

PERRY CITY COUNCIL MEETING
PERRY CITY OFFICES
OCTOBER 11, 2012

7:00PM

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

OFFICIALS EXCUSED: Jana Nelson, Marci Satterthwaite

CITY STAFF PRESENT: Duncan Murray, City Administrator
Susan Obray, City Recorder

OTHERS PRESENT: Tony Stauffer, Bryan Loveless, Brian Vranes, James Penoir, Tevin Coburn, Carter Udy, Kendall Huntsman, Seth Groll

ITEM 1: CALL TO ORDER

Mayor Nelson called the meeting to order.

A. INVOCATION

Council Member Gerlach offered the invocation.

B. PLEDGE OF ALLEGIANCE

Council Member Christensen 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

Mayor Nelson presented a business license application for US Bank located in Wal-Mart. He announced a grand opening for the bank, taking place on Friday, October 26th at 1:00pm. Council Member Christensen and Cronin both said they would attend the grand opening.

MOTION: Council Member Cronin made a motion to approve the business license for US Bank. Council Member Christensen seconded the motion.

ROLL CALL: Council Member Cronin, Yes Council Member Gerlach, Yes

 Council Member Christensen, Yes

Motion Approved. 3 Yes, 0 No.

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

Susan Obray passed out the warrants.

ITEM 3: PUBLIC COMMENTS AND/OR PUBLIC HEARING

A. PUBLIC COMMENTS

Tevin Coburn: Said kids are afraid of the dark and on Tuesday mornings he has to take the garbage out to the road. He said this is a pretty long way, and there are no streetlights on his street. He requested a streetlight be installed.

ITEM 4: LAND USE ISSUES

A. DISCUSSION REGARDING OCTOBER 4, 2012 PLANNING COMMISSION MEETING

Council Member Cronin said she attended the meeting; the Commission heard a request from a developer wanting to move the Canyon Gate building over to a lot across from the Wyatt apartments. Susan Obray said this is behind Maida Christensen's home. Council Member Cronin said they are considering this request. She said they are also working on the ordinances regarding cul-de-sacs and on non-compliance remedies.

B. REPORT REGARDING ACCESS ROAD AND UTAH SOVEREIGN LAND ADJACENT TO THE SHOOTING RANGE

Mayor Nelson said there has been an area north of the access road and shooting range for parking and walk in access to the public sovereign lands (surrounding the shooting range) for hunting. Council Member Christensen asked if there were any infractions on the opening of the duck hunt. Mayor Nelson said no. He said one ticket was given to someone trying to hunt in the old sewer lagoons. Council Member Christensen reported that he will be taking a scout troop down to the range to do some service hours.

ITEM 5: FINANCIAL AND PUBLIC UTILITIES, AND TECHNOLOGY ISSUES

A. FINANCIAL APPEAL BY ROBERT & ANDREA JEPPSEN RE: CULINARY WATER OVERAGE

Mayor Nelson explained that the Jeppsen's had a water leak, causing an overage. He said the City checks the water every month so that citizens know they have a leak immediately and they can get this fixed. He said in the past the City would typically adjust 50% of the bill to help the customer; in this case that would be 50% of the first month's bill. Council Member Cronin said in the past the City would read every 3 months, so they would credit a portion of the customer's bill, based off the fact that the customer did not know they had a leak. She said now the city reads every month, so whatever is decided on this issue will set precedence for future water leaks. She stated the Council wants to be empathetic, but needs to consider how much they want to pass along to the residents. Council Member Christensen asked when they first called. Susan Obray said they called after the second bill, but did not bring the letter requesting credit until the following month. Council Member Cronin said a local business told the Jeppsen's to contact the city for help. Mayor Nelson said because they were notified immediately of the leak and it is on their private property, the City does not have to grant any credit. Council Member Gerlach recommended only considering the first month. Council Member Christensen agreed that only the first month should be considered for a credit. Council Member Cronin recommended verifying there was a true break in the line and then capping the amount of a credit to \$50. Duncan Murray stated that \$50 is a great amount, because staff can authorize this amount and these issues would not have to come before the Council for approval in the future.

MOTION: Council Member Cronin made a motion to approve to apply criteria to help out residents by crediting 50%, not to exceed \$50, of the first month's overage if it is proven that there is a water leak, and not just an excess use of water. Council Member Gerlach seconded the motion.

ROLL CALL: Council Member Cronin, Yes Council Member Gerlach, Yes

 Council Member Christensen, Yes

Motion Approved. 3 Yes, 0 No.

