

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

OFFICIALS EXCUSED: Nathan Tueller

ITY STAFF PRESENT: Greg Westfall, City Administrator  
Shanna Johnson, Chief Deputy Recorder

OTHERS PRESENT: Amy Davis (Intermountain Healthcare), Cory Bennion (Box Elder Mosquito Abatement), Shara Holt, Lawrence Gunderson

### **ITEM 1: CALL TO ORDER**

Mayor Cronin called the City Council meeting to order.

#### **A. INVOCATION**

Council Member Taylor offered the invocation.

#### **B. PLEDGE OF ALLEGIANCE**

Council Member Lewis 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 Montgomery seconded the motion.

**ROLL CALL:** Council Member Lewis, Yes    Council Member Taylor, Yes  
Council Member Wright, 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. APPOINTMENTS**

Mayor Cronin reported that staff has been busy working to find qualified applicants for the Chief of Police positions. She advised that we had 9 applicants out of those 5 were chosen to be interviewed by a 3 member panel. She said that these interviews took place in late March, during the interviews one gentleman rose to the top of each interview panelist's radar. Mayor Cronin and the Interim Brigham City Police Chief, Dennis Vincent, conducted a second interview with this applicant and she completed reference checks. She said at the end of the process it is her recommendation that the City Council approve the appointment of Ryan Arbon as Perry City Chief of Police and approve his compensation package that has been discussed among the Council Members. She stated that Ryan was not able to attend the meeting tonight as he is working, but was able to meet with each Council Member prior to the meeting.

**MOTION:** Council Member Montgomery made a motion to approve the appointment of Ryan Arbon as the Perry City Chief of Police. Council Member Taylor seconded the motion.

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

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

#### **D. BUSINESS LICENSE(S)**

- Sharp Shooters

Darren Thompson explained that he will doing light collision repair, detailing paint, fixing scratches, rock chips, mostly for dealers, but also for friends and family. Mayor Cronin noted that this is a commercial building but it is not anticipated that there will be a lot of visiting clientele. Council Member Lewis asked where the business is located. Greg Westfall advised that the business is located just south of Maddox. Greg said that Darren has done a lot of work to get through this process. He came to the Council in the past and asked for an exception on the building permit that he had with water and sewer connections. This was granted by the City and he has since gone through the building process, putting in a bathroom, water lines, and sewer lines. Greg said he brought this up to fire code, passing his fire inspection, which included installing sprinklers and some drywall work. Greg said he has really done everything above board and it is the staff's recommendation that this business license be approved.

**MOTION:** Council Member Lewis made a motion to approve the Business License for Sharp Shooters. Council Member Taylor seconded the motion.

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

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

### **ITEM 3: PRESENTATIONS**

#### **A. CITY HIGHLIGHTS**

Mayor Cronin reported that last weekend the State Rifle and Pistol Association met in Perry for one of their monthly board meetings. At that meeting they donated two steel targets that are valued at \$400-\$500 each to the gun range. She announced that June 11, 2016 is the Smith and Edwards Range Day. She said that this is a Saturday. They plan to have food vendors, and will also be selling some items from the store. She stated that you buy punch passes online at Smith and Edwards' website or at the store. She said one of the new sponsor is Ruger guns and she has been told that they do not attend many of these events, but because of the popularity of this event, they do plan attending this one. Mayor Cronin said the concept is that the vendors bring out their new models of hand guns, rifles, and other products for the public to try. She said punch cards are purchased to cover the cost of the ammunition. She said that this provides the opportunity to try out the new products in a safe environment. She reported that the City was contacted by another company that would like to do something similar at a later date.

#### **B. IHC InstaCare**

Amy Davis of Intermountain Health Care reported on the opening of their new IHC InstaCare Facility in Brigham City on May 16, 2016. She advised that this will be located near the Brigham City hospital in the building that was previously division of Workforce Services. She said that they will provide urgent care services 7 days a week from 8am to 8pm. She reported that they will have X-Ray and Lab on site.

