

PERRY CITY COUNCIL MEETING  
PERRY CITY OFFICES  
MAY10, 2012

7:00 PM

OFFICIALS PRESENT: Mayor Nelson presided and conducted the meeting.  
Marci Satterthwaite, Todd Christensen, Karen Cronin, Peter Gerlach,  
Jana Nelson

OFFICIALS EXCUSED:

CITY STAFF PRESENT: Duncan Murray, City Administrator  
Susan Obray, City Recorder  
Codey Herbert, Police Officer  
Codey Illum, City Building Official

OTHERS PRESENT: Brett Jones, Lani Braithwaite, Ryan Wood, Michael Wood, Mardi Obray, Reese Nelson

**ITEM 1: CALL TO ORDER**

Mayor Nelson called the meeting to order.

**A. INVOCATION**

Duncan Murray offered the invocation.

**B. PLEDGE OF ALLEGIANCE**

Council Member Cronin led the audience in the Pledge of Allegiance.

**ITEM 2: PRESENTATIONS**

**A. REPORT BY CODEY ILLUM, PERRY CITY BUILDING OFFICIAL**

Codey Illum gave an update on the new development in the City. He reported that Seagull Book has full occupancy; Dominoes is projecting an open date of May 21<sup>st</sup>. There are a few improvements that will need to be done to the grounds around the building before occupancy will be granted to Shirlene Peck's section of the building. Council Member Cronin asked when Shirlene's old building will be required to be moved. Codey stated because she has been constructing her new building, the city has allowed her old building to remain, although the permit and extension is expired. He said now that the new building is complete, the city will be working with her and instructing her to remove the building and the foundation and footings. Codey reported that the Promontory school is starting on the four-way portion of construction, which includes framing and electrical. He said the developer is still projecting that the school will open this year. Codey was not sure if this is an attainable goal. Council Member Cronin asked about fees that have not been paid by the school. Codey said they were to work with the city on the fees, but feel they should not have to pay park, fire, and police impact fees. He said he advised the school that occupancy will not be granted until the fees have been paid or some other agreement has been made with the City. Mayor Nelson advised that if an agreement couldn't be made, this can always be sent to the property Ombudsman for a final decision. Codey reported that 6 new building permits have come in for new homes this week and 1 permit for a new 3-plex. He said he has not heard of any new commercial, but the church has contacted him about a possible new chapel. Council Member Christensen

asked Codey research whether or not ADL storage has ever fulfilled their storm drain requirements. Codey agreed to look into this.

Mayor Nelson asked Brett Jones of Jones & Associates to address the Council. Brett Jones introduced himself, stating his Engineering Firm (Jones & Associates) was selected as the new City Engineer, and he will be the main representative for Perry City. He advised that they are located in the Ogden area and they are very excited for the opportunity to work with Perry.

Ryan Wood reported to the Council in reference to his Eagle Project. He said he is installing a 30 foot commercial grade Flag Pole at the Perry Park. He announced he had a goal to raise \$1,600 and he has achieved his goal. He would also like to place a plaque at the flagpole base, but would need approval from the City Council. Council Member Cronin asked if the funds he has raised would pay for the plaque. He said they would need to raise a few more dollars. Mayor Nelson asked that he present this to his dad and see if the VFW can help with the additional funding. Council Member Christensen said the City scout project budget could also fund this. Mayor Nelson agreed. Ryan Wood's father, Michael Wood, stated the goal is to have the flag installed two weeks before the Fourth of July. Mayor Nelson asked that they work closely with the Park Superintendent during the installation of the pole.

Mayor Nelson reported he went to a meeting at Utah State University (USU) honoring Andrea Fife, a Perry City resident, who was the Valedictorian for the USU Brigham City Regional Campus general studies this year. He said he wanted to share this great achievement with all in attendance.

### **ITEM 3: NEW BUSINESS LICENSES, PROCEDURAL ISSUES, AND APPOINTMENTS**

#### **A. CONFLICT OF INTEREST DECLARATION**

None.

#### **B. NEW BUSINESS LICENSES**

- Dominoes Pizza
- Seagull Book

**MOTION:** Council Member Cronin made a motion to approve the business license for Dominoes Pizza and Seagull Book. Council Member Nelson seconded the motion.

**ROLL CALL:** Council Member Cronin, Yes                      Council Member Satterthwaite, Yes  
                    Council Member Christensen, Yes                      Council Member Gerlach, Yes  
                    Council Member Nelson, Yes

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

#### **C. PASS OUT WARRANTS TO COUNCIL MEMBERS (AND POSSIBLE DISCUSSION)**

Susan O Bray passed out the warrants.

#### **D. APPOINT A MEMBER OF THE PERRY/BOX ELDER FLOOD CONTROL BOARD**

No action taken.

