

OFFICIALS PRESENT: Mayor Karen Cronin presided and conducted the meeting. Esther Montgomery, Todd Christensen, Peter Gerlach (arrived at 7:03pm), Jana Nelson, Brady Lewis

CITY STAFF PRESENT: Greg Westfall, City Administrator
Shanna Johnson, Chief Deputy Recorder
Greg Braegger, Public Works Director
Malone Molgard, City Attorney
Scott Hancey, Police Sergeant

OTHERS PRESENT: Adam Mosser, Carter Simpson, Steven Pettingill, Eric Halter, Glen Vernon, Devin Miles, Alyssa Braegger, Lani Braithwaite, Vicki Call, James Keller, Benjamin Keller, Caleb Barton

ITEM 1: CALL TO ORDER

Mayor Cronin called the meeting to order.

A. INVOCATION

Council Member Christensen offered the invocation.

B. PLEDGE OF ALLEGIANCE

Greg Westfall 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 Nelson seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Nelson, Yes
 Council Member Montgomery, Yes Council Member Lewis, 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)

Approx. 7:09 PM

- Katie Russell Daycare

Katie Russell advised that she plans to provide daycare services to 6 children and 7 starting in December. She said that she has a successfully passed the Fire and Health Department inspections. She said her hours will be from 5:30am to 5:30pm. Mayor Cronin stated that this has been through Planning Commission and they have recommended approval. There was a public hearing during the Planning Commission meeting and neighbors came and spoke in support of the business.

MOTION: Council Member Lewis made a motion to approve the business license for Katie Russell Daycare. Council Member Montgomery seconded the motion.

Approx. 7:03 PM (Council Member Gerlach arrived)

ROLL CALL: Council Member Christensen, Yes Council Member Nelson, Yes
 Council Member Montgomery, Yes Council Member Lewis, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

- OCD Cleaning
Mayor Cronin advised that this is a home business with no visiting clientele. Shanna Johnson said she talked with the business owner and they do not plan to store any large equipment or chemicals at their home.

MOTION: Council Member Christensen made a motion to approve the business license for OCD Cleaning Services. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Nelson, Yes
 Council Member Montgomery, Yes Council Member Lewis, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

Approx. 7:05 PM

ITEM 3: PUBLIC HEARING AND/OR PUBLIC COMMENTS

A. PUBLIC COMMENTS

None.

Mayor Cronin recognized the Boy Scouts in attendance.

Approx. 7:10 PM

ITEM 4: ACTION ITEMS

A. APPROVAL OF THE WARRANTS

Mayor Cronin asked for additional detail regarding the payment to Utah Local Governments Trust. Shanna advised that this payment includes the City's annual liability insurance as well a quarterly charge for worker's compensation insurance. She said that this is the highest bill that the City will see from ULGT this during this fiscal year. She said that this includes liability insurance for auto and property. Council Member Lewis asked if this is paid once a year. Shanna said that the liability insurance is but the workers compensation is paid quarterly as she recalls. Council Member Lewis said he wanted to

verify that this was included in the budget. Shanna said yes, this is in the Administration budget under the line item titled insurance.

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

ROLL CALL: Council Member Christensen, Yes Council Member Nelson, Yes
 Council Member Montgomery, Yes Council Member Lewis, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

B. APPOINTMENTS CITY BOARDS

Mayor Cronin put forth the names of Devin Miles and Craig Pickett as alternate Planning Commissioners. She said that both have attended Planning Commission so they are fully aware of the requirements of the position. Council Member Montgomery asked if either of the recommended appointees were in attendance. The Mayor advised that Devin was in attendance and turned some time over to him to provide some information regarding his background. Devin stated that he currently works for Grainger Supplies as a sales man; he said that his father was a contractor and he grew up assisting him in his work. He said that he would like the opportunity to help with the Planning of our community as it grows. Council Member Lewis asked how long Devin had lived in the City. Devon replied since 2004. Mayor Cronin said that Craig Pickett had business in Boise Idaho and was unable to make it to the meeting.

