

PERRY CITY COUNCIL MEETING
PERRY CITY OFFICES
NOVEMBER 8, 2012

7:00PM

OFFICIALS PRESENT: Mayor Nelson presided and conducted the meeting (from 7:00PM - 8:04PM, at which time he was excused).
Mayor Pro-Tem Marci Satterthwaite (arrived at 7:43PM and conducted the meeting from 8:04PM to adjournment).
Todd Christensen, Karen Cronin, Peter Gerlach, Jana Nelson

CITY STAFF PRESENT: Duncan Murray, City Administrator
Susan Obray, City Recorder
Jodi Nix, Police Officer

OTHERS PRESENT: John Perry, Karrie Perry, Lani Braithwaite, Boyd Montgomery, David Curtis, Brett Jones (Jones & Associates).

ITEM 1: CALL TO ORDER

Mayor Nelson called the meeting to order.

A. INVOCATION

Council Member Christensen offered the invocation.

B. PLEDGE OF ALLEGIANCE

Duncan Murray led the audience in the Pledge of Allegiance.

ITEM 2: NEW BUSINESS LICENSES, PROCEDURAL ISSUES, AND APPOINTMENTS

A. CONFLICT OF INTEREST DECLARATION

None.

B. NEW BUSINESS LICENSES

None.

Mayor Nelson reported that there were recent ribbon cuttings for five new businesses in Perry: US Bank (located in Wal-Mart), Domino's Pizza, Seagull Book, Air 2 Data, and Canyon Gate Realty.

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

Susan Obray passed out the warrants.

ITEM 3: PUBLIC COMMENTS AND/OR PUBLIC HEARINGS

A. PUBLIC COMMENTS

David Curtis: requested the Council Members reconsider allowing a business classification, which would allow a business in the commercial zone with retail store in front and manufacturing in the back. He said this is something that is seen in Park City and resort towns. He said manufacturing hours would be restricted to 8:00am-5:00pm so they would not disturb the people living near the business. He said there could be limitations on size and types of manufacturing. Mayor Nelson said it is a good idea and recommended putting it on the next city council agenda for discussion. The Council Members agreed that this should be reconsidered.

Boyd Montgomery: asked the council members to think about the following questions: How many are on fixed incomes? How many have medical issues which cause an increased use of power and gas? He said recently the Council approved a Municipal Energy Tax increase; he said this increase has affected him and his family tremendously. He said an additional \$12-\$15 is being charged on his utilities per month. He requested that the Council look at some kind of a break for people who have to use utilities for life sustainment. Mayor Nelson recommended that he contact the Bear River Association of Government for assistance with Utilities. Mr. Montgomery said he owns a piece of property and there is a water and safety issue on the property. He requested assistance with the issue when the city resumes improvements on 1200 West. He said he plans to put a building on the property and place a recycling business on the property (handling mostly computer or electronic components). Mr. Montgomery thanked the city for the new light at 2250 South and 1200 West.

Lani Braithwaite: commended the First Responders for their medical services provided to her mother-in-law. She said they were very kind and gentle with her. She said they were very professional and did a great job.

ITEM 4: LAND USE ISSUES

A. DISCUSS NOVEMBER 1, 2012 PLANNING COMMISSION MEETING

Dave Curtis said they are discussing cul-de-sacs and bulbs. Duncan Murray said they are working on revisions to the sign ordinance, which would reduce the setback requirements for signs, they are working on the abatement of health and safety hazards ordinance, and they reviewed a possible future subdivision. Council Member Cronin said there will be a public hearing at the next Planning Commission meeting. Duncan said this public hearing will be for the health and safety ordinance. Council Member Cronin said Esther Montgomery asked about the status of some ordinances that have been forwarded to the Council, which includes the tree ordinance. She told Ms. Montgomery that she would get these on a Council agenda in the next few months.

ITEM 5: FINANCIAL AND PUBLIC UTILITIES, AND TECHNOLOGY ISSUES

A. RESOLUTION 12-19, STATEMENT OF INTENT TO SET ASIDE FUTURE INCREASES IN DEVELOPMENT FEES FOR A FULL-TIME PLANNER/CODE ENFORCEMENT OFFICER

Mayor Nelson said the great thing about having a Planner/Code Enforcement officer on staff is that it shows that things are progressing in the City. He said he is going to be working with staff over the next couple of months to come up with a plan to secure funds for a future Planner/Code Enforcement officer and he will be bringing a plan to the Council. He said currently Duncan Murray handles planning related questions and when he is not in the office, the City relies on Susan Obray to assist with this. Duncan Murray said two issues need to be addressed. He stated sometime in the near future a part-time employee or contracted service is needed to help assist with land use questions and applications. Then, in the future when the economy picks up, a full-time employee will be needed. He said a statement of intent is needed to begin planning for this. Mayor Nelson said possible solutions to these issues will be presented in an upcoming meeting.