## **ITEM 4: PUBLIC COMMENTS AND/OR PUBLIC HEARINGS**

### **A. PUBLIC COMMENTS**

**Mardi O Bray:** expressed concern with the truck ramp not being used at Shirlene Peck's new building. They are using the Peak parking lot for the loading and unloading of materials. She stated this is a safety issue. She said there are also drainage issues at the site and was concerned with flooding. Mayor Nelson stated he would get with Codey on the issues. Mardi pleaded with the City to ensure that the old building is removed, stating this is an unsightly area of the city. Duncan Murray stated the city would hold any new building permits until the building is moved.

**Lani Braithwaite:** recognized the city staff for their great efforts. She said she noticed an error on her billing; a payment she made was misapplied due to there being two David Braithwaites in the city. She said when she came into the office, she found that the city staff already had found the error, fixed it, and came up with a solution to avoid this problem in the future, by changing the names on the accounts to include each Wife's name. Lani stated the City staff is great.

## **ITEM 5: LAND USE ISSUES**

### **A. DISCUSSION REGARDING MAY 3, 2012 PLANNING COMMISSION MEETING**

Duncan Murray reported that the Planning Commission started working on the Annexation of the west side of the Port of Entry. He said they talked a little bit about the NC2 commercial zone along the highway; they have not recommended any changes at this time, but want to ensure that the City is allowing enough possible uses for land located in these areas. The Planning Commission is also working on amendments to the subdivision ordinance and there was some training on UDOT Railroad crossing regulations. Duncan said in the next meeting, they will be looking at the Maddox Lane street dedication.

## **ITEM 6: FINANCIAL, PUBLIC UTILITY, AND TECHNOLOGY ISSUES**

### **A. REPORT REGARDING THE UTAH TRANSIT AUTHORITY'S TRANSIT ACADEMY**

Council Member Karen Cronin reported that she and Duncan attended the Utah Transit Authority's Transit Academy. There was a lot of good information and it was a lot of fun. She said they did talk with many people, including Mike Allegra, about the City's consternation on the land purchase in Brigham City. Duncan Murray clarified that this has to do with the sales tax allocation, which helps to bring Front Runner to this area. He said this money is turned over to UTA, but they are supposed to work with the cities that participate in the tax increment and obtain at least a "head nod" on any purchases made with the money. He said a land purchase was made in Brigham City, and Perry City was not contacted prior to the land acquisition; in fact, they were not made aware until 6-months after the purchase was final. Duncan Murray said they talked with UTA about putting some kind of procedure in place to avoid this problem in the future. Council Member Cronin stated they also expressed their opposition to the Front Runner station being located where the land was purchased. She said that Mike Allegra said he would get people in touch with Perry City to talk about this issue. Duncan Murray said that UTA can always sell this land and move the station location elsewhere in the future; and Perry City just needs to be diligent in their pursuit of this goal.

### **B. FOLLOW UP REGARDING "GO LOCAL" WEB PAGE UPGRADE (OR OTHER TECHNOLOGY)**

Duncan Murray provided some examples of other cities that use the Go Local program, stating that 50% of businesses in these cities participate in this option. Council Member Christiansen said he is looking into some other options, but needs a little more time to complete his research.

### **C. MOTION TO APPROVE A CONTRACT FOR CITY ENGINEERING SERVICES**

Duncan Murray stated this contract is not yet ready for approval, but will be ready by next meeting.

**D. APPROVAL OF WARRANTS**

**MOTION:** Council Member Gerlach made a motion to approve the warrants. Council Member Christiansen seconded the motion.

**ROLL CALL:** Council Member Cronin, Yes                      Council Member Satterthwaite, Yes  
                    Council Member Christensen, Yes                      Council Member Gerlach, Yes  
                    Council Member Nelson, Yes  
**Motion Approved.** 5 Yes, 0 No.

**ITEM 7: PUBLIC SAFETY AND PERSONNEL ISSUES**

**A. MOTION TO APPROVE A NEW PERSONAL HISTORY STATEMENT FORM FOR THE POLICE DEPARTMENT**

Duncan Murray explained this form will be given to new employees after they have been extended a contingent offer of employment. He said this becomes part of the internal employment/background review. Councilman Gerlach clarified that Shanna Johnson would conduct this review. Duncan said the City must be careful, because there are new federal guidelines, which regulate the use of the form for employment purposes. This form will also have restricted access in an effort to maintain confidentiality. Council Member Cronin said the Council will never see the form, but if a red flag is raised, it will be researched and reported as necessary. Mayor Nelson said this helps to improve the hiring process. He said he would also like to see a veteran’s bonus (points) be incorporated into the City’s hiring policy.

**MOTION:** Council Member Cronin made a motion to approve the Personal History Statement for the Police Department. Council Member Gerlach seconded the motion.

**ROLL CALL:** Council Member Cronin, Yes                      Council Member Satterthwaite, Yes  
                    Council Member Christensen, Yes                      Council Member Gerlach, Yes  
                    Council Member Nelson, Yes  
**Motion Approved.** 5 Yes, 0 No.