B. APPROVAL OF WARRANTS (INC. PAYMENT TO LYRB)

Council Member Cronin said she requested more detail for the payment to Lewis, Young, Robertson, and Burningham (LYRB). She said that the billing from LYRB is for services through March, and she has inquired to see how much more would be billed, but Shanna Johnson had not yet heard back from the vendor. Duncan Murray said there should be more billed, but not much. Council Member Cronin said she was happy with the detail and it helped her understand why the amount of the bill was so high.

MOTION: Council Member Cronin made a motion to approve the warrants, including the warrant to be paid to LYRB. Council Member Christensen seconded the motion.

ROLL CALL: Council Member Cronin, Yes Council Member Gerlach, Yes

Council Member Christensen, Yes
Motion Approved. 3 Yes, 0 No.

C. REVIEW OPTIONS FOR STREETLIGHTS

Tony Stauffer presented options for purchasing streetlights from Rocky Mountain Power. He reviewed the pros and cons of owning the streetlights. He said he has worked with many cities and has maintained them for those cities. He said the options are contracting full maintenance, contracting partial maintenance, or having city staff do the maintenance. He said there are some compliance issues to address like meeting OSHA safety standards, and meeting Rocky Mountain Power standards. Council Member Cronin clarified that currently the city has 111 streetlights and asked if these are all owned by Rocky Mountain Power. Mr. Stauffer said that only 71% of the lights are owned by Rocky Mountain Power. He said 9% of the lights in the city are not maintenance at all. He said the city will save quite a bit of money by owning the streetlights, but without seeing the purchase amount, it is hard to say how long it would take to pay off the light purchase. He said from what he has seen in the past, the payback period is anywhere from 5-10 years, with maintenance included. He said with purchase of the lights, the City will have more control over the wattage and types of lights in the City. Council Member Cronin asked if there is any cost analysis prepared. Duncan Murray said that the City is awaiting cost information from George Humber of Rocky Mountain Power. Once this is received, an analysis can be completed. Council Member Christensen said the rate schedule that is used for billing changes and reduces the cost significantly if the lights are owned by the City. Mayor Nelson said how the concept works is that the city agrees to purchase the lights. Rocky Mountain Power changes the rate schedule being charged to the City, which significantly reduces the bill, and then this savings is put toward the maintenance and payment owed for the purchase of the lights. He said what is being paid by the city will not change, but after the lights are paid off, the city will begin to see savings. Mayor Nelson said we need to get the numbers from Rocky Mountain Power (and get the numbers to Tony Stauffer) so a cost analysis can be completed. Council Member Cronin asked how the maintenance would be completed once the City purchases the lights. Mr. Stauffer said there is a service number, will be provided and maintenance will be provided once it is called. He said his business also has many options for types of lights and poles that the City can choose from. He said he can also offer complete maintenance packages for the City. Council Member Christensen said many cities by the lights from Rocky Mountain Power and train their own staff to maintain the lights. Duncan Murray said the issue with this, is ensuring that the city has the proper safety equipment, training, and certifications to maintain the lights. Duncan said the city does have an Enterprise fund and there is a little leeway in storm water, which the line item could be reduced and moved to a new line item in the Enterprise fund to provide revenue for streetlights. Council Member Christensen recommended a work session to review this concept further after costs from Rocky Mountain Power are received.

Approx. 8:12PM

D. REVIEW GOALS AND PRIORITIES

Duncan Murray reported on the progress of city goals and priorities.

Major Project	Update
1. Shooting Range	Duncan said the range is open and it has been a great success. Many people have been utilizing the facilities. He said they have worked with the State on access. He reported that Brigham City has some new shooting related businesses in their area, which may benefit our gun range.
Infrastructure Projects	Update
1. 2012 Street Projects	(See report from Paul)
2. Maddox Lane Dedication	Duncan advised that the City has finished talking to the

