

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

OFFICIALS EXCUSED: Brady Lewis

CITY STAFF PRESENT: Shanna Johnson, Chief Deputy Recorder  
Greg Westfall, City Administrator  
Craig Hall, City Attorney  
Ryan Arbon, Chief of Police  
Shawn Blauer, Police Detective

OTHERS PRESENT: Jim Flint, Tresa Peterson, Andrew Watkins, Randy Matthews, and Tim Francis

**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 Tueller 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 seconded Montgomery the motion.

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

• **KMP Global Marketing LLC**

Tresa Peterson explained this is her husband's consulting business which will not have visiting clientele.

**MOTION:** Council Member Taylor made a motion to approve the KMP Global Marketing LLC. Council Member Tueller seconded the motion.

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

Council Member Montgomery, Yes  
Council Member Tueller, Yes

**Motion Approved.** 4 Yes, 0 No.

- **James Page Construction**

Mayor Cronin inquired if there was anyone in attendance who was representing this application. It was discovered there was not. She inquired of City Administrator, Greg Westfall if it was known where this applicant was planning on storing his construction equipment.

Mr. Westfall stated he has a building which will store the equipment.

Council Member Tueller inquired if the application must have a representative in attendance to approve it.

Mayor Cronin stated it is up to the Council but it is her understanding they are supposed to attend.

Council Member Taylor inquired if the applicant knew he was supposed to attend this evening.

Mayor Cronin stated the Business Clerk always informs the applicants when they need to attend.

**MOTION:** Council Member Montgomery made a motion to approve the James Page Construction. Council Member Taylor seconded the motion.

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

Council Member Montgomery, Yes  
Council Member Tueller, Yes

**Motion Approved.** 4 Yes, 0 No.

- **Genesys Solutions LLC**

Mayor Cronin inquired if there was anyone in attendance who was representing this application. It was discovered there was not.

Mayor Cronin reviewed the application which stated it provides consulting for programmable automation controllers.

Mr. Westfall stated he has no other information than what's on the application.

Council Member Tueller noted it has no visiting clientele.

**MOTION:** Council Member Tueller made a motion to approve the Genesys Solutions LLC. Council Member Wright seconded the motion.

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

Council Member Montgomery, Yes  
Council Member Tueller, Yes

**Motion Approved.** 4 Yes, 0 No.

### **ITEM 3: PUBLIC HEARING AND/ OR PUBLIC COMMENT**

**A. Public Comment**

None.

**ITEM 5: ACTION ITEMS**

**A. APPROVAL OF THE WARRANTS**

The Council and Staff clarified and reviewed the current warrants.

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

**ROLL CALL:** Council Member Wright, Yes                      Council Member Montgomery, Yes  
                  Council Member Taylor, Yes                      Council Member Tueller, Yes  
**Motion Approved.** 4 Yes, 0 No.

**B. ORDINANCE 17-I AMENDING THE ZONING MAP FROM AL TO R1 FOR PARCEL NUMBER 02-035-0024**

Greg Westfall explained this regards the rezone for the Matthews Subdivision which was approved but the Ordinance for this rezone was not passed. He stated this was an oversight on his part.

**MOTION:** Council Member Montgomery made a motion to approve Ordinance 17-I. Council Member Wright seconded the motion.

**ROLL CALL:** Council Member Wright, Yes                      Council Member Taylor, Yes  
                  Council Member Tueller, Yes                      Council Member Montgomery, Yes  
**Motion Approved.** 4 Yes, 0 No.

**C. RESOLUTION 17-28 AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT PERTAINING TO CONSOLIDATED DISPATCH SERVICES IN BOX ELDER COUNTY**

Mayor Cronin turned the time over to City Attorney, Craig Hall to review this action item with the Council.

Mr. Hall explained every city within Box Elder County are considering this option. He stated this would allow all 911 calls to be consolidated. He believed Brigham City has passed it, as well as, Box Elder County. He expounded there would be no funding required from the city's for this option to occur, those would come from the 911 funds.

Council Member Taylor inquired if there would be any reason why not to do this.

Mr. Hall said none that he is aware of.

Mr. Hall explained the executive board for this is an inter-local board between the County and Brigham City, while the committee would be made up of representatives from the participating cities. He said the cities can participate up to 49 years before needing renewal and can get out of the agreement with notice.

**MOTION:** Council Member Taylor made a motion to approve Resolution 17-28. Council Member Montgomery seconded the motion.

**ROLL CALL:** Council Member Wright, Yes                      Council Member Montgomery, Yes  
                  Council Member Taylor, Yes                      Council Member Tueller, Yes  
**Motion Approved.** 4 Yes, 0 No.

