

MINUTES OF THE JUNE 21, 2005, ROY CITY COUNCIL MEETING

1. Approval of minutes of June 7, 2005
2. Recognition of the Roy Fire Department's Public Education Team for their outstanding work
3. Report on Ghana mission by Nola Spicer and Marie Wilcox
4. Award of contract for the 2005 Street Maintenance Project
5. Award of contract for the 5125 South Storm Drain Project
6. Award of contract for the 3100 West Roadway Improvement Project
7. Approval of the 5150 South Road Dedication Plat
8. Final approval of Stonybrook Cottages PRUD Subdivision Phase No. 1 located at approximately 5075 South 1750 West (Airport Road)
9. Final approval of Olympia Park Subdivision Phase No. 4 located at approximately 5900 South 4150 West
10. Public hearing to consider a petition from BJA, LLC; Dee E. and Trudi Nelson; and Utah Power & Light Company to consider annexation of approximately 9.7 acres of certain real properties located at approximately 5400 South 3200 West and establish a zone of R-1-8
 - a. Resolution No. 856 approving the annexation of the BJA, LLC; Dee E. and Trudi Nelson; and Utah Power & Light Company properties
 - b. Ordinance No. 942 establishing a zone for the BJA, LLC; Dee E. and Trudi Nelson; and Utah Power & Light Company properties which have been annexed into Roy City
11. Discussion of long-term capital funding
12. City Manager's report
13. Mayor and Council reports
14. Adjourn City Council Meeting and convene a Redevelopment Agency Meeting

Minutes of the Roy City Council Meeting held June 21, 2005, at 6:00 p.m. in the City Council Room of the Roy City Municipal Building.

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting was provided to *The Standard Examiner* at least 24 hours in advance. A copy of the agenda was posted.

The following were in attendance:

Mayor Roger Burnett
Councilwoman Marge Becraft
Councilman Tommy Smith
Councilman Dave Tafoya
Councilman Dan Tanner
Councilman Larry Peterson

City Manager Chris Davis
City Attorney Andrew Blackburn
Secretary Char Wolverton

Also present were: Tony Reynolds, Community Development Services Director; Cathy Spencer, Management Services Director; Mark Miller, City Engineer; Jon Ritchie, Fire Chief; Greg Whinham, Police Chief; Jimmy Openshaw; Nola Spicer; Kent Spicer; Marie Wilcox; Roy Fire; Stacey Smith; Andrew Smith; Eric Froerer; Julie Kay; Skyler Kay; Kent Saxey; Paul H. Keeler; Joe Adair; Bonnie J. Adair; Gerry A. Adair.

Moment of Silence: Councilwoman Becraft

Pledge of Allegiance: Councilwoman Becraft

14. APPROVAL OF JUNE 7, 2005 MINUTES

Councilman Peterson noted that on page 6, item 8, he is listed as voting to go into a public hearing and he was not present at the meeting.

Councilman Smith moved to approve the minutes of June 7, 2005, as corrected. Councilman Tanner seconded the motion. Council members Smith, Tafoya, Becraft, Tanner, and Peterson voted “aye.” The motion carried.

15. RECOGNITION OF THE ROY FIRE DEPARTMENT’S PUBLIC EDUCATION TEAM FOR THEIR OUTSTANDING WORK

Mayor Burnett read a memorandum from Chief Ritchie stating that Roy City has the best and most respected Public Education Team in the state of Utah. This team has done an exceptional job educating the public this year. The program began in 1998. The Public Education Team visited 9 schools including approximately 2,500 children and numerous teachers and adults. The team puts together a new program each year and has already received 12 requests for future programs.

Councilwoman Becraft added that in her experience, the program has quite an impact on the

students and they sing the songs from the program for days after.

Councilwoman Becraft moved to recognize the Roy Fire Department's Public Education Team for their outstanding work. Councilman Tanner seconded the motion. Council members Smith, Tafoya, Becraft, Tanner, and Peterson voted "aye." The motion carried.