	landowners. Mayor Nelson said they are going to pull them all together and talk to them all at the same time, to avoid any misconceptions.
3. Fire/Police Impact Fee review (investigate allocating funds for a training building at the shooting range).	Duncan stated the Council has indicated they would like to change the Capital Facilities plan to include a training building as an eligible expense. He said he will be working with Lewis, Young, Robertson, and Burningham to help with this.
4. Intersection near Nature Park	Duncan reported that the light at the nature park has been installed. Mayor Nelson asked Duncan to get with Greg Braegger and get any improvements he has planned so they can budget these improvements and get them assigned to scouts if possible.
5. Joint EMS Building w/ Brigham City in Commercial Zone.	Duncan reported that grant application is submitted, but was not approved; could be in the future. Council Member Cronin asked if the City ever heard back from the developer who planned to donate land for the facility. Duncan said the Upland Square developer is in a “holding pattern” and has not returned messages.
6. Future Cemetery	No update.
7. General Plan Review	This will be looked at by the Planning Commission in the near future.
Business Development Projects	Update
1. 1100 South Intersection (with Brigham City) a. Possibly commit some CDA Funds to the project.	Duncan said at the next RDA meeting there will be a Resolution setting the amount of funds to be dedicated to the project. He will also be working on the inter-local agreement. He reported that Perry City has recently been added as a member of the Wasatch Front Regional Council, which opens more funding opportunities for our community. Duncan attended the last meeting and they are looking at getting funding for the continuous flow intersection, to be constructed in the future at 1100 South.
Projects or Agreements Including Other Government Agencies or Utility Providers	Update
1. Building Permit Agreement with Box Elder County	Duncan reported that all parties have signed the agreement and it is in place.
2. GIS Training as part of ISO Audit (with Brigham Emergency Services)	Duncan said the City has finished filling vacancies in the Public Works area with Ty Thompson coming to work for Perry City Public Works Full-Time, and Jared Quayle being hired to work Part-Time at the Wastewater Treatment Plant (WWTP) and Part-Time for Perry City Public Works. Duncan said the City will now begin to train staff on the GIS system. Jones and Associates has been getting the City’s updated information so they can update and organize the GIS system prior to training. Duncan said there may also be some additional software cost that needs to be reviewed prior to training.
3. Certified Assistant Wastewater Treatment Plant Operator (with Perry-Willard Wastewater Treatment Board)	Duncan said, as stated before, Jared Quayle has been hired as the Assistant WWTP Operator. Mayor Nelson said WWTP Board Chair reported that Jared Quayle is

	doing a great job at the plant and is already studying to take the test to get his certification.
4. Purchasing Streetlights from Rocky Mountain Power (RMP)	Duncan reported that RMP is working on a cost analysis for the purchase of the lights and will be presenting this to the city soon.
Technology Projects	Update
1. Upgrade Financial Software to Caselle Clarity	Duncan said this has been put on hold until after audit and will take place sometime in January.
2. Upgrade Business Page on City Website	Duncan said Council Member Christensen is working on the business page upgrade.
3. Computer Inventory and Rotation Schedule	Duncan stated the city has updated critical computers in the building, but still needs to get an upgrade for Jolene Eddington's computer. He said Council Member Christensen will be working with Keith Keller on a long term rotation schedule.
4. Utopia	Duncan said meetings have been set on October 22 nd and 23 rd . He said more information will be available after the meetings.
Financial Projects	Update
1. Port of Entry Annexation	Duncan said he will begin working on this soon. Council Member Cronin recommended moving this up, because this and the Justice Court Services will generate revenue.
2. Justice Court Services Inter-Local Agreement	Duncan said he is working on this.
3. Unified Employee Pay Schedule	Duncan said the Unified Employee Pay Schedule will be discussed later in the meeting.
4. Annual Audit	Duncan advised that Shanna Johnson is working with Davis and Bott on this, final numbers are not yet available, but so far it looks like the City has done well.

Approx. 7:54PM

E. REPORT REGARDING SEWER CLEANING AND STREET REPAIR PROJECTS

Paul Nelson explained that Pro-Pipe was awarded the contact to clean and video the city sewer lines over the next five years. He said they began this process starting with 1/5 of the City's sewer lines (which are in the north east section of the town). He said they have cleaned down to 2050 South and they will now complete work on the trunk line along the highway. He said they have not found any major problems so far and they will provide a copy of the DVD with video of the lines worked on to city when work is complete. Paul reported the road projects including chip seal and pulverize/regrading have been completed on 1200 West, 1750 South, and 225 West. He said they will now be working on a smaller repair project on the corner of 2000 South (across from the Lodge). Council Member Cronin asked if there will be enough asphalt left to fix the hole at 2250 South. Paul said this was caused by Pineview; he said he will talk to them and see if they plan to make the repair. He said if Pineview will not fix this, then the city will take care of it. Mayor Nelson said the city needs to address 1200 West; a citizen called and said she was driving and slipped off edge of road. Council Member Gerlach said he worries about the corner behind Wal-Mart. He said people cut that too close. Council Member Cronin asked if there was a reason why there has not been a line painted in the middle. Mayor Nelson said the expense has not yet been budgeted. Paul Nelson said the city could look at the cost of painting a line in the middle. Paul Nelson said Boyd Montgomery wants the city to do some work along his property on, 1200 West, because of water that collects on his property, but Paul did not recommend the City being involved with this, due to the land being on wetlands. Paul said people run and ride bikes along 1200 West and

something should be done to make it safer. Council Member Christensen said the City has been given approval from the Army Corps of Engineers to widen the road and should look at making this a future project. Council Member Cronin reported to Paul that the Council addressed a water overage earlier in the meeting and explained that if a leak is verified, the Council has passed a motion allowing staff to credit 50% of the first month overage, not to exceed \$50. She asked Paul if he felt this was fair. Paul said he felt this was more than fair.