#### **C. Mosquito Abatement**

Cory Bennion gave a report on the Box Elder County Mosquito Abatement, Mosquito Prevention, Protection and fun facts (see attached flyers). He noted that residents can call a week prior to having a family party or event and get their neighborhood sprayed for mosquitoes.

#### **D. Fiscal Year 2016-2017 Tentative Budget**

Mayor Cronin reported that the City is required at the first meeting in May to file a Tentative Budget with the City Council. She said the Mayor, Council, and Staff have been working on this for a couple weeks and although it is a budget it is tentative and can still be changed up through final approval.

She reviewed the budget timeline outlining work session that have taken place, an upcoming public hearing scheduled for May 26<sup>th</sup> and the plan to have a final budget passed prior to June 22<sup>nd</sup> on June 9, 2016.

Shanna Johnson presented the Tentative Budget for Fiscal Year 2016-2017 (see attached presentation).

Shanna advised that the budget presentation reviews the major funds (general and enterprise funds) and the budget packet which was available to the Mayor, Council and public reviews all funds including the Fleet Lease, Debt Service and Capital Project funds.

#### **ITEM 4: PUBLIC HEARINGS AND/OR PUBLIC COMMENTS**

##### **A. PUBLIC COMMENTS**

Shara Holt said she works for Box Elder News Journal and requested the city to let her know of anyone that deserves to be applauded or any human interest stories so she can report these in the Box Elder News Journal. Council Member Montgomery reported that this week she has received a grant from Deseret Industries which will provide books to give to kids at Promontory School. She said that the grant was given to Promontory School for their library and because their collection is full she was able to use the funds to create a bring one, take one library here at the City. Mayor Cronin also reported that the City will be participating again in the Play Unplugged activities and just received BRAG Tags today, the program starts June 1<sup>st</sup>.

#### **ITEM 5: ACTION ITEMS**

##### **A. APPROVAL OF THE WARRANTS**

Council Member Lewis asked why the Sewer Bond payment is split and listed twice. Shanna Johnson advised that the Council has seen the Sewer Bond payment come across once before. She had paid too much interest so this was sent back and reissued. She explained that when the bond was refinanced to give an upfront credit of interest (due to the delay of our permit caused by Phosphorous concerns); they split the bond in two. She said she was not sure why they did this, but now the City pays two different bond payments for the same exact amount, totaling what the original bond payment would have been (based on the bond schedule).

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

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

##### **B. (NO ITEM LISTED ON AGENDA)**

##### **C. RESOLUTION 16-06 ACKNOWLEDGING RECEIPT OF AND ADOPTION OF THE TENTATIVE FISCAL YEAR 2016-2017 BUDGET**

**MOTION:** Council Member Montgomery made a motion to approve Resolution 16-06. Council Member Wright seconded the motion.

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

## **ITEM 6: DISCUSSION ITEMS**

### **A. GREEN WASTE**

Mayor Cronin reported that based on the Council discussion at the last meeting she has made an administrative decision to man the Green Waste area on Friday afternoons from 2-6pm and on Saturday from 8am to noon. She said that she has worked with Greg Westfall and Greg Braegger and the Public Works Department will be able to facilitate this. Mayor Cronin said at the advice of City Attorney Craig Hall we will have a form that people will fill out their first time using the facility that states that they will take legal responsibility if they dump anything that is of a hazardous nature and be responsible for any costs associated with removing this form the Green Waste area. She said the City will try keeping it open this year with no fee. The City will be covering the costs of manning the location. Public Works will separate and burn the piles at the end of the season. Mayor Cronin said that the City will continue this as a service as long as it is not abused. In the event that it is abused the service will cease. Council Member Wright asked if this was for non-commercial use. Mayor Cronin confirmed it is for residential use only and for Perry residents only. Council Member Taylor asked if this is planned to be opened spring to fall. Mayor Cronin said they plan to open in April thru the end of October. She said that the City is hoping that people will be respectful in their use so that the City can continue to offer the service. Council Member Montgomery asked if the forms will be available onsite. The Mayor said yes and the City will also try to get the forms online. Mayor Cronin expressed her appreciation for Craig Hall's assistance with this and the Public Works Department's willingness to provide employee coverage for the area. She said that the City plans to open next week on Saturday. Council Member Taylor asked what can be dumped. Mayor Cronin detailed allowed items as grass, weeds, leaves, small branches (3 inches in diameter).

