

OFFICIALS PRESENT: Mayor Kevin Jeppsen presided and conducted the meeting. Andrew Watkins, Esther Montgomery, Blake Ostler, Toby Wright, and Nathan Tueller

CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder  
Robert Barnhill, City Administrator  
Scott Hancey, Chief of Police  
Tyler Wagstaff, Public Works Director  
Bill Morris, City Attorney

OTHERS PRESENT: Nelson Phillips, and Melanie Barnhill

**ITEM 1: CALL TO ORDER**

Mayor Jeppsen called the electronic City Council meeting to order. The Mayor read the statement from the CDC and Utah Department of Health regarding electronic meetings: The CDC and Utah Department of Health have declared a national and state pandemic for COVID-19 where social distancing and other requirements are in place to prevent the spread of this infectious disease.

**ITEM 2: PROCEDURAL ISSUES**

**A. CONFLICT OF INTEREST DECLARATION**

None.

**ITEM 3: PUBLIC HEARING**

**A. Public Hearing Regarding Resolution 2020-18 Amending the Fiscal Year 2020-2021 Budget.**

Shanna Johnson explained the budget changes, which included the cost of a staff reorganization totaling \$26,123 and moving \$4,000 from the parks capital improvement fund to the parks department budget for the purchase of mature trees. See details below:

**BUDGET AMENDMENTS TO 2020-2021 BUDGET**

	INCREASE (DECREASE)	ORIGINAL BUDGET	AMENDED BUDGET
BEG. GENERAL	\$26,123	\$169,617	\$195,740
FUND BAL. TO BE APPROPRIATED			
TOTAL	\$26,123	\$169,617	\$195,740
AMENDMENTS TO GENERAL FUND EXPENSES			
ADMINISTRATION (STAFF REORGANIZATION)	(\$28,168)	\$773,305	\$745,137
POLICE (STAFF REORGANIZATION)	\$54,291	\$901,994	\$956,285
CONTRIBUTION TO CAPITAL PROJECTS (PARK EQUIPMENT & IMPROVEMENTS)	(\$4,000)	\$32,329	\$28,329
PARKS	\$4,000	\$117,859	\$121,859
TOTAL	\$26,123	\$1,825,487	\$1,851,610

OVERALL BUDGET CHANGES	INCREASE (DECREASE)	ORIGINAL BUDGET	AMENDED BUDGET
ADDITIONAL REVENUES FOR GENERAL FUND	\$26,123	\$3,463,280	\$3,489,403
AMENDMENTS TO GENERAL FUND EXPENSES	\$26,123	\$3,463,280	\$3,489,403
CAPITAL PROJECTS FUND PARKS EQUIPMENT & IMPROVEMENTS REVENUE	(\$4,000)	\$32,329	\$28,329

**ITEM 4: 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 Montgomery seconded the motion.

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

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

**B. RESOLUTION 2020-18 Amending the Fiscal Year 2020-2021 Budget**

Shanna presented the resolution in the public hearing portion of the meeting. No other discussion took place.

**MOTION:** Council Member Montgomery made a motion to approve Resolution 2020-18 Amending the Fiscal Year 2020-2021 Budget. Council Member Tueller seconded the motion.

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

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

**C. RESOLUTION 2020-19 AUTHORIZING A CARES ACT INTERLOCAL AGREEMENT BETWEEN PERRY CITY AND BOX ELDER COUNTY.**

Mayor Jeppsen informed the Council that Box Elder County said that they can spend Cares Act Funds that Perry City is unable to use. Shanna Johnson stated that the County would like to use the funds towards grants to help small businesses. She explained that the money must be spent by November 30 or it has to be returned to the State by December 3, if the State cannot use it then it will go back to the Federal Government. Shanna informed the Council that the money must be used for expenses related to Covid-19. Shanna explained what the City will be using the money for including personal protective equipment, sick time expenses for employees quarantined, and plans to install better audio/visual equipment for electronic meetings.

Council Member Ostler questioned who brought this proposal to Perry City. Bob Barnhill explained it came from Box Elder County and Mitch Zundel, the economic developer for the County. Council Member Ostler wanted to know if Perry City could just give the grants instead of the County doing it. He expressed wanting to make sure it takes care of Perry businesses and felt that if the money goes into the County, it may not help our own businesses. Bob explained that the County suggested that Perry businesses may possibly get more money by putting the money into the pool with the County money (since the County has a bigger pool of money). Shanna Johnson explained that the County has spent time developing a program to help the small businesses to make sure they are spending the money in line with the rules that are in place. Bob explained further that there are more people/resources available for the money to be used correctly especially where there is a specific timeframe for the money to be used before it has to be given back to the State. Shanna clarified that the use is for small businesses and non-profit organizations. Shanna further explained that the City can choose how much funding they want to transfer to the County and only the money that is not used by Perry City would be considered. The City would keep what it anticipates it will need to cover expenses.