MOTION: Council Member Montgomery made a motion to approve the appointment of Devin Miles and Craig Pickett as Alternate Planning Commission Members. Council Member Gerlach seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Nelson, Yes
 Council Member Montgomery, Yes Council Member Lewis, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

Mayor Cronin explained that we now have some names to put forth to serve on the Joint Advisory Board. She said that we have not used this Board in a few years but its purpose is to provide input and advice regarding business development along the 1100 South Corridor. She said that Perry provides 3 representatives and Brigham City provides 3 representatives. She said that they meet on an as needed basis and Brigham City has requested a meeting on October 13, 2015. Mayor Cronin presented the appointments of Vicki Call who is the current Planning Commission Chair, Blake Ostler who is the Planning Commission Vice Chair, and Travis Coburn who serves as a Planning Commissioner. She said that she has talked with all 3 members and they are all willing and excited to serve.

MOTION: Council Member Lewis made a motion to approve the appointments of Vicki Call, Blake Ostler, and Travis Coburn to the Joint Advisory Board. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Nelson, Yes
 Council Member Montgomery, Yes Council Member Lewis, Yes

Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

C. RESOLUTION 15-17 TO APPROVE A SANITARY SEWER MANAGEMENT PLAN

Greg Braegger presented the Sanitary Sewer Management Plan to the City Council. He said that this is similar to the Storm Water Management Plan that the city has. He said that this is the very first time the City had put this type of plan together for the Sewer. He said the packet details out different maintenance functions required for the Sewer such as cleaning of lines that has to be completed every 3 years. He said that City has contracted with Propipe to complete the cleaning and videoing of the lines. He said that the City has records and video of all the lines to identify where there are cracks or maintenance issues with the lines in order to correct the issues. He said that this is a permit and management plan that keeps the City in compliance with the State requirements. Council Member Christensen asked any maintenance issues have been found by Propipe during the cleaning of the lines. Greg said there are issues that were found and are being addressed currently. Council Member Christensen asked if Propipe is using measurements to pinpoint where the patches or maintenance are needed. Greg said yes. He repeated that this management plan will help us to stay in compliance. Council Member Gerlach asked if this new requirement is due to the City being part of the Wasatch Front Regional Council. Greg said that it is due to new State regulations. He said that this will reduce liability. Council Member Lewis asked if Jones and Associates prepared the document. Greg said Jones and Associates prepared the plan with his input. Greg advised that Jay Bywater has been assigned as the Sewer Superintendent under the direction of Greg Westfall and himself and Jay will be responsible for the inspection of sewer manholes. Greg also noted the City has a GIS system that will map out the location of sewer lines and manholes. Council Member Christensen stated that in the past the City had a lot of infiltration of water in the sewer lines and asked if these leaks have been fixed. Greg Braegger said he is not sure. Greg Westfall advised that when he talked with Paul Nelson about the infiltration issues Paul told him the City has fixed a significant amount of the infiltration but the City does still have some infiltration. He said that issues will continue to be resolved as lines are inspected and cleaned. Council Member Montgomery asked if this is an update from a previous plan. Greg Braegger stated that this is new plan. Council Member Montgomery asked how often the plan will be required to updated. Greg Braegger explained that the plan will need to be updated every 5 years. Mayor Cronin thanked Greg Braegger for all his work on the Sewer Management Plan.

MOTION: Council Member Montgomery made a motion to approve Resolution 15-17 to approve a Sanitary Sewer Management Plan. Council Member Nelson seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Nelson, Yes
 Council Member Montgomery, Yes Council Member Lewis, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

D. APPROVAL OF A BID PROCESS FOR A REGIONAL DETENTION POND PROJECT TO BE PAID FOR BY IMPACT FEES

Mayor Cronin advised that in the last meeting we discussed a plan to take multiple detention basins and combine them into one regional basin. Because of the size of the

project it required the need to go out to bid for a contractor to complete the work. When the land owner was informed of the bid requirement, they decided they no longer wanted to participate in the project therefore this item no longer needs to be addressed. Council Member Christensen inquired as to why the land owner was no longer interested. Mayor Cronin advised that the bid process takes time and would delay their development.

