

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

**OFFICIALS ABSENT:** Council Member Esther Montgomery, and Council Member Ostler

**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:** Nelson Phillips, Melanie Barnhill, David Walker, Nate Mueller

**ITEM 1: CALL TO ORDER**

Mayor Jeppsen called the electronic City Council meeting to order.

**ITEM 2: PROCEDURAL ISSUES**

**A. Conflict of Interest Declaration**

None.

**B. Appointment – Planning Commission**

Robert Barnhill said that he had reached out to some people regarding the Planning Commission and Stephan Moss had shown some interest and applied. He said that Stephan lives in the Suncrest Subdivision in Perry and is a Physician Assistant locally in Brigham City. Council Member Tueller said that he feels Stephan will do an incredible job on Planning Commission and fully supports this appointment. Mayor Jeppsen presented Mr. Moss for appointment to the Planning Commission.

**MOTION:** Council Member Tueller made a motion to approve the appointment of Stephen Moss to Planning Commission. Council Member Wright seconded the motion.

**ROLL CALL:** Council Member Tueller, Yes  
Council Member Wright, Yes  
Council Member Watkins, Yes

**Motion Approved.** 3 Yes, 0 No.

**ITEM 3: ACTION ITEMS**

**A. Approval of Warrants**

The Council reviewed and discussed the warrants.

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

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

Council Member Watkins, Yes

**Motion Approved.** 3 Yes, 0 No.

**B. Ordinance 21-E Amending Multi-Family Dwelling and Apartments Density Map**

Mr. Barnhill explained that this property is split into two districts on the multi-family dwelling map. The northern district allows for 16 units and the southern district allows for 30 units with 27 already taken, and 3 remaining. The applicant request is to change the number allowed to 31. He said that Planning Commission did review this in a public hearing and recommended approval of it. In their motion to approve this item they noted that (in relation to our policy) this request is less than 10% since it is only adding one, the existing units in the area (the 27/30 units) are not in this area/district, and this property has limited access (so options are limited on the property). He showed the Council the property on the map and discussed the access available to the property. He explained that the applicant has already worked with the Fire Marshall and was approved to provide fire sprinklers, since it would be going beyond the 30 allowed on one access. He said they originally wanted to put all multi-family housing in but Mr. Barnhill explained they were already beyond the number allowed, so they added the two single family lots. This would leave some extra space they felt would be wasted so they wanted to add one more unit in that space.

Council Member Tueller asked what the south address would be on this property. Mr. Barnhill explained that it would be the same parcel that is the zone change on the next agenda item 2220 S Hwy 89 (the Grant and Nola Young property). Council Member Watkins asked what the stub is in the top left quadrant. Mr. Barnhill explained this layout was approved in 2006 or 2007 and said in hindsight it looks like it was a mistake. It is currently being built as the plat was recorded but it is unlikely it will ever go anywhere. Mr. Barnhill and the Council discussed the roads and surrounding area. They also discussed limiting and scattering and felt that adding one unit would fit in fine with what the Council is wanting to accomplish (especially with the applicant adding the 2 single family home lots). They also discussed the sprinklers being allowed from the Fire Marshall. Council Member Watkins wondered if there was any way for 750 west to somehow connect to a main road (due to the amount of dead end roads being put in). Council Member Wright asked if there would be any way to do an easement, with the corner lot. Mr. Barnhill said it would not be wide enough for right of way that our code would require for fire access, also UDOT does not want to allow any additional access there. He added that the next item on the agenda, the zone change, would affect this as well. He said that the property owner is wanting to build a single family home on that lot which is now zoned as commercial, which does not allow for residential.

**MOTION:** Council Member Wright made a motion to approve Ordinance 21-E Amending Multi-Family Dwelling and Apartments Density Map. Council Member Watkins seconded the motion.

**ROLL CALL:** Council Member Tueller, Yes  
Council Member Wright, Yes  
Council Member Watkins, Yes

**Motion Approved.** 3 Yes, 0 No.

**C. Ordinance 21-G Zone Change from NC2 to residential. Location: 2220 S Hwy 89, Parcel: 03-158-0004, Applicant: Grant and Nola Young Trustees**

Mr. Barnhill explained this zone change request is on the same property they have been looking at. It totals about 2 acres. Approximately 1/3 of the property is zoned as NC2 and the western area is R1. The NC2 zone does not allow for single family building. He discussed the surrounding area with the predominant use being single family residential. He explained that the proposed single family home would share the access with an existing home. The future land use map does not show this property changing, but he noted that it has 30 feet of frontage along the highway (making it not suitable for commercial development). He added that the Planning Commission did hold a public hearing for this item with a comment from a neighbor that was concerned about it affecting their grandfathered status on their animal rights, (which it would not). Planning Commission recommended approval of the zone change with a request of having a recorded cross access easement so that both property owners would be able to use the access. The applicant was present at the planning meeting and voluntarily agreed to do that.

**MOTION:** Council Member Wright made a motion to approve Ordinance 21-G Zone Change from NC2 to R1. Council Member Watkins seconded the motion.

**DISCUSSION:** Council Member Watkins asked about access for the two property owners to the west (behind the home). He wanted to clarify that the access discussed was only for the existing and proposed home (and it is).