16. REPORT ON GHANA MISSION BY NOLA SPICER AND MARIE WILCOX

Nola Spicer reported that she was thrilled with the support from the Mayor and City Council for the Ghana mission. Marie Wilcox presented Mayor Burnett with a certificate from the Princess of Ghana for the efforts of the City. Ms. Spicer showed a slide presentation from the trip showing pictures of the team who participated in the trip, the conditions that the people of Ghana, activities that took place while they were there, etc. Ms. Spicer stated that it costs \$10 per year per student to go to school in Ghana. Minimum wage is approximately \$1.54/day. Ms. Spicer stated that there are approximately 1,000 orphans in the area that they visited. She showed a picture of a salt processing plant that is in progress. Ms. Spicer stated that Ms. Wilcox gave lessons to the people of Ghana on gardening. The team took a couple of sewing machines and taught the young women in Ghana to sew. Ms. Spicer stated that the medical clinics lack supplies and medications and part of the mission involved donating those types of supplies. She also said that many babies infected with AIDS are abandoned at birth and left to die as there are no means to care for them.

Ms. Wilcox also stated that the Princess of Ghana will be traveling to the White House to make a presentation regarding the care received from Roy City and its citizens. Ms. Wilcox stated that the next plan is to attempt to help create orphanages and build a facility where mothers can give birth to and leave babies infected with AIDS.

Ms. Spicer stated that she was very grateful for the support of Roy City.

17. AWARD OF CONTRACT FOR THE 2005 STREET MAINTENANCE PROJECT

Mark Miller stated that on June 9, 2005 bids were opened for the 2005 Street Maintenance Project. Two bids were received. The Engineer's estimate was \$445,531.25, the budget amount was \$458,200.00 and the low bidder was Staker & Parson Company in the amount of \$389,169.75. Mr. Miller recommended that the Council award the contract for the 2005 Street Maintenance Project to Staker & Parson Company in the amount of \$389,169.75 and authorize Mayor Burnett to sign the contract and Notice of Award.

Councilman Tafoya moved to award the contract for the 2005 Street Maintenance Project to Staker & Parson Company in the amount of \$389,169.75 and authorize Mayor Burnett to sign the contract and Notice of Award. Councilman Smith seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted

“aye.” The motion carried.

18. AWARD OF CONTRACT FOR THE 5125 SOUTH STORM DRAIN PROJECT

Mark Miller stated that on June 15, 2005 bids were opened on the 5125 South Storm Drain Project. Three bids were received. The Engineer's estimate was \$50,565.00. The low bidder was Ormond Construction Company with a bid of \$47,109.38. Mr. Miller recommended that the City Council award the contract for the 5125 South Storm Drain Project to Ormond Construction Company and authorize Mayor Burnett to sign the contract and Notice of Award.

Councilwoman Becraft moved to award the contract for the 5125 South Storm Drain Project to Ormond Construction Company and authorize Mayor Burnett to sign the contract and Notice of Award. Councilman Peterson seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

19. AWARD OF CONTRACT FOR THE 3100 WEST ROADWAY IMPROVEMENT PROJECT

Mr. Miller stated that this project was just bid out yesterday and will include widening 3100 West on the south side of 6000 South and will line up the intersection and set the stage for improvements on the west side of 3100 West. Mr. Miller stated that the Engineer's estimate was \$75,000.00. The low bidder was Consolidated Paving with a bid of \$108,000.00; however, that bid included the storm drain improvements. Mr. Miller recommended that the Council award the contract for the 3100 West Roadway Improvement Project to Consolidated Paving with the exception of items 4 and 4A (related to the storm drain) in the amount of \$73,456.55 and authorize Mayor Burnett to sign the contract and Notice of Award.