E. UPCOMING CITY COUNCIL MEETING DATES

Mayor Cronin advised of some possible conflicts with the next few upcoming meeting dates. She stated that the November City Council meeting is scheduled for November 5th and traditionally there is only one meeting held in November. She said that the city will need to canvass the election results and the City can only do this between the 10th and the 17th of the month. She advised the City has the option to schedule a second meeting in the month within the allowed time period to canvass the votes or the City Council scheduled for November 5th can be moved to a date that meets the canvass requirement.

Mayor Cronin stated that the second meeting of October is scheduled for October 15th which is during the fall break for the schools in our area. She said that the Council could move this meeting to another day in the month, cancel the meeting, or leave the meeting as scheduled. Council Member Lewis, Council Member Christensen, and Council Member Nelson were not available to meet October 15th. Council Member Christensen said he could meet on October 29th. Council Member Montgomery said that October 22nd worked better for her. This conflicted with Council Member Christensen's schedule. Council Member Montgomery suggested having 2 meetings in November and only 1 in October.

Council Member Christensen made the suggestion of combining the 2nd meeting of October with the November meeting. Council Member Lewis suggested holding the meeting November 12th. Mayor Cronin suggested November 11th as November 12th was the regularly scheduled Planning Commission meeting. Council Member Gerlach suggested switching meeting dates with Planning Commission, holding Planning Commission on November 5, 2015 and City Council Meeting November 12, 2015. Planning Commission Chairman Vicki Call was present and agreed to switch meeting dates with the City Council.

MOTION: Council Member Christensen made a motion to cancel the October 15, 2015 City Council Meeting, and to reschedule the November 5th City Council meeting to November 12, 2015. Council Member Lewis seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Nelson, Yes
 Council Member Montgomery, Yes Council Member Lewis, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

ITEM 5: DISCUSSION

A. REPORT ON THE NRA BPCR UTAH STATE CHAMPIONSHIP MATCH

Eric Halter provided a report on the NRA Black Powder Cartridge Rifle Utah State Championship match. He said that this event was a great success. He said this was the first NRA Utah State Championship match, which included an iron sight match and a scope match. There were 50 shooters that were from all over the western states. Among the shooters were National, State, and Regional Champions. He said there was representation

from the NRA Competition shooting division. This was a 3 day match and the City authorized dry camping at the Shooting Sports Complex as well as hosted a dinner for the competitors.

Eric stated that Mike Ventarino is a writer who was in attendance was so excited about the event that he wrote an article for Guns Magazine highlighting the competition and the Three Mile Creek Shooting Sports Complex. The article mentions that for the last two years 2 Utah shooters Dale Weese and Eric Halter have been working to get the Three Mile Creek Shooting Sports Complex built with the help of others. Mr. Ventarino writes that what seems a miracle is that Perry City is 100% behind this project. He goes on to write that he and his spotter both stated attending the Utah State Championship will henceforth be on their list of competitions to travel to. They appreciated the great shooting, potluck dinner, and the range security that allowed shooters to leave their gear sitting out in their staging areas, attributable to the fact the Dale Weese is also the Chief of Police in Perry. Eric reported that the article also mentions the central location of the range, which is not more than a day's drive from anywhere in the Rocky Mountain West.

Eric reported that Damien Orsinger of the NRA and Woody Powell from the Utah State Rifle and Pistol Association were impressed with the event and expressed interest in future development of the range. He said the event was a great success. He said the unclassified shooters stole the show and all the competitive shooters want to come back. Eric thanked City Staff, particularly the public works team members, and the elected officials, particularly the Mayor, for their support and help in preparation during the event. Council Member Lewis asked if this event will take place next year. Eric said yes it is on the books.

Mayor Cronin said that the City has a grant application that has been submitted for the build of a Clay Pigeon, Trap and Skeet Shooting venue. She said that she already has the tag line for this and hopes that Perry will be known as the 'Skeet and Eat' Capital of Utah. She said that she has had about dozen people state to her that they want to be the second in line to shoot skeet after herself. She said that Bob Barrett from the Bird Refuge is 100% behind the city in these efforts. Woody Powell and Damien Orsinger have both expressed their excitement about the venue and have committed to help through not only ideas, but also helping to bring forth some funding sources. Mayor Cronin thanked Eric Halter for his efforts (and many volunteer hours) to make the event a success.

