

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

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

OTHERS PRESENT: Tresa Peterson

**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 Wright seconded the motion.

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

**A. STATE TOURISM GRANT FOR SHORT RANGE PISTOL AWARD**

Mayor Cronin explained she and Shanna Johnson attended a meeting at the Governor's Office and at this meeting Perry City was awarded a Tourism Grant for the amount of \$11,100 from the State for a Short Range Pistol to be constructed at Three Mile Creek Gun Range.

**ITEM 4: PUBLIC HEARTING AND/ OR PUBLIC COMMENT**

**A. PUBLIC COMMENT**

No Public Comment received.

**ITEM 5: ACTION ITEMS**

**A. APPROVAL OF THE WARRANTS**

The Council and Staff reviewed and discussed the warrants.

**MOTION:** Council Member Montgomery made a motion to approve the warrants with the condition the agreement between the City and Bart Bess is signed [prior to the warrant being released].

Council Member Taylor seconded the motion.

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

**Motion Approved.** 5 Yes, 0 No.

**ITEM 6: DISCUSSION ITEMS**

**A. ORDINANCE 17-E REGARDING GRAVEL PITS**

Mayor Cronin explained the City and Geneva will be meeting tomorrow, as their schedules have not aligned beforehand. She stated the City is still upholding their “gentlemen’s agreement” to not pass the ordinance without Geneva agreeing to the ordinance or giving Geneva a 30 day notice otherwise. She expounded this is why this item is not on the agenda for approval this evening. She inquired if the Council has any corrections or suggestions regarding the proposed document so those can be incorporated by the meeting with Geneva tomorrow.

Council Member Montgomery stated she has mostly grammatical corrections on the proposed document. She asked for clarification on a redlined section on page 17 of the document.

Council Member Wright stated he feels the document is sound and he hopes Geneva agrees upon it.

Craig Hall stated Geneva has had this document for two weeks.

Council Member Lewis asked for clarification regarding a section on page 3 regarding the excavation permit and wondered if this section would apply outside of the gravel pit.

Mr. Westfall clarified this section only applies to gravel pits.

Mayor Cronin stated all references to a conditional use need to be removed from the document.

Mr. Hall stated the Council needs to get him all their revisions so he can incorporate them and be ready for his meeting with Geneva’s attorney. He said his goal is to have a deal agreed upon between both parties by the end of that meeting, so the Council can move forward in taking action on this ordinance. He said from the conversation he had with Geneva’s attorney this morning there were no indications that Geneva had any major concerns with the proposed document.

Mayor Cronin recognized all the parties who have put in a thorough amount of time and effort into this ordinance, she stated she hopes Geneva realizes the City has tried to be a good partner and it is time to now move forward.

Council Member Tueller stated he feels this ordinance protects the City and its residents and is beneficial for both parties.

The Council and Staff further clarified and reiterated the need for having only permitted and/or prohibited uses and not conditional uses in the ordinance.

The Council and Staff clarified that Geneva's sales tax only applies to the product they sale within Perry City's limits.

Mayor Cronin stated that Geneva is a great community partner and is hopeful the City can move forward with them in this partnership with this ordinance.

**B. ORDINANCE 17-J REGARDING CONSERVATION EASEMENTS**

Mayor Cronin reviewed at the last City Council meeting, Planning Commissioners Blake Ostler, Stewart Grover, and Tresa Peterson presented this proposed Conservation Subdivision ordinance to the Council. She said one matter which was brought up was that the conditional use clause is being discouraged by the State. She explained due to this Mr. Ostler and Mr. Grover met again and worked together to remove conditional uses from this ordinance and replace them with permitted and/or prohibited uses.

Mayor Cronin stated Mr. Ostler emailed these permitted and/or prohibited replacements to her this afternoon. She explained she will email these replacements to the Council Members. She inquired if any Council Members had any comments regarding these replacements from the printed copy.

Council Member Montgomery stated most of her concerns or suggestions she has reviewed with Mr. Ostler. She said one of her largest issues was in the inconsistency she found in the animal classifications.

Council Member Montgomery reviewed more of her concerns and suggested revisions with the Council and Staff. The Council and Staff discussed and clarified these concerns and suggested revisions.