**ROLL CALL:** Council Member Tueller, Yes  
Council Member Wright, Yes  
Council Member Watkins, Yes

**Motion Approved.** 3 Yes, 0 No.

**D. Resolution 2021-09 Real Property Disposal**

Mr. Barnhill said that Bill Morris, City Attorney, helped put this together. It can be adopted as a policy to be used as a reference guide for acquiring or disposing of property (as a checklist). It goes through a title search, obtaining records of information, obtaining values on property, looking at the water that may be there, and certain acquisition steps that may need to be there. Corridor preservation and eminent domain would be its own process, but this is a good guideline for the disposal process. Bill Morris said that Council Member Ostler asked for a policy like this and explained that it is non-binding but provides guidance. Council Member Wright asked about the words “acquisition disposal” being in one area and not another. The Council discussed inserting “acquisition” to the “whereas” clause and the header.

**MOTION:** Council Member Watkins made a motion to approve Resolution 2021-09 Real Property Disposal with the changes noted. Council Member Wright seconded the motion.

**ROLL CALL:** Council Member Tueller, Yes  
Council Member Wright, Yes  
Council Member Watkins, Yes

**Motion Approved.** 3 Yes, 0 No.

**E. Discussion/Action Regarding Selecting a Polling Location and Poll Workers for the 2021 Municipal Election.**

Ms. Johnson said that as part of election rules, the Council will need to review and approve a polling location and poll workers for the 2021 Municipal Election. She explained that the City

will be doing vote by mail as that is the state standard now, but there will be a polling location available for the primary and general election. She said the polling location suggested would be the City building and the poll workers would be the workers. Council Member Watkins asked if there were any Covid restrictions in place. Ms. Johnson said that the office is open now with masks being optional. She said that it is typically only people who have lost their ballot or provisional voters that come in, it is slow traffic and the workers are trained and qualified to do it. He also wanted to know how the public would be notified of the polling locations. Ms. Johnson said it will be made known through social media, our website, newsletter, the County website, and that it may even state it on the ballot. Mr. Morris said that as of the last session the State no longer requires the Council to approve poll workers (but that it was rumored between attorneys). Ms. Johnson said she saw it on the checklist of things that needed to happen. They discussed asking the lieutenant governor's office to be sure so they know if it will need to be done in the future.

**MOTION:** Council Member Wright made a motion to approve the polling location as the Perry City office with the poll workers being office staff for the 2021 Municipal Election. Council Member Tueller seconded the motion.

**ROLL CALL:** Council Member Tueller, Yes  
Council Member Wright, Yes  
Council Member Watkins, Yes

**Motion Approved.** 3 Yes, 0 No.

#### **ITEM 4: DISCUSSION ITEMS**

##### **A. Budget**

Ms. Johnson mentioned the public hearing will be held at the next meeting (June 10, 2021).

##### **B. Fourth of July**

Ms. Johnson said the schedule has been finalized and sent in the newsletter with the change of the movie in the park location moving to Centennial Park, and the movie being shown: Raya and the Last Dragon. She also said the fireworks will be held at dusk and after the last softball game. She sent out the list of nominations for the awards and she will be sending a survey out for voting. The 4<sup>th</sup> of July t-shirt is done and looking good. She discussed the sponsorships that have been received and has received \$2,000 so far. She discussed the schedule with the big day being Saturday July 3<sup>rd</sup>. She asked the Council to put together a basket for bingo prizes and said staff will also be putting together baskets. Council Member Watkins asked if she wanted to add anything about the photo op with the liberty bell and she said it could be added to social media. Mr. Barnhill asked the Council if they had an opinion on whether the Council selects the awardees or if they want the committee to also vote. Scott Nelson would like to vote (he is on the committee). Council Member Watkins said that Scott has also been nominated. Ms. Johnson said she could do a survey monkey and send it out to both the committee and the Council and they agreed with that.

Mayor Jeppsen thanked everyone that is helping make the 4<sup>th</sup> of July happen this year. Council Member Tueller expressed that he knows a lot of people are excited for this event.

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

##### **A. Approval of Consent Items**

None.

**B. Mayor's Reports**

Mayor Jeppsen discussed attending the WFRC council meeting and they talked about ARP (American Rescue Plan) money. Some allocations were made directly to the cities but the bulk of the funds will be going to the State. He said that \$230 million is going toward water infrastructure, and they don't expect anything to transpire until September. They are making a match situation associated with the funds used (if the City does get any of that money).

**C. Council Reports**

Council Member Watkins mentioned that he has had multiple requests for volunteerism around the Mountain View Park area. He asked Tyler Wagstaff to let him know if they can help with any of the work or maintenance there.

Council Member Wright said that he will do his best to get estimates for pickle ball courts for the budget. He knows there are so many things the money can go to but feels this is something the citizens would be excited about and use.

**D. Staff Comments**

Tyler said that some road projects are being wrapped up including 900 West and 2950 South.

**E. Planning Commission Report**

Chairman Julie Jones from Planning Commission said they have approved some simple subdivisions and the preliminary on Neff Townhomes. She added that she wants to make Planning Commission aware to keep an eye on the amount of stub roads being allowed that are not connecting to main roads that was brought up from the Council earlier in this meeting (she felt this was a good observation).

**ITEM 7: EXECUTIVE SESSION**

None.

**ITEM 7: ADJOURNMENT**

**MOTION:** Council Member Wright proposed to adjourn the meeting.

**Motion Approved. All Council Members were in favor.**

The meeting adjourned at 7:50 p.m.

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Shanna Johnson, City Recorder

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Kevin Jeppsen, Mayor

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Tyra Bischoff, Deputy Recorder