B. LIFETIME PASSES TO THE THREE MILE CREEK SHOOTING SPORTS COMPLEX

Mayor Cronin stated she received a suggestion to add elected officials as eligible individuals to receive a lifetime pass to the Three Mile Creek Shooting Sports Complex. She noted that currently a person needs to volunteer 500 hours at the gun range or make a monetary donation of \$2,500 in money, material or in kind service to be eligible to receive a lifetime pass. She said that this proposal would add elected officials to these criteria and if the Council Members were in agreement with this request the item could be brought back as an action item during the next City Council meeting. All Council Member were in support of this addition.

C. BUSINESS LICENSE FEE – MEDIUM SIZE RETAIL

Mayor Cronin said when Tractor Supply came the City realized there was no Business License fee specifically for Medium Size Retail. She said the City had a Big Box fee of \$5,000

and a fee for restaurants, movie theaters, etc that was around \$125 but nothing for Medium Size Retail. The City had Lewis Young Robertson and Burningham do a Business License Fee study specifically for Medium Size Retail. Mayor Cronin said based on the number of public safety calls and service needed for this business the study showed the City could justify charging a fee up to \$7,080; that being said that was not the recommendation. She said because of the short time they had to gather data, they have suggested charging \$700 to \$1200 and with that they suggested looking at this again in a year after more data could be gathered. Mayor Cronin said the City may also want to take into consideration what other Cities are charging for these types of business. She explained that Ogden charges Medium Size Retail \$328 plus \$7 per employee and we want to stay competitive. She said that as staff we have reviewed the study and have had some discussion on this. The staff recommendation is to set the fee in the range of \$250 to \$500. Council Member Lewis said he is not suggesting that we set the fee higher, but no business is going to change the location of their business due to a \$300 difference in application fee, because of this it does not scare him to go to the \$700 to \$1200 range. Council Member Christensen said we have used Lewis Young and Burningham many times including on our impact fees and although we have justified the costs, he suggested going with the \$250 to \$500 range and then reevaluate this in a year. Council Member Gerlach said he agreed with most of the comments made. Mayor Cronin stated that if she is hearing everyone correctly they are in support of a fee in the \$500 range. The Council agreed. Mayor Cronin said that this will be brought back for action in the next City Council Meeting.

ITEM 6: MINUTES & COUNCIL MAYOR REPORTS (INCLUDING COUNCIL ASSIGNMENTS)

A. APPROVAL OF CONSENT ITEMS

- August 6, 2015 City Council Meeting
- August 20, 2015 Board of Canvassers Meeting
- August 20, 2015 City Council Meeting
- September 3, 2015 City Council Meeting – Tabled

MOTION: Council Member Christensen made a motion to approve the meeting minutes for the August 6, 2015 City Council Meeting, August 20, 2015 Board of Canvassers Meeting, and the August 20, 2015 City Council Meeting. Council Member Gerlach seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Nelson, Abstain
Council Member Montgomery, Yes Council Member Lewis, Abstain
Council Member Gerlach, Yes
Motion Approved. 3 Yes, 2 Abstain.

B. TODD CHRISTENSEN: He asked for a report to be provided in the future regarding the results of the recycling program, including the current take rate, how many people have dropped off during the opt-out period, etc.