Approx. 8:37PM

ITEM 6: PUBLIC SAFETY AND PERSONNEL ISSUES

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

Mayor Nelson presented the updated version of the Employment Table and gave an outline on the new Performance and Training Guidelines. He said up to 40 hours of city sponsored training is encouraged, pending budget. He said an employee can earn up to \$750 per year in salary increases, depending on performance and training completed. He said most places require employees to pay for a portion of training in order to gain buy in. He said 40-60 hours of training is required in order to get the larger increases (\$0.24 to \$0.36 per hour). Mayor Nelson explained that employee evaluations will be completed by the supervisor. During this time, training will be pre-planned and outlined during the goal review portion of the performance evaluation. This is so the department head can ensure proper job coverage. The employee will apply for the training and the department head will review the training and make sure that the training is something the City will benefit from. Mayor Nelson stated the City should pay and provide training time for each employee, but in his opinion, this should not exceed 40 hours. He said he is coming to the council to ask how much paid training they feel is appropriate. He said the draft presented is stating the City will pay 40 hours and up to 60 hours can be approved, but the employee would pay for any training over the 40 hours. He said he would like this reduced to 20-40 hours. He said training will help the employee get an increase. He said if an employee spends \$250-\$500 on training that allows them to get a \$.24 to \$.36 increase, then the employee will know that they will get a pay increase to reimburse training dollars spent. He does not want the employees to use the system to get pay raises and have nothing come out of their pocket. He said this does not gain “buy in”, and results in employees going to training, and not passing the tests required for certification.

Council Member Cronin clarified that the City will not pay for any training hours beyond 40 hours. The Mayor added that the Council can approve hours beyond this, if the training is required by the State (or other agencies). Council Member Cronin suggested training hours required by the State, but over 40 hours, be added to the training outline as allowed if approved by the Council. Susan Obray said her time could exceed 40 hours, but she is required to attend a TAC training, which lasts a week. The training is required in order to maintain access to BCI. Mayor Nelson said this is why he believes that jobs should be redistributed if the employee is required to attend more than 40 hours of training per year. He said that when an employee is gone more than 40 hours, they risk getting behind in their regular job duties. He said he wants employees to know that if they go get 20-40 hours of training on their own, they will benefit from their efforts. Mayor Nelson said it cost him \$10,000 to get his Master’s degree, but he knew he was going to get a \$5,000 year pay increase once he achieved this. He said in the Training Outlines section of the document he would like to change the training hours from 40 to 20 hours and from 60 to 40 hours; not to exceed 40 hours, unless mandated by the State (or other agencies).

Council Member Christensen recommended adding that if the employees attend City paid training and then leave the city, they are mandated to pay the City back for the training. Mayor Nelson said they talked about this, and this should be included in the training outline. Council Member Christensen said small inexpensive trainings are not a big deal, but this should be required if a training costs \$1,000 or more. Council Member Cronin recommended adding a timeframe for which an employee must stay after receiving a paid training. Duncan Murray recommended setting a limit on cost for this too, for example on trainings that cost \$500 or more. Council Member Cronin suggested setting the cost at \$250. Mayor Nelson agreed that anything \$250 or over should require the employee to stay with the City for a period of time, because the city also pays them while they are at the training and gives them a per diem for the

travel. Mayor Nelson suggested requiring 1 year of continued employment for every \$250 in training dollars spent. The Council agreed with this concept. Mayor Nelson added that any additional training taken by an employee at their own expense should be pre-approved by their supervisor or department head, (if they want this training to be eligible for an increase).