### **B. WATER CONNECTION ORDINANCE**

Mayor Cronin reported as the City staff was looking at Pineview connections they found that there are many people who have Pineview available to them, but yet are not connected and are using culinary water. She stated the City is proposing an ordinance that would mandate residents with access to secondary water to hook up to the system or be charged a yearly fine. Greg Westfall advised that there are 1034 homes connected to Pineview, but there are over 1700 roof tops. He said there are some neighborhoods that do not have secondary water available to them; therefore there are roughly 500 homes that have access to Pineview but have not connected. She asked the Council if they would be supportive of such an ordinance. Greg said there are two items to discuss whether or not they would be in support of a fee or a fine for not connecting to Pineview and encouraging conservation by increasing overage charges. Mayor said these are two different approaches for encouraging conservation. Council Member Lewis asked if we are looking at doing these separately or if it is proposed to combine these efforts. Mayor Cronin and Greg said separately. Council Member Lewis said he does not agree with forcing people to buy anything. He said he would be in support of residents paying more if they have excessive overages. Mayor Cronin said the ordinance requiring connection is very similar to the ordinance the city passed requiring those with access to sewer to connect. Council Member Montgomery asked what the connection fee is for Pineview water. Greg said he was not sure but it is a very expensive to connect. He said it is thousands of dollars. Mayor Cronin said that once connected you pay a yearly tax for services. Council Member Lewis said he did not feel comfortable in passing an ordinance that would create a \$1,000 or \$3,000 fee for residents but is in support of conservation and increasing the overage fee. Greg said there is a challenge to both. He said there is that small few

that may just be going a little over the amount allowed in the base rate and then there are those that are going way over. He said we need to find that balance of how we make it fair on both sides. Council Member Wright asked how many residents have excessive use. Greg said there are 4 pages of users using over 20,000 gallons and there are 30 names per page. He said some of these are at 80,000-90,000 a month. Mayor Cronin said the other point of view is that if we use the culinary water in ways that we could be using secondary water it affects the entire City, because everyone will have to pay to drill another well. Council Member Lewis said that he feels the mandatory connection would come into play if the overage fee does not help. Greg said at this point it is almost too late. He said when you have a household that is using 80,000-90,000 gallons of water and they move to Pineview you would have enough water to provide for 8 new homes in town. He said that is what we are running up against is our growth and development and being able to provide culinary water for that growth. Council Member Lewis said we definitely want to see growth but would rather use the free market [to drive to conservation of culinary water]. Mayor Cronin stated growth helps us with our sewer rates. She reminded the Council that the City transferring \$130,000 in general funds to subsidize the sewer. She said that we want growth as it also promotes economic development and businesses coming in. She said growth is a good thing but if we are limiting our growth due to water supply it affects everybody. Mayor Cronin asked for any other thoughts. Council Member Taylor stated he felt culinary water is a precious supply in Utah and we need to do whatever we can to conserve. Mayor Cronin asked if he was thinking to implement 1 or both of the fees. Council Member Taylor said both. Council Member Wright said this is a tough pill to swallow, he said he feels that people would be forced into a large upfront cost and not a lot of people would like that, but he thinks in the long run it would pay for itself especially if you are over every month on culinary water use. He said that he would support looking at proposed conservation efforts. Council Member Montgomery said she is interested getting more information on both. She said that she would prefer working on an overage rate increase right away and possibly wait a bit longer on the other effort until we see what results from the overage rate increase. Mayor Cronin said that another possible option is to require any new developments to hook on and giving existing developments a year to connect. Greg said that the new developments should be required for sure. Mayor Cronin said she does not think that this is currently written in ordinance so we could work to get this passed. She asked Council Member Lewis his thoughts on this suggestion. Council Member Lewis said he was still not sure about requiring existing developments to connect, but could jump on board with requiring new developments. Council Member Montgomery asked if there were any other incentives the City could offer to get people to connect. Greg said the staff can look at possible incentives and get back with the Council. Council Member Taylor said that there are a lot of secondary options throughout town stating that he has a different option than his neighbor down the street. He asked if we can get what the connection fees may be. Mayor Cronin said staff will get a copy of the connection fees and get back with the Council.

