

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

**CITY STAFF PRESENT:** Greg Westfall, City Administrator  
Shanna Johnson, Chief Deputy Recorder  
David Freeze, Patrol Officer

**OTHERS PRESENT:** Catherine Pommier, Jason Grunander, Kobe Arrington, Adam Mosser, Daniel Montgomery, Seth Hansen, James Gorman, Carter Simpson, Stuart Grover

**ITEM 1: CALL TO ORDER**

Mayor Cronin called the City Council meeting to order.

**A. INVOCATION**

Council Member Montgomery 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 Taylor made a motion to approve the agenda. Council Member Tueller seconded the motion.

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

Mayor Cronin recognized the following Scouts in the audience working on their Citizenship in the Community Badge:

- Carter Simpson
- James Gorman
- Seth Hansen
- Daniel Montgomery
- Adam Mosser

The Mayor and Council shook hands with each scout and gave them a Perry City pin.

### ITEM 3: PUBLIC HEARINGS AND/OR PUBLIC COMMENTS

#### A. PUBLIC COMMENTS

**Catherine Pommier** – said she came to introduce herself to the Mayor and Council and explained that she has submitted an application for a temporary business license for her business Clue in Escape, which is a mobile escape room. She said that she is hoping to meet with the Planning Commission next week and then with the Council if approved by the Planning Commission. She said she is excited to do business in Perry and plans to operate at the Alpine Gardens parking lot during their slow season. She said that an escape room is an interactive, team building, fun activity. She said that her theme currently is a mausoleum and will change in December to Grandmas Christmas. She stated that 6-8 players enter the escape room and must complete puzzles and clues in order to get out of the venue. She said they are allowed 60 minutes and at the end of that time the game is over. She said that whole idea is to compliment other businesses such as her arrangement with Alpine Gardens and draw people to their location.

#### PUBLIC HEARING REGARDING RESOLUTION 16-15 ADOPTING A FISCAL YEAR 2016-017 PERRY CITY BUDGET

Mayor Cronin advised that the City plans to put additional money toward certain budget items and in order to do this, the City must amend the budget. She said that the amendment currently being looked will allocate an additional \$20,000 into the gun range, which is money that was not spent in the prior fiscal year. She said that this is primarily for a steel shed that was planned to be constructed last year. She said that this was not completed so we would like to move the \$20,000 in to this fiscal year. Mayor Cronin advised the amendment also includes \$4,000 that will be added to the Wastewater Treatment Plant budget. She explained that this is money that the board had requested in their original budget request, but the City did not originally approve. She said that the City has agreed to add half of this money back in. She said that if the amendment is approved \$2,000 will be added back to employee benefits, and \$2,000 will be added to training where it was originally submitted in by the Sewer Facility Board's budget. She stated the combined budget amendment totals \$24,000. Mayor Cronin said that the monies will be coming from the General Fund Balance and noted that the Gun Range money is money that was budgeted but not spent in the prior fiscal year therefore reverted back to fund balance.

**MOTION:** Council Member Montgomery made a motion to open a public hearing regarding Resolution 16-15. Council Member Lewis seconded the motion.

**ROLL CALL:** Council Member Wright, No                      Council Member Tueller, Yes  
                    Council Member Montgomery, Yes              Council Member Taylor, Yes  
                    Council Member Lewis, Yes  
**Motion Approved.** 4 Yes, 1 No.

No Comments were received.

**MOTION:** Council Member Taylor made a motion to close the public hearing regarding Resolution 16-15. Council Member Lewis seconded the motion.

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

### ITEM 4: ACTION ITEMS

#### A. APPROVAL OF THE WARRANTS

Council Member Tueller asked about the warrant for a Haulmark Trailer. Council Member Taylor stated that this a trailer for the C.E.R.T. Team. Mayor Cronin advised that the C.E.R.T. has taken money from last year that they did not spend and added it to this year's budget to afford the trailer. Council Member Wright asked about the two different payments for the Chevy Cruze. Shanna advised that the check dated October 12, 2016 in the amount of \$14,725.16 did not include the warranty, therefore this was voided and a new payment in the amount of \$16,235.16 is the correct payment including the warranty. Mayor Cronin advised that the Council can pass the warrants noting that the first check was voided. Council Member Taylor asked about the payment to Legal Service for Prosecution services. Mayor Cronin advised that Bill Morris is contracted to do all of Perry City's prosecution work and this is payment for his services. Council Member Taylor asked if he just works as assigned. Mayor Cronin said that we get a monthly bill for his services, but varies depending on the case load for the month. Council Member Lewis asked if all purchases are within budget. Mayor Cronin said yes. Council Member Wright asked if the CRB Underground payment equals the amount approved for the project. Greg Westfall answered yes.