C. PETER GERLACH: Nothing reported.

- D. JANA NELSON:** Nothing reported.
- E. ESTHER MONTGOMERY:** reported that she attended the League of Cities and Towns conference in Salt Lake City this month. The conference provided a lot of information. The State is working really hard to prepare for growth that is anticipated over the next 20 years. She said it is phenomenal so brace yourselves.
- F. BRADY LEWIS:** Nothing reported.
- G. MAYOR CRONIN:** reported that the City has been contacted by White Cloud as they would like to put up their service tower to provide wireless internet services immediately (this would be located behind the City building). She said that the City has also been contacted by another service provider who would like to put up a tower for mobile devices and they do not want to share towers. The telecommunication service provider wants to locate their tower at the far south of the City property by the City office. She asked for the Council's thoughts on putting up two towers. She said that the City would get rent from the mobile service provider, but would not from White Cloud. Council Member Lewis asked if the revenue could be discussed publicly. Mayor Cronin said there is not yet a signed contract but it would be somewhere around \$1,000 per month. Council Member Gerlach said that the city did have interest in White Cloud bringing wireless internet service to the community at one point but the City has not heard from them in two years. Council Member Nelson asked the size of the towers. Council Member Christensen estimated the tower would be 18 inches in diameter and 100 feet tall. Greg Westfall said the second tower would be the same size. Council Member Lewis asked where exactly the tower would be. Mayor Cronin said that it would go on the South East corner of the City's property. Council Member Lewis asked how far the tethers would go out. Greg Westfall stated that the footprint is 20' x 30'. Council Member Gerlach asked what the impact would be on surrounding homeowners. Mayor Cronin said that she lobbied pretty hard to look at the City property west of the freeway, but the providers are pretty set on placing the towers on the City property near the City office. Council Member Christensen said that electrical service is the problem west of I-15. Mayor Cronin asked if the Council would like to look into this more. Council Member Lewis stated because we do not have all of the variables yet he would like to look into this further. All other Council Members agreed. Mayor Cronin said they will keep working both angles and will bring this back to the Council once there is more information.

Mayor Cronin reported that she also attended the Utah League of Cities and Towns Conference and they presented a Fire Assessment and Risk Management Plan. The State is offering to cities that want to participate, the ability to pay a nominal amount toward fire prevention and in exchange they would provide fire assistance when needed at no charge.

Mayor Cronin advised that in a previous City Council meeting a public comment was made that there was an offer made to a City employee with a promise that the employee would get a \$2.00 per hour increase after a year of employment. She said that we do value our employees and want to ensure that we take care of them so she had City staff to investigate this. She said what was found in the offer letter given to the employee was a set amount with no mention or promise of an automatic increase. She said that Perry City gives raises

based on productivity (as noted on performance reviews) and on certifications. She said she wanted to note that the City does keep its commitments.

H. STAFF COMMENTS: Greg Westfall reported that he attended the League of City and Towns conference and the State Forester was present. He said that they are rolling out plans for a program that will help communities when they have fires. He said that the plan encourages cities to pay monies for fire prevention measures based on a study of square footage within the community. This can be in the form of brush removal, fire break lines, etc. He said that if we participate in the program and there is a large fire where the State comes in and helps with suppression there would be no cost to the City. He said these costs normally can reach hundreds of thousands of dollars. He said they are not asking us to write checks to the State, they are asking us to take this set amount of money and spend it on fire prevention in our community. He said that they are still working on the map and there is comment period. Greg said he will share further details once available. He said it sounds like a good program and encouraged the City to participate.

I. ITEMS FOR NEXT NEWSLETTER

- None.

ITEM 7: EXECUTIVE SESSION

MOTION: Council Member Christensen moved to close the Public Meeting and open an Executive Session to discuss potential litigation. Council Member Lewis seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Nelson, Yes
 Council Member Montgomery, Yes Council Member Lewis, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

The Regular Public meeting closed at approximately 8:24pm.

MOTION: Council Member Christensen moved to close the Executive Session and return to the Public Meeting. Council Member Montgomery seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Nelson, Yes
 Council Member Montgomery, Yes Council Member Lewis, Yes
 Council Member Gerlach, Yes
Motion Approved. 5 Yes, 0 No.

The Regular Public meeting reopened at approximately 8:36pm.

Mayor Cronin said there was is a newsletter being sent out in the bills that may cause some commotion in the community. She said she felt it was time to respond to some concerns. She advised that she did not do this without first consulting with our City Attorney and Gary Crane. She noted that if any council member had concerns about the newsletter after reading it they could call and talk with her.

ITEM 8: ADJOURNMENT

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

The meeting adjourned at 8:37pm.

Susan Obray, City Recorder

Karen Cronin, Mayor

Shanna Johnson, Chief Deputy Recorder