### **C. STREET MAINTENANCE FEE**

Mayor Cronin said that they have discussed a street maintenance fee option during previous budget discussions and asked if the Council wanted to move forward on this fee or what approach they would like to take in maintaining the City streets. Council Member Lewis said he would be in support of doing a study, presenting this to the public and letting them sound off on it. Council Members Montgomery, Taylor and Wright agreed. Mayor Cronin said that as we study this we can put a note in our newsletter, a note on our web page, and have a town hall meeting in an effort to get information out to the public and gather input. Council Member Montgomery said once we have the engineering and information she would absolutely be on board with this approach. She said it is really hard to explain how complex or how expensive these projects are to the public. Greg said he agrees but cautioned that there will be a cost associated with getting the information because of the need of assistance from the engineers. Mayor Cronin said if we want to test the waters and have a few town hall meetings we can do that. Otherwise we will need to wait until next fiscal year to start

getting engineer estimates. Council Member Wright and Taylor were in support of getting input from the public now.

## **ITEM 7: MINUTES & COUNCIL/MAYOR REPORTS**

### **A. APPROVAL OF CONSENT ITEMS**

- **April 14, 2016 Work Session Minutes**
- **April 14, 2016 City Council Meeting Minutes**

Council Member Lewis said he was not here and asked if he should vote no. Greg said you can vote yes if you are comfortable in doing so.

**MOTION:** Council Member Taylor made a motion to approve the April 14, 2016 Work Session and City Council Meeting Minutes. Council Member Wright seconded the motion.

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

**B. MAYOR'S REPORT:** Mayor Cronin reported that she would be out of town for the next week and the packet for the following meeting would be sent out until Monday, May 23<sup>rd</sup>. Mayor Cronin said that she has talked with Council Member Montgomery and she has graciously accepted the request for her to work closely with the Perry City C.E.R.T. Team. She said she will work as a liaison representing the Mayor at these meetings. She said that they will be having their C.E.R.T. chairman and officer elections on May 24<sup>th</sup> and the Council is invited to attend if they are interested. She encouraged Council Members who are not currently a C.E.R.T. member to attend a C.E.R.T. training in the fall. She reminded the Council that in the event of an emergency whether they are C.E.R.T. members or not one of the responsibilities of the Council is to be available and provide support as needed.

**C. COUNCIL REPORTS:** Council Member Montgomery reported that she has started to advertise our bring one, take on library. She said it is still the best kept secret and need to get the word out. She asked when Council pictures would be taken. Mayor Cronin said right after the budget season and the Fourth of July.

**D. STAFF COMMENTS:**  
None.

### **E. ITEMS FOR NEXT NEWSLETTER**

- Green Waste
- Street Utility Fee
- Bring One, Take One Library
- Smith and Edwards Range Day
- Fourth of July

Mayor Cronin announced that they have taken a vote and the theme for the Fourth of July will be "United We Stand". She also reminded the Council that June 30, 2016 will be the awards banquet for community award winners, elected officials, and their spouses.

## **ITEM 8: EXECUTIVE SESSION**



**MOTION:** Council Member Montgomery moved to close the Public Meeting and open an Executive Session to discuss strategy regarding possible or imminent litigation. Council Member Lewis seconded the motion.

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

The Regular Public Meeting closed at approximately 8:23pm.

**MOTION:** Council Member Wright moved to close the Executive Session and open the Public Meeting. Council Member Montgomery seconded the motion.

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

The Regular Public meeting reopened at approximately 9:06pm.

#### **ITEM 9: ADJOURNMENT**

**MOTION:** Council Member Taylor made a motion to adjourn the council meeting.  
**Motion Approved.** All Council Members were in favor.

The meeting adjourned at 9:07pm.

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Susan Obray, City Recorder

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Karen Cronin, Mayor

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Shanna Johnson, Chief Deputy Recorder