**D. RESOLUTION 17-29 APPROVING THE FIRST AMENDMENT TO A PROFESSIONAL LEGAL SERVICE AGREEMENT**

Mayor Cronin explained the City approved the budget for this, but they didn't realize it must also change the contract itself to allow for the change.

Mr. Hall explained the other change which this new contract does is change the contract from being with him personally to being with his firm.

Mayor Cronin stated the contract is set for a monthly rate unless the City is involved in litigation.

Council Member Tueller inquired as to the length of the contract.

Mr. Hall stated it is a yearly renewal of contract.

**MOTION:** Council Member Taylor made a motion to approve Resolution 17-29 with the insertion *as partner to Bennet Tueller Johnson & Deere*. Council Member Montgomery seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**E. FINAL APPROVAL OF SUNCREST SUBDIVISION PHASE 2**

Mr. Westfall reviewed this application with the Council. He explained there are four lots included in this phase. He stated there has been a lot of work done with the City Engineer (Bret Jones) for this application and noted that the Flag Lot meets the current City Codes.

Council Member Tueller inquired if there is anything still pending on the City Engineers side for this application.

Mr. Westfall stated there are some minor pending items and the City Engineer is comfortable with this application being approved.

Mayor Cronin noted it is her understanding the Fire Marshall has also inspected the area and he has no concerns regarding it.

**MOTION:** Council Member Wright made a motion to approve the Final Approval of Suncrest Subdivision Phase 2. Council Member Tueller seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**F. FINAL APPROVAL OF FRANCIS SUBDIVISION**

Mr. Westfall stated this is a straightforward application, it is a vacant lot being split into two lots. He explained this split meets all current codes and zones for sizing etc.

**MOTION:** Council Member Montgomery made a motion to approve Final Approval of the Francis Subdivision. Council Member Taylor seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**G. APPROVAL OF A POLLING LOCATION FOR THE 2017 GENERAL ELECTION**

Mayor Cronin reviewed a note from City Recorder, Susan O Bray (who will be running the election) stating the location would be held at the Three Mile Creek Elementary School. She explained the note also gives the names of the Poll Workers which are as follows: Jolene Eddington, Natasha Tilley, Vivian Shram, Amy Coburn, and David Curtis.

Mayor Cronin noted these approvals needed to be separate motions.

**MOTION:** Council Member Taylor made a motion to approve the Polling Location for the 2017 General Election. Council Member Wright seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**H. APPROVAL OF POLL WORKERS FOR THE 2017 GENERAL ELECTION**

**MOTION:** Council Member Taylor made a motion to approve Jolene Eddington, Natasha Tilley, Vivian Shram, Amy Coburn, and David Curtis as the Poll Workers for the 2017 General Elections. Council Member Tueller seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**I. MOTION TO AUTHROIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH NEXTIVA FOR CITY PHONE SERVICES**

Shanna Johnson explained the City is currently having issues with their phone system. She stated the options the City has to fix the issues is to either rewire the building or look at Internet phone options. She expounded the City’s IT provider Keith Keller researched this and recommends Nextiva to provide the City’s phone services.

Shanna Johnson stated if the City signs a two year contract with Nextiva they will pay an extra 84\$ a year in addition to the current budget as the phones will be provided at no charge. She explained if the City chooses not to contract they will have an extra \$2,300 on top of the current budget for phones.

**MOTION:** Council Member Montgomery made a motion to authorize the Mayor to enter into an agreement with Nextiva. Council Member Taylor seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**J. MOTION TO AUTHORIZE TRAINING BEYOND ALLOTTED TRAINING ALLOWANCE**

Mayor Cronin explained it has been asked by the Police Department to allow Detective Blauer to attend a training in Park City which will be over the current City Policy allowance for trainings.

Council Member Tueller inquired what the training covers.

Detective Blauer stated it is being done by major criminal Investigators who will teach how to best investigate criminal cases, especially focusing on homicides. He explained it is a 5 day course.

Council Member Tueller inquired was hosted by an independent or State group.

Detective Blauer stated it is an independent group out of Utah who hosts it.

Council Member Wright inquired if this is a onetime training or an annual training.

Detective Blauer said, for him, it will be a onetime training and will allow him to train Perry's officers on what he learns from it.

Chief Arbon explained Weber County has a successful CSI program because they are a larger county, however, Box Elder has nothing like that currently. He illustrated to the Council with a scale of 10-1, 10 being where Weber County's CSI program is and 1 or 2 being where Perry's Police Department is currently. He stated with this training it will elevate Perry's Police Department to a 5 or 6 and explained this is why he supports Detective Blauer attending this class.

**MOTION:** Council Member Wright made a motion to approve the authorization to train beyond allotted training allowance. Council Member Tueller seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

Chief Arbon thanked the Council for their support.

