

MINUTES OF THE FEBRUARY 21, 2006, ROY CITY COUNCIL MEETING

1. Approval of Minutes of February 7, 2006
2. Recognition of Philip and Darlene Jorgensen
 - a. Resolution No. 870 honoring Philip and Darlene Jorgensen
3. Donation for Roy High School
4. Award of Contract for the Southfork Detention Basin and Storm Drain Project
5. Approval of an Interlocal Agreement between Utah Department of Transportation, Weber County, Roy City and Hooper City for the purpose of financing, designing and constructing modifications to the Howard Slough box culvert
 - a. Resolution No. 871 approving the Interlocal Agreement
6. Public Comments
7. Resolution No. 872 adopting standards for use of parking strips in Roy City and setting forth the type of trees, plantings or materials which may be placed in a parking strip
8. Discussion of Emma Russell Park and riding arena
9. Approval of final acceptance of subdivision improvements for Olympia Park West Subdivision No. 3 located at approximately 5840 South 4300 West
10. City Manager's report
11. Mayor and Council reports

Minutes of the Roy City Council Meeting held February 21, 2006, 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 Joe H. Ritchie
Councilwoman Marge Becraft
Councilman Tommy Smith
Councilman Dave Tafoya
Councilman Michael Stokes
Councilman Larry Peterson

City Manager Chris Davis
City Attorney Andrew Blackburn
Secretary Char Wolverton

Also present were: Virgil Howe, Director of Parks and Recreation and Recreational Facilities; Scott George, Parks and Recreation; Kurt and Julie Spencer Family; Bo & Sabine Parker; Shauna and Sierra Thomas; Shane and D'Lynn Wayment; Mike Monson; Brandon Ercanbrack; Katie Ellis; Davie and Annette Dahl; Tara Thurgood; Amber Ercanbrack; Amy Butler; Taylor Sandberg; Aubree Butler; Margaret Sundgren; Lori Sandberg; Aimee Sandberg; Cody Sandberg; Chris Sandberg; Alicia Sandberg; Brenda Draper, Loring Draper; Edwardo Valdez; Merl Thurgood, Chairman of the Utah Horse Council; Marilyn Thurgood, Utah Horse Council

Moment of Silence: Councilman Smith

Pledge of Allegiance: Councilman Smith

1. APPROVAL OF FEBRUARY 7, 2006 MINUTES

Councilman Smith moved to approve the minutes of February 7, 2006, as amended. Councilman Stokes seconded the motion. Council members Smith, Tafoya, Becraft, Stokes, and Peterson voted "aye." The motion carried.

2. RECOGNITION OF PHILIP AND DARLENE JORGENSEN

Mayor Ritchie stated that Jorgensen's Bookstore has been a part of Roy City for the last forty years. Mr. and Mrs. Jorgensen are retiring and closing the store which will leave a void in Roy City. Resolution No. 870 states that Jorgensen's Bookstore became a focal point as an outlet for the community to purchase books and other religious materials. The Jorgensen's were instrumental in the national booksellers' organizations bringing favorable attention to Roy City. The Jorgensen's are now retiring and will focus their attention toward other service.

2A. RESOLUTION NO. 870 HONORING PHILIP AND DARLENE JORGENSEN

Councilwoman Becraft made a motion to approve Resolution No. 870 honoring Philip and Darlene Jorgensen for their successful career and devotion to the community and that March 2, 2006 be declared “Phillip and Darlene Jorgensen Day” in Roy City. Councilman Peterson seconded the motion. A roll call vote was taken. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted “aye.” The motion carried.

3. DONATION FOR ROY HIGH SCHOOL

Chris Davis stated that Roy High School has requested a donation for their upcoming graduation party. In the past, the LDS church has sponsored such a party outside of the school; however, the high school and PTA have now taken on the responsibility. Roy City has donated to this cause in the past. Roy High School staff is asking for money and passes to the Aquatic Center to give away as prizes.

Andy Blackburn stated that in order to donate money for such an event, the City is required to do a study showing specific findings that Roy City will benefit from such a donation. If the Council approves, Mr. Blackburn will put together the study and present it at the next City Council Meeting for a vote.