**B. MOTION TO APPROVE A PAY RATE FOR A FULL-TIME POLICE OFFICER**

Duncan Murray referred the Council to the memo prepared by Shanna Johnson. He said the rate in the memo is listed as \$17.44 per hour, but since then she was informed that the rate being considered has increased \$17.73 per hour. Council Member Gerlach stated he was very impressive in his interview. Council Member Cronin gave “kudos” to the Perry Police Department, as Mike London is willing to come and work for our City full-time at a slightly lower wage than what he is currently making.

**MOTION:** Council Member Gerlach made a motion to approve the pay rate of \$17.73 per hour for our new full-time police officer (Michael London), contingent upon his successful completion of all conditions pertaining to the employment offer. Council Member Cronin seconded the motion.

**ROLL CALL:** Council Member Cronin, Yes                      Council Member Satterthwaite, Yes  
                    Council Member Christensen, Yes                      Council Member Gerlach, Yes  
                    Council Member Nelson, Yes  
**Motion Approved.** 5 Yes, 0 No.

**ITEM 8: APPROVAL OF MINUTES, CITY COUNCIL & MAYOR REPORTS**

**A. APPROVAL OF MINUTES FOR:**

- 1. APRIL 26, 2012 REGULAR MEETING
- 2. APRIL 26, 2012 BUDGET WORK SESSION

**Page 7, Line 37:** Council Member Christensen asked the Solicitor’s business name be changed to Vivint.

**Page 8, Line 15:** Council Member Gerlach asked that the word concerns be changed to concerned.

**MOTION:** Council Member Cronin made a motion to approve the minutes for the April 26, 2012 Regular City Council Meeting and Budget Work Session, as amended. Council Member Christensen seconded the motion.

**ROLL CALL:** Council Member Cronin, Yes                      Council Member Satterthwaite, Yes  
                    Council Member Christensen, Yes                      Council Member Gerlach, Yes  
                    Council Member Nelson, Abstain  
**Motion Approved.** 4 Yes, 1 Abstain

**B. TODD CHRISTENSEN:** reported that the Utopia meeting was cancelled and the next meeting will be June 25<sup>th</sup>. He said most errors on the City website have been corrected.

**C. MARCI SATTERTHWAITE:** nothing reported.

**D. KAREN CRONIN:** Reported that Van Mund is at the federal emergency training. She said Fourth of July is coming up quickly and she is preparing information for the newsletter. She stated no Council Members have identified areas they want to work with for July 4<sup>th</sup>, so she will put together Council assignments and she will list the assignments in the newsletter.

**E. PETER GERLACH:** nothing reported.

**F. JANA NELSON:** nothing reported.

**G. MAYOR NELSON:** nothing reported.

**H. ITEMS FOR NEXT CITY NEWSLETTER:**

- Fourth of July events & forms.

**I. DISCUSSION REGARDING “ANNUAL AWARDS”**

Mayor Nelson solicited nominations for Annual Awards. He announced that all nominations are needed by the next City Council meeting.

**ITEM 9: EXECUTIVE SESSION**

**MOTION:** Council Member Cronin made a motion to close the regular meeting and go to an Executive Session to discuss a real estate transaction, and the character and fitness of an individual(s). Council Member Christensen seconded the motion.

**ROLL CALL:** Council Member Cronin, Yes                      Council Member Satterthwaite, Yes  
                    Council Member Christensen, Yes                      Council Member Gerlach, Yes  
                    Council Member Nelson, Yes  
**Motion Approved.** 5 Yes, 0 No.

Regular meeting closed at approximately 8:20pm.

**MOTION:** Council Member Christensen made a motion to close the Executive Session and reopen the public meeting. Council Member Cronin seconded the motion.

**ROLL CALL:** Council Member Cronin, Yes                      Council Member Satterthwaite, Yes  
                    Council Member Christensen, Yes                      Council Member Gerlach, Yes  
                    Council Member Nelson, Yes  
**Motion Approved.** 5 Yes, 0 No.

Regular meeting resumed at approximately 9:50pm.

**ITEM 10: ADJOURNMENT (NEXT REGULAR MEETING ON MAY 24, 2012 AT 7:00PM WITH A 6:00PM BUDGET WORK MEETING)**

**A. MOTION TO ADJOURN**

**MOTION:** Council Member Cronin made a motion to adjourn. Council Member Christensen seconded the motion.

**ROLL CALL:** Council Member Cronin, Yes                      Council Member Satterthwaite, Yes  
                    Council Member Christensen, Yes                      Council Member Gerlach, Yes  
                    Council Member Nelson, Yes  
                    **Motion Approved.** 5 Yes, 0 No.

The meeting adjourned at 9:51PM.

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Susan Obrey, City Recorder

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Jerry Nelson, Mayor

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Shanna Johnson, Chief Deputy Recorder