**K. MOTION TO AWARD A THREE MILE CREEK SHOOTING SPORTS COMPLEX LIFETIME PASS**

Mayor Cronin explained an RSO (Ben Janke) donated a Toyota 4Runner to the Gun Range for use at the Gun Range, such as transporting personnel to resetting the targets, especially during competitions. She explained before this the City was using a City vehicle and this Toyota will work much better for this purpose.

Shanna Johnson stated the Toyota was in excellent condition and was a very generous donation from the RSO.

Mayor Cronin stated with the donation (which meets the requirement of a \$2500 donation) the Gun Range can award him with a lifetime pass for his generosity. She explained he has also helped a great deal in coordinating the scheduling of the RSOs on the range.

Mayor Cronin noted he would still have to come in to have the training once a year to be able to go and shoot on the range on his own time.

**MOTION:** Council Member Taylor made a motion to approve the award of a Three Mile Creek Shooting Sports Complex Lifetime Pass to Ben Janke. Council Member Tueller seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**ITEM 6: DISCUSSION ITEMS**

**A. GRAVEL PIT ORDINANCE**

Mayor Cronin stated this ordinance is still being worked through but they are hopeful to have it ready for final approval soon.

Craig Hall reviewed the process of working through this ordinance with him and the attorney representing Geneva Rock. He explained he is frustrated with the direction Geneva

Rock has tried to take over the last few weeks, but he is hopeful they will be able to start moving forward by next week.

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

**A. APPROVAL OF CONSENT ITEMS**

- **July 13, 2017 City Council Meeting Minutes**  
Council Member Tueller inquired that the Staff add the comment made regarding to a goat/pen owned by the Felix family around line 143-144.
- **July 18, 2017 City Council Meeting Minutes**
- **August 10, 2017 City Council Meeting Minutes**

**MOTION:** Council Member Wright made a motion to approve the July 13<sup>th</sup>, July 18<sup>th</sup>, and August 10<sup>th</sup> City Council Meeting Minutes with the discussed changes. Council Member Tueller seconded the motion.

**ROLL CALL:** Council Member Wright, Yes                      Council Member Montgomery, Yes  
                    Council Member Taylor, Yes                      Council Member Tueller, Yes  
**Motion Approved.** 4 Yes, 0 No.

**B. MAYOR'S REPORT**

Mayor Cronin reported there is a Town Hall Meeting scheduled for October 5<sup>th</sup>. She stated this meeting will discuss keeping youth safe, especially in regards to social media.

Chief Arbon explained this meeting is designed for ages 18 and older. He stated it will teach what is available to kids and how to protect, guard, and educate them on how to avoid that which is harmful. He said the presentation should be around an hour long.

Mayor Cronin stated the Utah League of Cities and Towns Conference has been taking place and a lot of great information has been shared. She stated a new executive director has been announced for the League and his name is Cameron Diehl. She explained there was 148 applicants for this position and it was a rigorous selection process. She said she felt Mr. Diehl will do a great job.

Mayor Cronin noted Perry City Council participated in the Peach Days Parade.

**C. COUNCIL REPORTS**

Council Member Montgomery stated she has also has been attending the Utah League of Cities and Towns conference, of which codes have been a key topic. She said she felt the City needs to create a plan on how they are going to update their ordinances.

**D. STAFF COMMENTS**

Craig Hall expounded on the difficult process of updating ordinances and the importance in doing so.

Shanna Johnson stated she is currently working on the close of Fiscal Year 2017 audit and reviewed what she has done and what she has left to do. She explained the change in legislation on the Transit Tax has now been implemented fully in Perry's budget.

Mrs. Johnson said they are moving forward with hiring a new officer and had a lot of successful interviews.

**E. ITEMS FOR NEXT CITY NEWSLETTER**

None.

**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.**

**MOTION:** Council Member Montgomery made a motion to close the regular session and open the executive session to discuss Item 7A (Discussion of the purchase, exchange, lease, or sale of real property.) Council Member Taylor seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**The Regular Meeting Closed at 8:16pm**

**MOTION:** Council Member Taylor made a motion to close the executive session and open the regular session. Council Member Tueller seconded the motion.

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

**Motion Approved.** 4 Yes, 0 No.

**The Regular Meeting Reopened at 8:34pm**

Commissioner Tresa Peterson reported the Planning Commission has a public hearing on Thursday, September 21<sup>st</sup> for the Civic and Recreational Zone Ordinance. She explained the Conservation Subdivision is near completion and should be coming before the Council soon. She said at their last meeting they did not have a full quorum so they had a Work Session instead of a regular meeting.

Mayor Cronin thanked Commissioner Peterson for the work the Planning Commission is doing.

**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 8:38 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