Council Member Ostler questioned if the City's legal counsel had reviewed the agreement particularly section 6I. Bill Morris, City Attorney, said he has reviewed it and discussed an example of what happened in Weber County with a similar agreement. He did express some concern that Box Elder County may not be as prepared as Weber County.

Council Member Ostler expressed concern about section 6C of the agreement proposing an 11-year agreement on funds that must be spent in 3 months. Bill stated that he speculates that the lawyer that drafted the agreement was allowing for the required records retention schedule.

Bill stated that he cannot change the boilerplate, as he has no point of contact. He stated that this agreement is a take it or leave it unless they are able to find out a point of contact to make the changes. Bob said it came from Utah Association of Counties, not from Box Elder County.

The Council and Staff discussed the timeframe of when the money needs to be used and discussed the money being sent back to the State if not used. Council Member Montgomery stated that every city has been given money and that if the County has organized a way to spend the money to help small businesses, that she feels it would be good to participate.

The Council discussed how to notify small businesses that this is available and how to get the applications to them. Shanna Johnson reviewed the stipulations to be eligible and added that the staff at the Box Elder Chamber of Commerce plan to reach out to the small businesses as well to inform the businesses.

**MOTION:** Council Member Montgomery made a motion to approve Resolution 2020-19 Authorizing a Cares Act Interlocal Agreement between Perry City and Box Elder County.

**DISCUSSION:** The Council discussed if they felt that Perry City could administer the money to the small businesses better than the County with the time constraints in place. They also discussed the advertising that may have already been done by the County and questioned if it would cause any backlash if the City did not participate. The Council discussed grant guidelines and that there is a cap on the amount businesses can receive. The Council discussed in more detail how to inform businesses about this grant being available to them and how to implement an application process.

Council Member Tueller seconded the motion.

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

Council Member Watkins, Yes  
Council Member Ostler, Yes

Council Member Wright, Yes

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

**DISCUSSION:** Mayor Jeppsen stated that Perry City would not allocate any funds without discussion with the Council prior to doing so and that Bob would reach out to Mr. Zundel from the County for more information.

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

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

- September 10, 2020 City Council Meeting Minutes
- September 24, 2020 City Council Meeting Minutes

**MOTION:** Council Member Montgomery made a motion to approve the September 10, 2020 City Council Meeting Minutes and the September 24, 2020 City Council Meeting Minutes. Council Member Wright seconded the motion.

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

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

### **B. MAYOR'S REPORTS**

Mayor Jeppsen discussed meeting with UTA and asked Bob to review what was discussed. Bob reviewed the meeting with the Council and said that he stated that the City wants to repeal the Mass Transit Tax. He said UTA is supposed to respond in the next 2-3 weeks with some potential legislative fixes with flexibility using the funds. Council Member Ostler said that he thought there is a way to repeal the Mass Transit Tax after looking at State Code. Bill Morris clarified that because of the way it was put in (through the County including the cities of Willard, Brigham City and Perry) it would have to be repealed the same way, that Box Elder County would have to put it back on the ballot. The Council discussed ideas of how to start the process to get the tax repealed.

Mayor Jeppsen discussed the Gun Range being open on Fridays and Saturdays in October with very little concern from residents, besides one resident who felt that the City was not allowing access through the property to hunting grounds. He added that he had received an email from someone from the Bird Refuge as well that he will respond to. He discussed the main concern is safety and the signage that was put in place along the property lines and not allowing access to hunters in some areas.

### **C. COUNCIL REPORTS**

Council Member Watkins stated that the Perry Youth Council has started meeting again and had an activity earlier today.

### **D. STAFF COMMENTS**

Chief Hancey thanked the Council for the budget amendment passed tonight and stated that the staff reorganization will help the Police Department.

Tyler Wagstaff gave an update on 1200 W. He said that pipe would be laid on Monday.

### **E. PLANNING COMMISSION REPORT**

None.

## **ITEM 7: EXECUTIVE SESSION**

- None required.

**ITEM 6: 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 8:26 p.m.

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Susan O Bray, City Recorder

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Kevin Jeppsen, Mayor

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Shanna Johnson, Chief Deputy Recorder