Councilman Smith moved to award the contract for the 3100 West Roadway Improvement Project to Consolidated Paving with the exception of items 4 and 4A (related to the storm drain) in the amount of \$73,456.55 and authorize Mayor Burnett to sign the contract and Notice of Award. Councilman Tanner seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

20. APPROVAL OF THE 5150 SOUTH ROAD DEDICATION PLAT

Tony Reynolds stated that this has been reviewed by the Council before. This is in regards to the Airport Road/Riverdale Road alignment. He reviewed the fact that this includes three different parcels; the Kellers', Silver Creek, and the Vorwallers'. Mr. Reynolds recommended approval of the 5150 South Road Dedication Plat.

Councilman Tafoya asked if the businesses owners in the area are aware that the road will be shut down for some time. Mr. Reynolds said they are aware of that and are excited about the project.

Councilman Tanner moved to approve the 5150 South Road Dedication Plat. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Tafoya, Peterson and Tanner voted “aye.” The motion carried.

Mayor Burnett asked for a time line. Mr. Miller said they won't begin until the plat is signed. Councilman Peterson asked how long the construction would last. Mr. Miller said it would last for approximately 45 days; however, he thought the road would be shut down for about 30 days.

21. FINAL APPROVAL OF STONYBROOK COTTAGES PRUD SUBDIVISION PHASE NO. 1 LOCATED AT APPROXIMATELY 5075 SOUTH 1750 WEST (AIRPORT ROAD)

Tony Reynolds stated that Stonybrook is a PRUD that the Council has seen before. The proponents are seeking approval of the subdivision plat. Mr. Reynolds added that there have been no changes made since the preliminary approval except for those requested by the City Council. He stated that the subdivision includes 8 acres with 46 units in the first phase. The second phase will include 43 units. The development also includes a 3' x 10' entry sign which will be approved with the PRUD subdivision plat.

Councilwoman Becraft asked if the tot lot would be fenced. Mr. Reynolds said that it would. Mr. Reynolds introduced Kent Saxey.

Mayor Burnett asked about the temporary turn-around that is shown on the plan. Mr. Saxey said that the Planning Commission requested that because of the one-way street.

Councilman Smith asked if the buildings will be 2-story. Mr. Reynolds said that some are 2-story town homes and some are actually 3-story; however, due to elevation differences, only 2-stories will be seen above ground level.

Mayor Burnett asked when phase 2 would take place. Mr. Saxey said that the engineering for Phase 2 is 98% finished and he anticipates that construction will begin the first part of next year.

Councilman Peterson asked if access had been gained for school children as previously discussed. Mr. Saxey said that he was not able to obtain right-of-ways from surrounding businesses for that purpose; however, Mr. Reynolds stated that there would be curb, gutter, and sidewalk out to 1900 West.

Councilman Peterson moved to grant final approval of Stonybrook Cottages PRUD Subdivision Phase No. 1 located at approximately 5075 South 1750 West (Airport Road)

based on the findings of the DRC and Planning Commission and subject to the conditions of the Staff Report. Councilman Tafoya seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

22. FINAL APPROVAL OF OLYMPIA PARK SUBDIVISION PHASE NO. 4 LOCATED AT APPROXIMATELY 5900 SOUTH 4150 WEST

Tony Reynolds stated that Olympia Park Subdivision includes only 7 lots; however, this development will connect phases 2 and 3 resulting in improved traffic flow.

Councilwoman Becraft asked for a time line. Mr. Reynolds anticipated that construction would begin very soon.

Councilman Smith moved to grant final approval of Olympia Park Subdivision Phase No. 4 located at approximately 5900 South 4150 West based on the findings of the DRC and Planning Commission and subject to the conditions of the Staff Report. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

23. PUBLIC HEARING TO CONSIDER A PETITION FROM BJA, LLC; DEE E. AND TRUDI NELSON; AND UTAH POWER & LIGHT COMPANY TO CONSIDER ANNEXATION OF APPROXIMATELY 9.7 ACRES OF CERTAIN REAL PROPERTIES LOCATED AT APPROXIMATELY 5400 SOUTH 3200 WEST AND ESTABLISH A ZONE OF R-1-8

Councilman Smith moved to open a public hearing at 6:49 p.m. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