Mayor Cronin said much of this ordinance is based off of Farmington City's Conservation Easement Ordinance. She stated it would be advisable to have City Council Members go and meet with representatives of Farmington and gain more knowledge on how this has worked for them.

Council Member Wright stated he has seen this concept throughout Farmington and his only concern is the maintenance of such conservation easements.

Greg Westfall stated this is why the City needs the permitted and/or prohibited uses within the ordinance, so residents and the City knows who is responsible for what.

Council Member Wright noted it is wise to remember this would only be an option for developers, who will have the choice to use or not use it.

Council Member Montgomery continued to review her suggested revisions and concerns with the Council and Staff. The Council and Staff discussed and clarified these suggested revisions and concerns.

The Council and Staff discussed and agreed upon the setback of a home being 20 feet from the road. The Council and Staff also discussed how to quantify what a “wooded area” would entail.

The Council and Staff reviewed what permitted versus prohibited uses the City feels strongly about including in the ordinance.

Mayor Cronin said she would talk with Mr. Ostler and Mr. Grover regarding what has been discussed at this meeting and asked Tresa Peterson if she would also do this with them and the rest of the Planning Commission.

**C. HOME BUSINESS LICENSES**

Mayor Cronin reminded the Council the State passed legislation last year that prohibited City’s from charging business license fees to home businesses with no visiting clientele and is non-retail. She explained the City needs to adjust their ordinances to comply with this State change.

Mayor Cronin explained if someone (who is operating a home business with no visiting clientele and is non-retail) still wants to have a business license the City can supply one and charge an administrative fee such as \$10.00.

Mayor Cronin stated it is the time of year the City sends out business license renewal reminders, therefore, those who fall under this classification will be notified they do not need to renew their license unless they so desire.

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

**A. APPROVAL OF CONSENT ITEMS**

- **October 12, 2017 City Council Meeting Minutes**

**MOTION:** Council Member Wright made a motion to approve the October 12, 2017 City Council Meeting Minutes. Council Member Taylor seconded the motion.

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

**Motion Approved.** 5 Yes, 0 No.

Mayor Cronin thanked the Minutes Clerk, Melani Nish for the great job she does in getting the minutes done in a timely manner for the Council to review and take action on.

**B. MAYOR'S REPORT**

Mayor Cronin reported she and some of the City Supervisors went to a training at the Utah Local Government Trust. She explained the presenter Mary Kelly advised in being firm but kind and to give clear communication.

Mayor Cronin stated the new phones are online now and are up and running.

Mayor Cronin reminded early voting goes through until November 3<sup>rd</sup> and then Election Day will be at Three Mile Creek on November 7<sup>th</sup> from 7am-8pm.

Mayor Cronin explained the Council needs to canvas the votes and make sure everything has been done in order. She stated per State law the Council cannot canvas the votes until seven days after the election and then they only have a few days to canvas them. She said the Council's planned meeting of November 9<sup>th</sup> does not meet the requirement of having the canvas no sooner than 7 days after the vote. She explained the Council can either have a meeting on November 9<sup>th</sup> or combine this meeting with the canvas meeting on November 16<sup>th</sup>, which she would suggest.

The Council agreed upon having their November meeting on the 16<sup>th</sup>.

**C. COUNCIL REPORTS**

Esther inquired when the next General Plan Meeting would be held.

Mayor Cronin stated it is planned for November 9<sup>th</sup> at 5pm.

**D. STAFF COMMENTS**

Mayor Cronin stated the Holiday Movie will be The Polar Express, the showings will be at 9am and 11am on Saturday, December 5<sup>th</sup>. She said the City is not going to do tickets this year but have seats available on a first come first serve basis.

Mr. Hall invited the Council to come to dinner at his home to show his appreciation for them and all they do.

**E. ITEMS FOR NEXT CITY NEWSLETTER**

- Holiday Movie details

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

No Executive Session required.

**ITEM 8: ADJOURNMENT**

**MOTION:** Council Member Montgomery made a motion to adjourn the City Council Meeting.

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

The meeting adjourned at 8:24 PM.

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Susan Obray, City Recorder

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Karen Cronin, Mayor

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Shanna Johnson, Chief Deputy Recorder