

**OFFICIALS PRESENT:** Mayor Kevin Jeppsens presided and conducted the meeting. Council Member Nathan Tueller, Council Member Wright, and Council Member Esther Montgomery.

**OFFICIALS ABSENT:** Council Member Watkins and Council Member Ostler

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

**OTHERS PRESENT:** Stephan Moss, Ashley Young, Nelson Phillips, Benson Barnhill and Adalicia Barnhill

**ITEM 1: CALL TO ORDER**

Mayor Jeppsens called the electronic City Council meeting to order.

**ITEM 2: PROCEDURAL ISSUES**

**A. Conflict of Interest Declaration**

None.

**ITEM 3: ACTION ITEMS**

**A. Approval of Warrants**

The Council reviewed the warrants.

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

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

**Motion Approved.** 3 Yes, 0 No.

**B. Ordinance 21-0 Emergency Drought Rates**

Mayor Jeppsens said they discussed this at the last work session with the change of the responsibility being given to the Council.

**MOTION:** Council Member Montgomery made a motion to approve Ordinance 21-0 Emergency Drought Rates. Council Member Wright seconded the motion.

**DISCUSSION:** Council Member Wright wanted to clarify that this does not decrease the water amount (that it the first usage tier stays from 0-10,000 gallons, etc.). Council Member Montgomery said the City Engineer recommended that it be decreased but it has not changed. It will be based on the higher amounts above 10,000 gallons.

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

**Motion Approved.** 3 Yes, 0 No.

**C. Motion to Grant Robert Barnhill Signing Authority on the City's Bank of Utah Account**

Mayor Jeppsen said he felt the need to have a back-up for himself or anyone else (to be able to sign checks) if the situation arises. Council Member Wright asked if the motion should be made as the City Administrator instead of his name. Shanna Johnson clarified that Bank of Utah wants his name to be listed in the minutes and that anytime the Mayor, City Administrator, or Treasurer changes, they have to go in to the bank and have it updated.

**MOTION:** Council Member Wright made a motion to grant Robert Barnhill, City Administrator, signing authority on the City's Bank of Utah account. Council Member Montgomery seconded the motion.

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

**Motion Approved.** 3 Yes, 0 No.

**D. Motion Authorizing the City to Open an Interest Bearing Account for the Use of Holding Seized Property in Accordance with Utah State Code 24-2-102**

Ms. Johnson explained that the State Legislature is now requiring that if an agency seizes cash, it has to be held in an interest bearing account. An example, would be if the police pulled someone over and they had to seize cash they thought was related to a crime (they can't just put it in an evidence locker). The cash has to be put into an interest bearing account until it goes through the court process, and if it has to be returned, it has to be returned with interest.

**MOTION:** Council Member Montgomery made a motion to approve authorizing the City to open an interest bearing account for the use of holding seized property. Council Member Wright seconded the motion.

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

**Motion Approved.** 3 Yes, 0 No.

**ITEM 4: MINUTES & COUNCIL/MAYOR REPORTS (INCLUDING COUNCIL ASSIGNMENTS)**

**A. Approval of Consent Items**

- August 26, 2021 Work Session Minutes
- August 26, 2021 City Council Meeting Minutes

**MOTION:** Tabled.

**B. Mayor's Reports**

None.

### **C. Council Reports**

None.

### **D. Staff Comments**

Mr. Barnhill said that Tyler Wagstaff led the public works department through a three day audit with the Department of Environmental Quality regarding our storm water. Brett Jones and data from his office helped with that. He said it went well. There are a list of things they can improve on but with some changes they have made in the past few years, it went better than it would have gone. He applauded Mr. Wagstaff and Taylor Clark on that.

Mr. Wagstaff added that it (the audit) was pretty grueling and they have some things they need to work on and change but he feels they are going in the right direction. They will wait for the results from them (Department of Environmental Quality) on what they need to work on.

### **E. Planning Commission Report**

Commissioner Stephen Moss said that the Planning Commission approved Ordinance 21-P Zone Change. There was also a conditional use permit regarding an auto body shop on the highway that was tabled. They sent the applicant back with a request for the 25 foot buffer (the applicant wanted more of that space for their parking lot) to have shrubs and fencing to buffer the view for the townhomes next to it. He also discussed Ordinance 21-E amending the density map to cap at 200 instead of 220 in the Pointe Perry area until they see how the toll is taken on the apartments that are going in that area. Mr. Barnhill added that the density map will be coming to City Council for approval. He said that with the conditional use permit, the Planning Commission is the final land use authority, but the site plan will come to the City Council.

### **ITEM 5: EXECUTIVE SESSION**

**MOTION:** Council Member Tueller made a motion to close the public meeting and move into an executive session to discuss a strategy session regarding pending or reasonably imminent litigation at 7:17 p.m. Council Member Wright seconded the motion.

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

**Motion Approved.** 3 Yes, 0 No.

**MOTION:** Council Member Tueller made a motion to close the executive session and reopen the public meeting at 7:32 p.m. Council Member Montgomery seconded the motion.

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

**Motion Approved.** 3 Yes, 0 No.

### **ITEM 6: ACTION ITEM**

#### **A. Approval of Settlement Agreement and Release for Property at Pointe Perry**

Mr. Barnhill explained that this is the contract issue they have been working on for the property at Pointe Perry.

**MOTION:** Council Member Wright made a motion to approve the settlement agreement and release for property in Pointe Perry. Council Member Montgomery seconded the motion.

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

**Motion Approved.** 3 Yes, 0 No.

**ITEM 6: ADJOURNMENT**

**MOTION:** Council Member Montgomery proposed to adjourn the meeting.

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

The meeting adjourned at 7:35 p.m.

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Shanna Johnson, City Recorder

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Kevin Jeppsen, Mayor

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Tyra Bischoff, Deputy Recorder