Tony Reynolds stated that the City has received a request for annexation from BJA, LLC; Dee E. and Trudi Nelson; and Utah Power & Light Company to consider annexation of approximately 9.7 acres of certain real properties located at approximately 5400 South 3200 West and establish a zone of R-1-8. He stated that the Council reviewed this item a couple of months ago. Notices were sent out and no protests were received. Planning Commission recommended approval of the annexation and recommended a zone of R-1-8. Mr. Reynolds reported that the property being considered for annexation is surrounded by R-1-8 except for a zone of RE-20 to the south. Mr. Reynolds stated that four power corridors traverse the property.

Councilman Tafoya asked if development of this property would fall under the new subdivision ordinance. Mr. Reynolds said that it would and he reviewed the process briefly.

Mayor Burnett asked if there was any public comment. There was none.

Councilman Tafoya moved to close the public hearing at 6:55 p.m. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

10A. RESOLUTION NO. 856 APPROVING THE ANNEXATION OF THE BJA, LLC; DEE E. AND TRUDI NELSON; AND UTAH POWER & LIGHT COMPANY PROPERTIES

Councilman Peterson moved to approve Resolution No. 856 approving the annexation of the BJA, LLC; Dee E. and Trudi Nelson; and Utah Power & Light Company properties based on the findings of the DRC and Planning Commission and subject to the conditions of the Staff Report. A roll call vote was taken. Councilman Tafoya seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried. (Copy filed for record)

10B. ORDINANCE NO. 942 ESTABLISHING A ZONE FOR THE BJA, LLC; DEE E. AND TRUDI NELSON; AND UTAH POWER & LIGHT COMPANY PROPERTIES WHICH HAVE BEEN ANNEXED INTO ROY CITY

Councilman Smith moved to approve Ordinance No. 942 establishing a zone of R-1-8 for the BJA, LLC; Dee E. and Trudi Nelson; and Utah Power & Light Company properties which have been annexed into Roy City based on the findings of the DRC and Planning Commission and subject to the conditions of the Staff Report. Councilman Tafoya seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

24. DISCUSSION OF LONG-TERM CAPITAL FUNDING

Chris Davis stated that this discussion was in follow up to a previous budget discussion. Mr. Davis said that he anticipated an increase in revenue in the following three areas; 1) fire apparatus, 2) Municipal Building growth, and 3) long term funding for recreation facilities. Mr. Davis reported also that a meeting was recently held in Weber County where it was announced that Ogden City was looking to get out of the animal control business which Roy City uses.

As far as fire apparatus, the Roy Fire Department has two aging vehicles which are still in operation; a pumper truck and a ladder truck. Maintenance, particularly on the pumper truck, is getting expensive and Chief Ritchie has expressed a need to replace that truck. It is anticipated that at the end of the fiscal year, there will be an extra \$500,000.00. A pumper truck costs approximately \$275,000.00 and Mr. Davis anticipated that there would be adequate funds to purchase one. A new ladder truck would cost approximately \$750,000.00 to \$800,000.00.

In reference to the Municipal Building, Mr. Davis reported that he, Mr. Reynolds and Chief Whinham have met with Layton Construction to assess the needs of the occupants of the

Municipal Building. Mr. Davis stated that there is a need to look at the long-term needs of the building and expressed interest in a Senior Citizens Center and a recreation center for the Boys and Girls Club. Mr. Davis suggested that the staff and Council take a longer look at the needs of the building. Councilman Tafoya asked if Layton Construction recommended that they start from scratch. Mr. Davis stated that Layton Construction indicated that the integrity of the building is great; however, there are some problems with the HVAC as the building was designed in 1983 for the conditions that existed then. Mr. Davis said he did not feel it was necessary to go to the extreme of starting over. He felt that Layton Construction is very capable of remodeling; however, recommended that more conversations be held with them and other contractors before a decision is made. Mr. Davis stated that the Recreation Department could use some of the funds for their capital needs list if the fire department doesn't use those funds.