Mayor Nelson said that no overtime is allowed, but comp time is allowed if there is a City emergency that cannot wait until the following pay period. This time must be approved by the department head. He said over the last few years the city has been jumping over dollars to save dimes. He said the maintenance department will take 5 employees to fix a problem, because there is not proper equipment available and it would have been cheaper and taken less time if they would have hired an outside vendor to fix the issue. Mayor Nelson said he would like to cut down comp time. He said he agrees with comp time for Duncan Murray, Susan Obray, and Shanna Johnson, because they are required to attend Council Meeting. He said most of these hours should be "comped out" before the meeting, but if a half hour is gained, he wants this used quickly. He said currently a person bank up to 40 hours; he wants the hours to be used within 10 days after they are gained. Council Member Cronin recommended allowing 30 days for the hours to be used. Council Member Gerlach asked if the hours are not used will they be forfeited. Mayor Nelson said if the city is requiring the employee to work, the City cannot make the employee forfeit the hours. Duncan Murray explained this is against Federal law. Council Member Gerlach said what happens to the hours if they are not used. Mayor Nelson said that is for the Council to decide, he said the hours could be paid out. Mayor Nelson suggested that mandatory time off for employees who do not comp the hours out within the 30 days.

Council Member Cronin recommended that all performance evaluation require approval and signature by the Department Head and Human Resources as a second level approval. Mayor Nelson said he will work with Duncan to make all the changes suggested and a final draft will be presented in the next meeting.

MOTION: Council Member Gerlach made a motion to table Resolution 12-17 until next meeting, until final changes to the Employment Table and Performance/Training Guidelines can be made. Council Member Christensen seconded the motion.

ROLL CALL: Council Member Cronin, Yes Council Member Gerlach, Yes
 Council Member Christensen, Yes
Motion Approved. 3 Yes, 0 No.

ITEM 7: MINUTES & COUNCIL/MAYOR REPORTS

A. APPROVAL OF MINUTES FOR:

1. SEPTEMBER 27, 2012 RDA MEETING MINUTES
2. SEPTEMBER 27, 2012 REGULAR MEETING

MOTION: Council Member Christensen made a motion to approve the minutes for the September 27, 2012 RDA Meeting and City Council Meeting. Council Member Gerlach seconded the motion.

ROLL CALL: Council Member Cronin, Yes Council Member Gerlach, Yes
 Council Member Christensen, Yes
Motion Approved. 3 Yes, 0 No.

B. TODD CHRISTENSEN: reported that he met with the Mayor and Duncan last Friday in regards to Utopia. He said they have made some additional inquiries with Utopia staff and they have not had any recent board meetings. It turns out they are doing restructuring within the board. Duncan Murray stated there is no longer an Executive Board Committee, but now they may have an Advisory Board Committee, he said this is due to the Legislative Audit. Mayor Nelson said they should have more information regarding Utopia by the next Council Meeting.

C. MARCI SATTERTHWAITE: Absent, nothing reported.

D. KAREN CRONIN: reported that the Youth Council had an activity, which was held at the gun range. She thanked the Mayor and Chief Weese for their help. She said the next activity for the Youth Council will be trick-or-treating for food. All food items will be donated to the food pantry. She said that Van Mund told her that the first responders have an inter-local agreement that needed to

be signed. She asked if this had been completed. Duncan said this has been approved and signed by Willard, and Jones and Associates has completed a map of the city boundaries, there is one adjustment that needs to be made to the map. He said he will have them correct the map and will get this signed and sent back to Willard. Council Member Cronin asked if this would take place in the next 30 days. Duncan said yes. She reported that the Box Elder Economic Alliance will be putting on a summit, which is free to residents. She said this will take place on November 9th from 8:30am to 2:00pm, lunch will be provided if you complete early registration. She said they are focusing on foods from Box Elder County. She said Maddox and Moore's will be there and asked if there are any other businesses to include. Mayor Nelson suggested Dairy Queen. She stated she still needs to meet with Council Member Christensen in reference to a Perry City Economic event.

E. PETER GERLACH: nothing reported.

F. JANA NELSON: Absent, nothing reported.

G. MAYOR NELSON: nothing reported.

H. ITEMS FOR NEXT CITY NEWSLETTER:

- Information about citizens being responsible for water leaks on their side of meter
- Economic Development Summit details
- Information about the Youth City Council

ITEM 8: ADJOURNMENT (NEXT REGULAR MEETING ON OCTOBER 25, 2012 AT 7:00PM)

A. MOTION TO ADJOURN

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

ROLL CALL: Council Member Cronin, Yes Council Member Gerlach, Yes
 Council Member Christensen, Yes
Motion Approved. 3 Yes, 0 No.

The meeting adjourned at 9:14pm.

Susan Obay, City Recorder

Jerry Nelson, Mayor

Shanna Johnson, Chief Deputy Recorder