B. APPROVAL OF WARRANTS

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

ROLL CALL: Council Member Cronin, Yes Council Member Gerlach, Yes
 Council Member Christensen, Yes Council Member Nelson, Yes
Motion Approved. 4 Yes, 0 No.

C. DISCUSSION REGARDING GRANTS (AND SET A DATE FOR A PUBLIC HEARING FOR CDBG GRANTS)

Duncan Murray provided information regarding the Community Development Block Grants. He reported the deadline to submit the grant application is January 11th and requested input from the Council. He said one project to consider is work on 900 West. He said that according to Paul Nelson (Public Works Director), 900 West is the top priority road project in the city. Duncan said the project would include completely reconstructing a portion of the street, and adding curb, gutter and sidewalk. Council Member Christensen said the water line also needs to be replaced. Duncan said that the north portion of the water line is new, but the remainder would need to be upgraded. He said there would also need to be some work on the storm drain system. Duncan reported that the city does have impact fees, and some B&C road funds that could be used in conjunction with grant monies on the project. He said this project will be very expensive and the entire street will not be able to be completed all at once. The city is focusing on the northern section of the street between 2250 and 2450 South. Duncan said that the City Engineer, Brett Jones, is working on cost estimates for the project and the City will also need to get input from the public as well.

Duncan said grants now, compared to 5-20 years ago have decreased dramatically. He said the city must have a calculated strategy when applying for grants. He said currently the city is taking a 2 strategy approach: first, the city is looking at a limited number (five) of large grants that have a very high likelihood of being awarded; and second, small grants. Currently, there are five large grants the city is working to obtain:

1. Fire Station with Brigham City (Federal Grant monies) – the application was submitted approximately two years ago, is still active, and pending.
2. Utopia Grant (Federal Stimulus money) – the City is working with Utopia to try to get our portion of the funds.
3. 1100 West Intersection in Brigham City (Wasatch Front Regional Council Grant funding): the City is working in partnership with Brigham City on this grant as it brings access to our 1100 South project area. Duncan said this grant provides 93% of the funding if awarded and the other 7% will come from the CDA tax increment and other sources.
4. 1200 West Project (Wasatch Front Regional Council Grant funding): This would complete 1200 West from 3600 South to Willard City. He said this would include asphalt only, no curb and gutter.
5. 900 West (CDBG Grant): Duncan advised that if the City wants to consider this project, the Council will need to have a public hearing and add it to a list of potential projects to be considered.

Duncan said the second strategy for grants is looking at small grants that the city has an 80% or greater chance of getting, and then “stretch” funding for projects the city is already working on or committed to do. He said the grants being worked on are:

1. Records Grant (funding from USHRAB): \$500.
2. Alcohol Funds Grant (funding from Utah Department of Criminal and Juvenile Justice): \$4,000; used for alcohol related enforcement and education.
3. Sex Offender Program Grant: \$2,000; this was awarded to the city this year and will be used for office equipment that will help with sex offender registry.
4. Healthy Utah (funding from the Health Department): \$750; Duncan said the city participated in this program to make our community healthier and did not even realize there was a monetary award. In addition to the revenue gained, the city achieved Platinum status and an award will be presented in a future meeting.
5. Tourism Grant (funding from Box Elder County Tourism): Helps with the 4th of July event and it also helps on tourism based improvements. Duncan said last year the grant helped with the Centennial Soccer Park restrooms, and this year the City plans to ask for assistance at the shooting range.

Duncan stated there are a few meetings that will be required for the CDBG grants. He said he will ensure that he attends them. He advised that a public hearing will also be required prior to the application being submitted.

Brett Jones reviewed CDBG grants with the Council. He explained that \$325,000 has been dedicated to the Rich, Cache and Box Elder County areas. It is very unlikely that Perry City would get all of the funds (the limit is normally \$100,000 per city, per year), but it can go towards any projects on the list. He said CDBG bases their decision on certain criteria, including income in the project area. He said he believes the 900 West project would be a great submittal. He said that CDBG likes to see that the city has enough funding to complete the project beyond grant dollars. He said that is why he recommends splitting the project into sections.

Duncan requested a motion from the Council setting a date for the public hearing regarding the CDBG grant.