Debbie Erickson, Fund Raising and Prize Committee for Roy High School, stated that the party will take place from 10:00 p.m on the night of graduation until 5:00 a.m. the following morning. She stated that the purpose of the party is to keep the students off the streets the night of their graduation. This is the fourth year the high school has hosted a graduation party and in the past has been very successful according to graduates, parents and administration. Once a student enters the school for the party, he or she will not be permitted to leave and then return. There will be entertainment, music, games, activities and food. There will also be an activity at the Sparetime Family Fun Center. “The Ride” will be donating transportation to and from Sparetime. The event will be hosted by parent volunteers. Only students graduating from Roy High School will be permitted to attend the party. Donations are being requested from Roy City businesses to help fund the party and provide prizes. Mrs. Erickson asked that passes to the Aquatic Center be donated in addition to any money the City could provide.

Mayor Ritchie asked the Council if they were interested in providing a donation. The Council agreed to go ahead with the study.

Mr. Blackburn asked Mrs. Erickson what the budget for the evening would be. Mrs. Erickson estimated that it would cost approximately \$10,000.00 for the event.

4. AWARD OF CONTRACT FOR THE SOUTHFORK DETENTION BASIN AND STORM DRAIN PROJECT

Chris Davis stated that due to illness, Michael Mansfield was excused from City Council Meeting. Mr. Davis stated that the Southfork Detention Basin and Storm Drain Project is on the south side of 6000 South just east of the canal and is in cooperation with Ivory Homes. The budget for this project is \$370,000.00. The low bidder was Allied Construction and Development with a bid of \$273,558.71. The City Engineer's estimate was \$272,000.00.

Mr. Davis recommended that the City Council award this project to Allied Construction and Development in the amount of \$273,558.71.

Councilman Tafoya moved to award the Contract for the Southfork Detention Basin and Storm Drain Project to Allied Construction and Development in the amount of \$273,558.71 and authorize Mayor Ritchie to sign the Contract Agreement and Notice of Award. Councilwoman Becraft seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Stokes and Peterson voted "aye." The motion carried.

Councilman Peterson noted that the budget for this project was \$370,000.00 and asked if the engineering firm would add a 6% management fee. Mr. Davis stated that engineering costs are separate from the construction. Mr. Davis stated that there are budgeted funds for this project and the unused balance will be returned to the fund from which it was budgeted.

5. APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN UTAH DEPARTMENT OF TRANSPORTATION, WEBER COUNTY, ROY CITY AND HOOPER CITY FOR THE PURPOSE OF FINANCING, DESIGNING AND CONSTRUCTING MODIFICATIONS TO THE HOWARD SLOUGH BOX CULVERT

Andy Blackburn stated that this agreement was put together several months ago. It includes the design and construction of a box culvert. There are three other entities involved who will make cash contribution to the project. The anticipated cost is \$177,000.00. Mr. Blackburn stated that he believes this project will be beneficial to everyone involved. Mr. Blackburn did note that one change needed to made; the date on the agreements is 2005.

Councilwoman Becraft asked where the funds would come from if the project exceeds the budget. Mr. Davis stated that the funds would come from the Storm Drain Fund.

Councilman Tafoya asked how much maintenance would be involved due to the fact that once constructed, Roy City will be responsible for that maintenance. Mr. Davis stated that the project includes a concrete box that shouldn't require much maintenance; however, Roy City does already take care of and maintain the slough.

Councilman Smith asked for a completion date. Mr. Davis stated that after the contract is finalized, the contractor generally has 45 to 90 days to complete the project. Mr. Davis added

that the other entities combined will contribute \$150,000.00 to the project.

5A. RESOLUTION NO. 871 APPROVING THE INTERLOCAL AGREEMENT

Councilman Tafoya moved to approve Resolution No. 871 approving the Interlocal Agreement between Utah Department of Transportation, Weber County, Roy City, and Hooper City for the purpose of financing, designing and constructing modifications to the Howard Slough box culvert including a date change on the agreement to 2006. Councilman Peterson seconded the motion. A roll call vote was taken. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted “aye.” The motion carried.

6. PUBLIC COMMENTS

Mayor Ritchie stated that this item appears on the agenda each City Council Meeting, the purpose of which is to allow citizens to address the Council with any questions or issues they would like to discuss. Mayor Ritchie asked if there was any public comment. There was none.

