointing Josh Braegger to the Wastewater Treatment Facility Board. Council Member Taylor inquired if this was passed by Willard City. Mayor Cronin affirmed it had.

MOTION: Council Member Lewis made a motion to approve the 17-02 Appointing Josh Braegger as the mutually agreed upon 5th member of the Perry-Willard Wastewater Treatment Facility Board as presented. Council Member Tueller seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
 Council Member Tueller, Yes Council Member Lewis, Yes
 Council Member Montgomery, Yes
Motion Approved. 5 Yes, 0 No.

E. RESOLUTION 17-03 ADOPTING THE FIRST ADDENDUM TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN PERRY CITY AND WILLARD CITY CLARIFYING TERMS, APPOINTMENT, AND TRAINING OF PERRY-WILLARD WASTEWATER TREATMENT FACILITY BOARD MEMBERS (WWTB)

Mayor Cronin explained this addendum states the term limits of the WWTB, as well as, the Fifth Member is not necessarily the Chairman of the Board. The Board will elect within itself who the Chairman and Vice Chairman are.

Council Member Tueller stated there is still some clarification which needs to take place regarding this matter. He explained there are very specific duties of the Chairman, Vice Chairman, and Fifth Member.

Council Member Taylor inquired about the number of Willard City Council Members on the WWTB. Mayor Cronin explained she discussed this with Gary Crane (Attorney assisting with WWTB) and he stated Willard City has reported they will only have two City Council members on the WWTB. She acknowledged, with the appointment of Josh Braegger, there are three members on the Board. She explained Mr. Crane reported Willard City has stated one of their City Council Members will be replaced to comply with the two member agreement.

MOTION: Council Member Wright made a motion to approve the 17-03 Adopting of the First Addendum to the Interlocal Cooperation Agreement between Perry City and Willard City clarifying Terms, Appointment, and Training of Perry-Willard Wastewater Treatment Facility Board Members as presented. Council Member Tueller seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
 Council Member Tueller, Yes Council Member Lewis, Yes
 Council Member Montgomery, Yes
 Motion Approved. 5 Yes, 0 No.

F. REVIEW AND POSSIBLE ACTION REGARDING A FINANCIAL APPEAL BY ELISE OLSEN

Tabled due to lack of a representative. Revisited at 7:32 to give an opportunity for the representative to show but no one arrived to the meeting.

ITEM 5: DISCUSSION ITEMS

A. GRAVEL PIT ORDINANCE UPDATE

City Attorney, Craig Hall stated he and Mr. Westfall have been working thoroughly on this ordinance. He explained he has the first draft prepared and that one of the most important concepts in this draft is to restrict to a 3 to 1 slope versus the current 2 to 1 slope, unless the applicant has a Geotech Engineer who verifies a 2 to 1 slope is safe.

Mr. Hall stated Mr. Westfall has researched what the standard is throughout the County and industry for a safe slope and it was found to be 3 to 1. He explained the current ordinance only calls for a 2 to 1 slope. Therefore this change is being made so the City aligns with the State recommended standard, as well as the County standard.

Mr. Hall explained other topics found in the draft regard: operating hours, distances from commercial and residential areas, and Reclamation Plan. He explained currently the ordinance states a Reclamation Plan must be presented when the original permit is signed. He felt this does not make sense as a pit could have a 50+ year lifespan.

Mr. Hall explained the draft states when the pit gets to 10 years from the estimated end of use an End of Use plan must be submitted to the City. He expounded it also requires the pit to update their operation plan every 5 years and requires the owners to discover if their Surety Bond for reclamation at the end of life is adequate from a financial standpoint, if not they must increase it.

Mr. Hall stated this draft is striving to represent present day application as well as end of life transference. He explained this was the direction the task force desired and represented for this draft. He identified the draft needs to be presented to the Planning Commission and, if it passes there, it will then come to the Council for action.