Mr. Davis added that \$700,000.00 was set aside for the Emma Russell Park; however, it is anticipated that \$400,000.00 of that will be used by the end of the fiscal year. Roy City has used their equipment and man hours which have saved funds set aside for that project.

Mr. Davis recommended that the Council hold off on a tax increase for the time being. He stated that some of the issues can be addressed with current funds.

Mr. Davis stated that Weber County has the most effective animal control program throughout the County; however, Davis County has a better program where the county contributes more money. Mr. Davis stated that he would prefer to follow that model. He said that he spoke with staff at Ogden City today who indicated that the animal control program was costing them money rather than saving them money.

Mr. Davis stated that staff was comfortable with the approved budget but was open to suggestions.

Councilman Tafoya asked about the Truth and Taxation law. Cathy Spencer stated that she would need to notify Weber County by June 30th if they were anticipating a raise in property tax so that notices could be sent out to the residents to give dates and times of public hearings. She stated that it would be necessary to publish a quarter-page add stating the impact to the residents which would be published in August. A public hearing would then need to be scheduled for the first City Council Meeting in September. The tax increase would then be approved.

Councilman Peterson asked for clarification that Roy City would have to declare a desire to raise taxes by June 30th. Ms. Spencer said that is correct.

Chris Davis stated that the City anticipates an increase in revenues which are coming in higher than expected.

Councilman Smith asked how much revenue would be expected in the next six months if the

Council held off on a tax increase. Ms. Spencer stated that she would anticipate about the same revenue as this year; approximately \$1.8 million with approximately a \$50,000.00 to \$70,000.00 increase in revenue from property tax next year due to new home construction. Ms. Spencer stated that if a tax increase is approved, those funds would be received in January '06.

Councilman Tafoya stated that even if the City has \$500,000.00 in unused funds at the end of the fiscal year, a ladder truck is estimated at \$800,000.00, a pumper truck is estimated at \$275,000.00, and remodel of the Municipal Building would be in the \$1 million range, the \$500,000.00 isn't going to cut it. Ms. Spencer said that is correct if the City were to pay cash for each of those items; however, there are lease options available.

Councilman Tanner stated that Chief Ritchie had a schedule of apparatus' to be replaced and asked what would come after the pumper and ladder trucks. Chief Ritchie said he wasn't sure but felt that it would probably be the engine at Station 1. Councilman Tanner asked if the Fire Department would be able to sell the old ones. Chief Ritchie said that was a possibility; however, they wouldn't generate much revenue and thought it might be better to keep them as back-ups rather than sell them.

Councilman Smith stated that he felt that it's only practical to incur a tax increase. He felt an obligation to act now rather than delay the inevitable.

Councilman Peterson stated that if the City doesn't declare an intent to raise taxes, the next opportunity wouldn't bring in additional revenues until January of '07.

Councilman Tafoya added that it's not just about the topics discussed in this meeting. He stated that the City is aging and there are a lot of projects that will need to be incurred.

Councilman Peterson stated that he knows of other cities who have delayed raising taxes and paid the price for the delay.

Councilman Smith stated that the City can't be run on the funds currently available. He said there hasn't been a tax increase in 14 years. He added that he appreciates the staff and the work they've done but feels it is better to take the steps toward a tax increase.

Councilman Tanner asked if a percentage must be declared. Ms. Spencer said that Weber County will need to be notified of the City's intent to increase taxes, a public hearing date and time will be set and a percentage will need to be declared so that a notice can be published in the newspaper. Councilman Peterson asked if that meant the Council has six weeks to come up with a percentage. Ms. Spencer said that is correct as the County will need to be notified as to the percentage of increase before notices are sent out to the citizens.

Councilman Tafoya moved that Roy City declare to Weber County an intent to raise taxes.

Councilman Peterson seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

25. CITY MANAGER’S REPORT

Chris Davis stated that July 14th will be the annual Roy City Employee Party at 5:30 p.m. at the Aquatic Center.