7. RESOLUTION NO. 872 ADOPTING STANDARDS FOR USE OF PARKING STRIPS IN ROY CITY AND SETTING FORTH THE TYPE OF TREES, PLANTINGS OR MATERIALS WHICH MAY BE PLACED IN A PARKING STRIP

Mayor Ritchie stated that this item will be tabled and will appear on a future agenda.

8. DISCUSSION OF EMMA RUSSELL PARK AND RIDING ARENA

Mayor Ritchie clarified that this is not a public hearing, rather a discussion with staff and the City Council. He did invite Shauna Thomas to speak to the Council and be a spokesperson for those here this evening. Mayor Ritchie stated that a public meeting will be held in the future; however, public comment will not be allowed in this meeting.

Chris Davis stated that the issue of the riding arena has come up as the completion of Emma Russell Park approaches. The arena has been there for a very long time. Mr. Davis stated that he has met with Shauna Thomas who expressed concern about the arena and surrounding parking or lack thereof. The arena has been maintained by the users under the direction of Ms. Thomas; however, Roy City has shared the bill for the porta-potty.

Mr. Davis stated that in speaking with Ms. Thomas, the following concerns have been raised; 1) The surrounding area at the fenced arena has been greatly reduced to horse use because of the asphalt parking lot and new grass areas. 2) The parking area for trucks and horse trailers has been greatly diminished due to development. 3) Loading and unloading areas are minimal at best. 4) Tethering horses outside the arena is now limited. 5) Co-mingling horses with the

general public in other activities will be an issue of safety.

Mr. Davis stated that staff has come up with three options regarding the riding arena; 1) Remain in the status quo and try to deal with the above issues. 2) Roy City take over total operations of the arena which would impact the budget. 3) Eliminate the arena and phase in additional facilities conducive to the new park.

Virgil Howe, Director of Parks and Recreation and Recreational Facilities, stated that with the given information, he is looking for direction from the Council on how to proceed with the completion of Emma Russell Park in relation to the riding arena. He added that it was his feeling that the park is developing into the nicest park in Roy City. He stated that he has concerns about the arena and would like to make decisions that will be in the best interest of the City. The parking lot, or final phase, is due to be surfaced this summer; however, asphalt creates a challenge for horses. Mr. Howe estimated that only about four trucks with horse trailers would fit into the parking lot. He stated that there are even issues with unloading and then leaving the parking lot due to the fact that there is nowhere to park after leaving the parking lot. Mr. Howe stated that at times there is need for parking of 20 to 25 rigs at a time. In addition to parking problems, Mr. Howe stated that the pathway around the park creates a problem with co-mingling. Mr. Howe reiterated the three options listed above and noted the challenges with those including budgeting and manpower if Roy City were to take over operations of the arena.

Councilman Stokes asked Mr. Howe to review the history of the project, particularly the phasing. Mr. Howe stated that the property was originally a landfill and there was much discussion regarding how to reclaim the land that it might be of benefit to the citizens. The City applied for a federal grant which was obtained. A plan was presented and the City was mandated by the grant to abide by the plan, which has been done. There were two phases, the first of which included the baseball diamond and leisure area. Phase two included capping the landfill and creating soccer fields and a parking lot. The arena was left out of the plan. Mr. Howe stated that money is an issue and the development of the park is reaching completion which is also a dilemma. Councilman Stokes asked if the riding arena was related to the grant or if Roy City maintaining the arena had any effect on the grant. Mr. Davis said that the grant doesn't mandate anything related to the arena.

Mayor Ritchie stated that when he moved to Roy, he owned horses and the riding arena made Roy City a convenient place to own horses. He stated that he no longer has horses and noted that citizens and the City change with the times. He stated that the arena has moved one time before and change isn't bad if it serves a large percentage of the citizens.

Councilman Tafoya asked what would take the place of the arena should it be eliminated. Mr. Howe stated that the original landfill was more to the east of the arena; hence, the City would have more versatility when it came to filling that space. He stated that if it was decided that the

arena be eliminated, the overall plan would be considered and suggested that more parking may be appropriate.