**MOTION:** Council Member Lewis made a motion to approve all warrants, noting that voided the check (#20297) dated October 12, 2016 in the amount of \$14,725.16 has been voided and therefore will not be paid. Council Member Tueller seconded the motion.

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

Mayor Cronin addressed the additional warrants before the Council stating that the payments listed are for Sewer equipment needing to be replaced. She said the Driver Reducer will come directly from the Wastewater Treatment Plant Budget, but the flow meter will be paid from the Perry City Sewer Collections budget. She said there is budget to cover both of these at this time.

**MOTION:** Council Member Wright made a motion to approve the additional warrants presented. Council Member Montgomery seconded the motion.

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

## **B. RESOLUTION 16-15 ADOPTING A FISCAL YEAR 2016-2017 PERRY CITY BUDGET AMENDMENT**

Mayor Cronin said we have the opportunity to act upon Resolution 16-15, which will adopt an amended budget. She asked if the Council had any questions. Council Member Lewis clarified that the Gun Range Budget is just moving forward budget that was not expended last year. Mayor Cronin said yes. Council Member Lewis asked why this was not included in the original budget. Shanna advised that the budget is created in May and June and the City had anticipated using these funds for a storage building prior to the close of the fiscal year. Mayor Cronin said that this building was not constructed due one of the possible locations to construct the shed was the land that was in dispute. Council Member Lewis asked for some more clarification on the Wastewater Treatment Budget. Mayor Cronin explained that during the budget process the wastewater treatment board had requested money in the benefits and training areas that were not needed. She said that the City knows almost exactly what the benefits will cost and the training policy only allows \$600 per employee for training so we also knew what that budget line item should be. So the City elected to not fund those line items over and above the need. She added that any general fund monies contributed toward this budget, if not used, do not return back to the general fund, these funds remain in the sewer fund. Mayor Cronin said that it is her understanding that Willard City passed

this budget at the full request and asked that rather than taking the budget to a 3 member review committee that the two cities split the difference. She said that the Council has discussed this and indicated they would like to meet in the middle, and split the difference, which will require a budget amendment. Council Member Wright asked if the Resolution can be passed as separate amendments. Shanna said that both amendments are listed under the same Resolution so they would need to be passed as one. She said you can amend the Resolution to just cover one of the amendments and then pass it but we cannot split it. Council Member Lewis asked if Council Member Wright has concerns about the amendment. Council Member Wright said he has concerns with the wastewater treatment amendment of \$4,000. Council Member Lewis said that he could see them passing easier if they were separate. Mayor Cronin said she thinks that we could modify the Resolution to remove one of the amendments. Shanna agreed that the Council could do this. Greg Westfall clarified that you would not be able to pass whatever was removed during this meeting. Shanna agreed stating you would need to do this later and conduct a new public hearing. Council Member Tueller asked if Council Member Wright did not want to concede at this time regarding the \$4,000 addition. Council Member Wright agreed that he did not want to pass this amendment at this time and would like to discuss some issues further in executive session. Mayor Cronin stated he can table the item until after Executive Session. Council Member Wright requested this happen and the Mayor declared the item tabled until after the Executive Session.

**C. FINANCIAL APPEAL KIM BARNARD** – Tabled, no representative present.

## **ITEM 5: DISCUSSION ITEMS**

### **A. MATTHEWS ZONE CHANGE**

Mayor Cronin said this item has been recommended to the City Council by the Planning Commission. She said that usually items are brought to the Council as discussion items prior to taking action unless there is an emergency. She said it was felt that this is not an emergency and turned the time over to Greg Westfall to lead the discussion regarding the Matthews Zone Change Request. Greg reported that the Matthews came to the City requesting that the property directly north of Cherry Ridge Subdivision (13.74 acres) be rezoned. He said that the original request was that this be zoned into an R2 zone; there was a lot of discussion regarding this request in the Planning Commission meeting and due to the fact that our general plan is our guide and has 2 different requirements: one not wanting the R2 zones anymore in town, which contradicts City Ordinance allowing R2 they were not comfortable in passing this as R2. Mayor Cronin said the Planning Commission felt more comfortable in passing a recommendation lots no smaller than allowed in R1. Greg said that the Matthews were amiable to the Planning Commission recommendation and a zone change recommendation was passed recommending this property change from agricultural to R1. Council Member Montgomery asked what the difference is between R2 and R1. Greg said there is a size difference of 2,000 sq. ft. Council Member Tueller asked what Cherry Ridge is zoned. Greg stated R2. Greg said that the Planning Commission took a lot of time reviewing this, they did their homework and he was comfortable with their recommendation. Mayor Cronin asked if there is any information needed prior to taking action next meeting. Council Member Taylor asked if we have had a public hearing regarding the zone change. Greg indicated that there was a public hearing held for this item at Planning Commission level. He said that there was public that came to the meeting and they discussed the zone change prior to action. Council Member Lewis said that there was only 3 Planning Commission member present when this was passed and he asked Commission Stuart Grover if he felt that any commissioners had any concerns regarding the zone change. Commissioner Grover indicated that all present were unanimous in approving this to move forward to City Council and he did not believe anyone had any concerns.