Approx. 7:43PM – Council Member (Mayor Pro-Tem) Marci Satterthwaite arrived at the meeting.

MOTION: Council Member Cronin made a motion to set a public hearing for December 13th concerning the CDBG Grant. Council Member Nelson seconded the motion

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

Motion Approved. 5 Yes, 0 No.

D. SET A DATE FOR AN RDA BOARD MEETING TO RECEIVE REPORTS REGARDING THE POINTE PERRY CDA AND SID

Duncan Murray said a meeting is needed in order for Lewis, Young, Robertson, and Burningham to present Annual Reports for the Pointe Perry CDA and SID. He said the Resolution earmarking funding for the 1100 West project (in the 1100 South CDA area) will also be presented. Duncan stated that Inter-local agreements will need to be created for the 1100 South CDA area, including an agreement between Perry City and Brigham City, and also agreements with the school district, the County, and other taxing entities. He recommended using Lewis, Young, Robertson, and Burningham to assist with these agreements, he said he is having them get a cost estimate together for this work and will present this at the next meeting. Duncan said now that there are businesses in the area, the agreements need to be completed in order to capture the tax increment revenue.

MOTION: Council Member Cronin made a motion to set a RDA Board meeting at 6:15pm on December 13, 2012, to discuss annual reports for the Pointe Perry CDA and SID; and to cancel the November 29th Council meeting and have the next Council Meeting on December 13, 2012 after the RDA Meeting. Council Member Christensen seconded the meeting.

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

Motion Approved. 5 Yes, 0 No.

ITEM 6: PUBLIC SAFETY AND PERSONNEL ISSUES

A. RESOLUTION 12-17, APPROVING A “PERRY CITY EMPLOYMENT TABLE”

Mayor Nelson presented the final draft of the Perry City Employment Table and Performance & Training Guidelines (see attached). Mayor Nelson said the only change made was removing the words 'First' and 'Second' from paid training hours. He said in addition to this Resolution he wants the Department Heads to work on training contracts to be included in training request packets, which will require an employee to continue employment for 6 months, if \$250 or more is spent on their training. Council Member Gerlach asked if ever someone has more than 20 hours required training, will the city be paying for this. Mayor Nelson said yes and this will be approved by the Department Head if they establish that the training is critical to city business. Council Member Christensen and Gerlach said it looks good. Council Member Cronin said she thinks the guidelines have come a long way and hopes this clarifies performance making it more objective instead of subjective. She thinks that people will know now what they must do to get an

increase.

MOTION: Council Member Christensen made a motion to approve Resolution 12-17 approving a Perry City Employment Table and Performance & Training Guidelines. Council Member Gerlach seconded the motion.

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

Approx. 8:05 PM

ITEM 7: TRAINING REGARDING PARTICIPATION IN OPEN MEETINGS

Duncan Murray provided training on Participating in Open Meetings. He reviewed:

- Proper length of meetings
- Speaker limits
- Hearing time limits
- Taking care of as many things as you can before the meeting starts
- Holding off-site meetings when appropriate
- The main importance of a meeting - presenting information and receiving information from the public
- Making meetings noticeable
- Staying on Target
- Having visible information
- Looking past outbursts and understanding a person's concern
- Being a good audience member

Boyd Montgomery asked for a moment; he said that Blue Bunny will donate ice cream to the Fourth of July celebration, but the city must submit a request in January.

Approx. 8:02PM – Mayor Nelson and the council reviewed minutes prior to the Mayor leaving, and before Item 7-Training.

ITEM 8: MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF MINUTES FOR:

1. OCTOBER 25, 2012 REGULAR MEETING

MOTION: Council Member Cronin made a motion to approve the minutes for the October 25, 2012 City Council Meeting. Council Member Nelson seconded the motion.

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

Approx. 8:04PM – Mayor Nelson was excused and Mayor Pro-Tem Satterthwaite conducted the remainder of the meeting.

Approx. 8:15PM – Council reports took place after Item 7-Training.

B. TODD CHRISTENSEN: reported he made a few changes to the website and said he will meet with Robin on obtaining some additional contact info on the business license renewal application. Council Member Cronin asked Susan Obray to have Robin Matthews call her and Council Member Christensen before sending out the renewals. Council Member Christensen wants to obtain email and web addresses for each business. Mayor Pro-Tem asked if there were any Utopia updates. Duncan

Susan O'Bray, City Recorder

Jerry Nelson, Mayor

Shanna Johnson, Chief Deputy Recorder