Shauna Thomas stated that she mailed a letter to the Mayor and Council Members noting the history of the riding arena. She stated that the Roy Junior Posse has existed for 55 years which has resulted in positive recognition for Roy City. She felt that participation in the posse encouraged responsibility in the youth who participated and expressed gratitude for the riding arena. Ms. Thomas stated that in 1964 the Weber County Commission sold land to Roy City at a greatly reduced price that was ear-marked as land for the posse. She stated that she drove through Roy City and noted approximately 150 homes with horses; hence, the need for a riding arena in the City. She stated that in her 11 years of experience, the arena has been fully booked and on week nights is double-booked. She stated that she has contacted Hooper and West Haven regarding scheduling of their arenas. The response was that there was not room in their schedules for seven additional riding clubs; hence, if the arena at Emma Russell Park is eliminated, those seven clubs will not have an arena in which to practice. Ms. Thomas listed several clubs who use the arena and the different events that they participate in. She stated that on week nights the arena is double-booked. She estimated that 6 trucks with horse trailers could fit into the parking lot as it currently is.

Ms. Thomas said that she has been informed that the soccer fields will not be used until 2007 when the sod is established so there may be no conflict this season. She stated that she did not have a good solution but suggested that it may be reasonable to put off the asphaltting of the parking lot so that it could be used as parking for the arena. She also stated that it would be helpful to have four entrance/exits to get the horse trailers in and out of the parking lot. Ms. Thomas stated that she received a letter from Mayor Barrow, Hooper City mayor, in which he stated that the Hooper City arena does not have enough availability to accommodate the clubs currently using the Roy City arena. He also indicated that he attended a recent WACOG meeting in which members agreed that recreational facilities should be shared between governmental entities. Ms. Thomas stated that Mr. Davis has expressed concern that many of the people using the arena are not Roy City citizens. She stated that in 2001 she gathered statistics regarding sporting events and found that approximately 65% are Roy citizens and 35% are not. She felt that percentage of citizens using the arena should not be a deciding factor.

Mayor Ritchie stated that it's easy for Mayor Barrows to recommend sharing with other cities when it doesn't affect his budget. Mayor Ritchie asked Mr. Howe if the percentages of Roy citizens in recreation have changed since 2001. Mr. Howe stated that he did bring statistics. AYSO has told him that 95 percent participation is from Roy citizens. He stated that the other sports programs vary; the lowest percentage is girl's basketball which is 77 percent Roy citizens. The other programs range from 85 to 95 percent Roy citizens according to the rosters. Mayor Ritchie asked about the condition of the grass or sod and asked when it would be established enough that it could be used for sporting events. Mr. Howe stated that the root system would not

be established well enough to handle activity until the first part of 2007 and possibly even the fall of 2007. Mr. Howe added that the completion of the parking lot is mandated by the grant and has actually already been delayed; the plan is to lay the asphalt this summer.

Ms. Thomas stated that she invited Merl Thurgood, Chairman of the Utah Horse Council, and asked if Mayor Ritchie would allow him to speak. Mayor Ritchie said that he would.

Councilman Tafoya asked if the clubs that currently use the Roy City arena could move their activity to the Weber County Fair Grounds. Ms. Thomas stated that the cost to use the Weber County Fair Grounds is \$35 per hour so cost is a factor. She stated that she could look into that possibility but thought that their schedule would be booked also. Councilman Tafoya stated that his understanding is that finishing the parking lot presents a problem with the use of the arena. Ms. Thomas stated that she isn't sure what the solution is. She stated that she volunteered to be on the Emma Russell Park Committee and her services were not utilized. She would have preferred to participate in the planning phase of that park; however, that was not the case. She stated that she is not aware of the confinements that go along with the grant. Councilman Tafoya stated that it's his understanding that the parking lot has to be completed. Ms. Thomas stated that she is aware of a parcel of property which is actually in Hooper that is adjacent to the park and wondered if the owner would be willing to lease the property for parking. Mayor Ritchie asked if she had spoken to Mayor Barrows about that. She said that she hasn't but will.

Councilman Smith suggested that it might be worthwhile to look at alternatives that will allow the arena to remain useful. Mr. Davis stated that the landowner could be contacted and asked if he/she would be willing to lease the property. Mr. Davis stated that there is also a parcel of property at the southwest corner of the park that secondary water owns and utilizing that property could be looked into also.