Council Member Lewis expressed his understanding of the Reclamation Plan being presented with the permit to secure the permit, and so the City knows the pits future after its lifespan is over. Mr. Hall explained with the permit a general concept Reclamation Plan will be presented and then at the 10 years from usability mark a detailed End of Use plan must be presented to the City.

Mr. Westfall interjected another change which will be an asset to the City is the engineering plan. He explained an engineering plan was not included in the original ordinance. He expounded this is the upfront plan which takes place with the signing of the permit, and is also to be included in the operation plan which is updated every 5 years.

Mayor Cronin inquired if the Council would like to see this draft before it is sent to the Planning Commission or simply when it is presented to the Council for action. The Council stated seeing it after the Planning Commission would be adequate.

ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF CONSENT ITEMS

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Tabled.

B. MAYOR'S REPORT

Mayor Cronin reported two lot's (Lot 1 and Lot 4) from the City Center Subdivision were sold, with the associated paperwork being signed today. She thanked Mr. Westfall and Mr. Hall for their efforts.

Mayor Cronin stated the City has applied for the two Tourism Grants discussed in prior City Council Meetings, they are for the Short Pistol Range and the Perry City Signage.

Mayor Cronin explained the City is in the process of getting its own Quick Response Unit. She stated a task force has been in place to look at the Bylaws for this. She continued she met with this task force before the meeting and they have updated their recommendations to her. She explained these will be given to City Attorney, Craig Hall, for review and then brought before the Council for review (hopefully by the next City Council Meeting).

Mayor Cronin stated the City has received many responses on the City Facebook page regarding the options for restaurants/ other options residents would like to see at Pointe Perry. She reported the top three restaurants were: Zupas, Olive Garden, and Chick-Fil-A.

C. COUNCIL REPORTS

Council Member Tueller inquired the timeline on the Gravel Pit Ordinance completion. Mayor Cronin stated moratorium ends June 20th, however, the City is working to have this Ordinance worked through the process as soon as possible.

Audience member Boyd Montgomery inquired about the clean up on his property. Mayor Cronin replied that is a Flood Control project, not a City Council project. Therefore she was not sure of its current status.

D. STAFF COMMENTS

Mayor Cronin stated the contract with Verizon for the Telecommunications Tower has been signed. She explained Mr. Westfall suggested a clause be put in the contract stating that after 6 months from signing the contract Verizon must start paying the lease, whether the tower is completed or not. She thanked Mr. Hall and Mr. Westfall for all their efforts regarding this tower.

E. ITEMS FOR NEXT CITY NEWSLETTER

- Easter Egg Hunt

ITEM 7: EXECUTIVE SESSION: DISCUSSION OF THE PURCHASE, EXCHANGE, LEASE, OR SALE OF REAL PROPERTY, WHEN PUBLIC DISCUSSION WOULD DISCLOSE THE VAULE OF THE PROPERTY OR PREVENT THE AUTHORITY FROM COMPLETING THE TRANSACITON OF THE BEST POSSIBLE TERMS

MOTION: Council Member Montgomery made a motion to close the Public Meeting and go into an Executive Session to discuss purchase, exchange, lease, or sale of real property. Council Member Wright seconded the motion.

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
Council Member Tueller, Yes Council Member Lewis, Yes
Council Member Montgomery, Yes
Motion Approved. 5 Yes, 0 No.

The regular meeting closed at 7: 42pm.

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

ROLL CALL: Council Member Wright, Yes Council Member Taylor, Yes
Council Member Tueller, Yes Council Member Lewis, Yes
Council Member Montgomery, Yes
Motion Approved. 5 Yes, 0 No.

The regular meeting reopened at 8:09 pm.

ITEM 8: ADJOURNMENT

MOTION: Council Member Wright made a motion to adjourn the council meeting.

Motion Approved. All Council Members were in favor.

The meeting adjourned at 8:09 pm.

Susan Obray, City Recorder

Karen Cronin, Mayor

Shanna Johnson, Chief Deputy Recorder