### **B. SCADA SYSTEM**

Mayor Cronin explained that there was a water project (Valley View Loop project) that a land owner did not want to participate in and therefore cannot be completed. She said that \$120,000 in budget for this project and the next project we felt was of critical concern was a SCADA System. She said that an Request for Proposal (RFP) was put out for the SCADA System project of which 10 people responded. She said that Greg Westfall and Greg Braegger have narrowed it down to two vendors, they would like to work with the two potential vendors to fine tune the numbers. She asked if the proposal comes in under the budgeted amount if there are any concerns from the Council if the staff moves forward with the project. Council Member Lewis asked what the implications of having the bids available to the public prior to the Council voting on the project. Greg said technically the Council does not need to vote on the RFP. He explained that the budget and project have already been approved so normally they would just move forward. He said that it is up to the Mayor as to whether or not she wants to bring this to the Council for action as a formality. Council Member Lewis asked if there was any reason the item would need a vote in open meeting. Greg said no. Mayor Cronin said that a vote is not required and she would definitely report back to the Council what vendor is selected. However because we want to move forward and hopefully get the SCADA system in place before the end of the year, waiting that extra two weeks may delay this schedule. She stated that the Council is welcome to come and get additional information if they would like. She said the question is does the Council want more information before staff selects a vendor. Council Member Montgomery stated it is in good hands. Council Member Wright asked if Greg Braegger would be making the decision. Greg Westfall said the proposals have been reviewed by Greg Braegger (Public Works Director), Brett Jones (City Engineer), and himself, and they have kept the Mayor informed. Mayor Cronin said that she thinks that they have done a very good job in their review. She said there are two vendors that are very close and they are working to get some additional information, which should be available early next week. There were no concerns noted.

### **C. LAW ENFORCEMENT PERSONNEL**

Mayor Cronin stated that law enforcement is a very competitive industry right now and if the demand is higher than the supply the prices tends to go up. She said that the City was fortunate to bring on Officer Freeze who has been a part-time officer and is now a full-time officer. However, we also know another one of our officers has received a conditional offer to go to another City. She said in an effort to try to keep things fair and offer competitive wages she is bringing forward the idea of doing a pay increase for law enforcement officers. Council Member Taylor asked if this would be across the board. Mayor Cronin said this would be in an effort to stay competitive and retain the officers that we have trained. Mayor Cronin said there are two officers not eligible for the increase, Officer Freeze who was hired at higher rate than what we pay other officers, and Officer Blind who when hired was already promised a pay increase after he passes Field Officer Training. Shanna noted that this would also not apply to the Chief whose pay and benefits were outlined in contract when he was hired. Council Member Taylor asked how many officers would be eligible. Mayor Cronin said 3. Council Member Taylor asked what percentage of increase would be given and if there was budget available. Shanna advised that there is budget available. Mayor Cronin said because we are still not sure if this pay increase would be awarded she was not comfortable in stating an amount. She said that there is budget available due to the fact that budget was included for a full-time officer to start in July, but Officer Freeze was hired on in October. Shanna said that there is also some monies budgeted for benefits that are not needed, and based on payroll projections there was money budgeted originally for performance increases that were higher than achieved. Council Member Tueller said that from a business stand point it's sometimes simpler if there are good people to give an increase rather than bringing in new people and having to train them. He indicated that he would be in favor of an increase. Shanna noted that the City has had 3 testing sessions at the beginning of the fiscal year. She said that there have been a limited number of applicants, with 2 or 3 people coming to testing and only 1 qualifying. She said then we find issues and are unable to hire those that do qualify. Shanna advised that there is a lack of people

going through POST, and a lack of applicants. She said that it is hungry market for police and our officers are being recruited by other agencies. Council Member Montgomery said it's something we need to do. Council Member Lewis said that we definitely need to take care of our officers, and there are no objections to a pay increase but we also need to make sure that it is in the bounds of the budget. Council Member Tueller said that if it is in the budget he is for the increase. Council Member Lewis agreed. Mayor Cronin asked if there were any concern from the Council. No concerns were noted.