Mr. Davis also stated that the information for Roy Days will go out in the newsletter the first part of July.

The Roy Town Reunion will be held June 24th at Sandridge Park at 6:00 p.m.

26. MAYOR AND COUNCIL REPORTS

Mayor Burnett stated that some of the citizens have had some concerns about their drinking water as it has looked cloudy. Mayor Burnett said this is due to some water pressure changes. Mr. Davis said that the water has been tested and no problems have been found. Mayor Burnett suggested that it may be helpful to put that information in the next newsletter.

Chief Jon Ritchie stated that Captain Leatham’s son, Tyler, was transferred to the University of Utah and is trying to start some therapy. He said that he has no feeling in his legs and they are asking for donations so that a ramp can be constructed making the home wheelchair accessible. An article was published in the Standard Examiner about Tyler and a fundraiser is going to be held to help eliminate the hardship of the medical costs.

Chief Greg Whinham stated that the Police Department is looking for new recruits. He stated that this would be a long process and estimated approximately 75 days before any hiring will be done.

27. ADJOURN TO REDEVELOPMENT AGENCY

Councilwoman Becraft moved to adjourn to a Redevelopment Agency Meeting at 7:39 p.m. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, Peterson and Tanner voted “aye.” The motion carried.

Roger Phil Burnett, Mayor

Attest:

Char Wolverton, Secretary

MINUTES OF THE JUNE 21, 2005 ROY CITY REDEVELOPMENT AGENCY MEETING

1. Resolution No. RDA-51, A Resolution of the Board of Commissioners of the Roy City Redevelopment Agency approving BY-Laws of the Agency; and authorizing the Executive Director to execute on behalf of the Agency
2. Adjourn Redevelopment Agency Meeting

Minutes of the Redevelopment Agency Meeting held June 21, 2005, in the City Council Room of the Roy City Municipal Building.

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting was provided to the *Standard Examiner* at least 24 hours in advance. a copy of the agenda was posted.

The following were in attendance:

Chairman Roger P. Burnett
Board Member Marge Becraft
Board Member Tommy Smith
Board Member Dave Tafoya
Board Member Dan Tanner
Board Member Larry Peterson

Executive Director Tony Reynolds
City Attorney Andy Blackburn
Chris Davis
Char Wolverton, Secretary

Others present were: Cathy Spencer, Management Services Director; Jon Ritchie, Fire Chief; Greg Whinham, Police Chief.

1. RESOLUTION NO. RDA-51, A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE ROY CITY REDEVELOPMENT AGENCY APPROVING BY-LAWS OF THE AGENCY; AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ON BEHALF OF THE AGENCY

Andy Blackburn stated that this resolution is for the approval of by-laws. He said that the RDA was created a long time ago and the by-laws needed to be updated. He stated that the role and responsibilities of the Executive Director has been defined in Section 4 and the specificity of money matters has been defined in Section 5.

Mayor Burnett asked about Article III, Section 4 "Order of Business" where it states that a roll call is to be taken. Mr. Blackburn stated that would consist of a list in the minutes of those who are present at the meeting.

Councilman Tafoya asked for clarification on who the Executive Director is. Mr. Blackburn stated that the Executive Director is Tony Reynolds.

Board member Tanner moved to approve Resolution No. RDA-51, A Resolution of the Board of Commissioners of the Roy City Redevelopment Agency approving By-Laws of the Agency; and authorizing the Executive Director to execute on behalf of the Agency. Board member Becraft seconded the motion. A roll call vote was taken. Board Members Becraft, Peterson, Smith, Tafoya, and Tanner voted "aye." The motion carried.

2. ADJOURN REDEVELOPMENT AGENCY MEETING

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Board member Tanner moved to adjourn Redevelopment Agency Meeting at 7:43 p.m. Board member Smith seconded the motion. Board Members Becraft, Peterson, Smith, Tafoya, and Tanner voted “aye.” The motion carried.

Roger P. Burnett
Chairman

Attest:

Char Wolverton
Secretary

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