## **ITEM 6: MINUTES & COUNCIL/MAYOR REPORTS**

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

- **September 22, 2016 City Council Work Session Minutes**
- **September 22, 2016 City Council Meeting Minutes**
  - **Page 10, Line 13** – Council Member Wright asked that the name of the council member who seconded the motion going into executive session be added. Shanna looked this up from her notes and advised that she will add Council Member Wright's name as seconding the motion.
- **October 5, 2016 City Council/Planning Commission Work Session Minutes - Tabled**
- **October 6, 2016 City Council/Planning Commission Work Session Minutes - Tabled**

**MOTION:** Council Member Wright made a motion to approve the September 22, 2016 Work Session and Regular City Council Meeting Minutes as amended. Council Member Montgomery seconded the motion.

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

**B. MAYOR'S REPORT:** Mayor Cronin reported that staff has been busy finalizing the grant close out for the NRA Grant we received for trap throwers and money to build trap houses, and to purchase targets for our short range pistol range. She said that the City will be going out tomorrow to purchase the targets of which will cost approximately \$2,100 and we will be spending \$900 on the trap houses. She reported that the City has been working on a strategic plan for the gun range to be presented to the State. She said that as part of this the City has been collecting letters of support. She said she felt it would be important that the City Council also put in a letter of support. Mayor Cronin presented a letter of support that she drafted for signatures by the Council and asked for them to sign the letter. She advised that they are trying to have the strategic plan finalized by Tuesday of the following week.

Mayor Cronin said that it has been brought up several times that the City needs to update our logo. She asked the Council if they have any ideas to let her know. Council Member Lewis said he does have some ideas and stated he knows local person who is in the industry that would donate some time. The Mayor asked him to get with her.

**C. COUNCIL REPORTS:** Council Member Taylor asked about the upcoming Planning Commission Meeting next Thursday night. Mayor Cronin said that the meeting is next Thursday night and the Council will be joining them to discuss the General Plan. Mayor Cronin said that the City did mail out the prioritization form with the newsletter. She said the upcoming Planning Commission meeting will be an opportunity for the Council to engage with the Planning Commissioners regarding the General Plan update and encourage the City Council Member to attend. Council Member Wright asked if the water bill can be itemized so that citizens can see the overage charges being presented. He explained that he would like to itemize the base fee,

the first tier of overage fees, and the second tier of overage fees. He said that he has heard a lot of complaints. Shanna advised the bill currently itemizes the base fee and the metered water. Council Member Wright asked if the metered water could be itemized. Shanna said that we would need to look into this with Caselle and see what we can do design wise with the billing. Council Member Tueller asked if the Escape Room was listed on the Planning Commission agenda. Greg researched this and confirmed that this is on the agenda.

**D. STAFF COMMENTS:** None.

**E. ITEMS FOR NEXT NEWSLETTER:**

- General Plan Prioritization Sheet
- Snow Storm Parking Reminder
- Holiday Movie (to take place Saturday, December 3, 2016 at 9am and 11am)
- Green Waste Closing November 12, 2016

**ITEM 7: EXECUTIVE SESSION**

**MOTION:** Council Member Wright made a motion to close the Public Meeting and go into an Executive Session to discuss the potential or imminent litigation. Council Member Lewis seconded the motion.

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

The regular meeting closed at 8:00pm.

**MOTION:** Council Member Wright made a motion to leave the Executive Session and reenter the Public Meeting. Council Member Montgomery seconded the motion.

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

The regular meeting reopened at 8:35pm.

**ITEM 4B – RESOLUTION 16-15 ADOPTING A FISCAL YEAR 2016-2017 PERRY CITY BUDGET AMENDMENT**

**MOTION:** Council Member Taylor made a motion to approve Resolution 16-15 Adopting a Fiscal Year 2016-2017 Perry City Budget Amendment. Council Member Wright seconded the motion.

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

**ITEM 8: ADJOURNMENT**

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

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

The meeting adjourned at 8:37pm.

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Susan Obray, City Recorder

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Karen Cronin, Mayor

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Shanna Johnson, Chief Deputy Recorder