Councilman Peterson suggested that maybe Hooper City could help with the lease if that worked out since Hooper citizens use the arena too. Ms. Thomas stated that several Roy City citizens use Hooper's arena also.

Merl Thurgood stated that horses have been his life. He has been on the Agricultural Board for the State of Utah and is currently the Chairman of the Utah Horse Council. He stated that there are 250,000 horses in Utah and the majority of them are along the Wasatch Front. He feels that horses are good for people. He commended Roy City for having a riding arena and reminded the Council that not all kids play sports, some like to ride horses. He stated that the parents of these kids pay taxes too and a lot of money is generated by horse owners. Mr. Thurgood stated that a questionnaire sent out by the Utah Horse Council determined that the Golden Spike Arena is the busiest arena in Utah. He stated that he feels it's important to provide children with a place to ride their horses and stated that if keeping the arena saves one child from being incarcerated, it's worth it.

Councilman Peterson asked what the liability would be if Roy City were to take over the care of the arena. Mr. Blackburn stated that the City carries coverage on the parks for different activities and stated that he would look into that specifically. Ms. Thomas stated that she was aware of one incident that occurred in which the person's home owner's insurance provided coverage. Councilman Peterson stated that he has concern regarding liability for private groups using a City facility. He stated that a lot more people will be using the park and many of them won't know how to behave around horses.

Mayor Ritchie concluded that more information needs to be gathered regarding the riding arena, other entities need to be contacted and the issue of parking addressed.

Councilman Stokes asked if the park is so far along that it has reached the point of no return. He stated that he's not so concerned about the types of users or where they are from, rather the safety issue. He expressed concern that creating more entrances/exits in the parking lot may cause a big financial impact.

Councilman Peterson stated that if it's not possible to obtain more parking, the arena is going to be difficult to use; hence the first issue that needs to be addressed is parking. Mayor Ritchie stated that the adjacent property owners need to be contacted.

Councilman Tafoya stated that rural and urban lifestyles don't always fit together. He stated that he lives by West Park and the parking lot is full five nights a week. He expressed concern about the safety issues that have been raised, especially with kids being around horses.

Ms. Thomas asked if it would be helpful if she contacted other cities to see how they've solved the problem of small children mingling with the horses. Mayor Ritchie stated that when he was a Weber County Commissioner, the bicycle racetrack had to be moved off the fairgrounds because there were problems. He stated that there was some damage and some injuries involving kids on motocross bicycles and horses, and that it didn't work out too well. He stated that it would be helpful to see how others have handled these types of situations.

Councilman Tafoya stated that it may be wise to take surrounding neighbors opinions into consideration. Mr. Davis stated that most of the complaints in the past have been related to weed control.

Mayor Ritchie stated that he felt it would be wise to have staff clear up some of the issues that have been brought up before the issue comes back to the City Council. Mr. Davis stated that besides the three options listed, there aren't too many other possibilities; however, he agreed that the information requested could be gathered and discussed. Because this is a budget issue, Mr. Davis stated that it would need to come before the City Council again.

Councilman Tafoya asked when the parking lot would be paved. Mr. Howe stated that he would have to let it dry through the spring and hopefully pave it in the summer. He added that it should have been paved, according to the grant, last fall; however, a variance was granted.

Mayor Ritchie asked if the parking lot could be adjusted to accommodate horse trailers. Mr. Davis said that it could.

Mayor Ritchie recommended that over the next 30 days, the requested information be gathered, a work session be held, and that the information be returned to the Council for further discussion and recommendation.

Councilman Smith recommended that the City limit the funds that may be put toward the arena. Mayor Ritchie stated that the Council has the authority to do that.

Councilman Tafoya asked if the arena is kept, will Roy City care for those grounds. Mr. Davis stated that is the recommendation of staff; however, that could be coordinated with Ms. Thomas.

Mayor Ritchie thanked Ms. Thomas for her input.

9. APPROVAL OF FINAL ACCEPTANCE OF SUBDIVISION IMPROVEMENTS FOR OLYMPIA PARK WEST SUBDIVISION NO. 3 LOCATED AT APPROXIMATELY 5840 SOUTH 4300 WEST

Mayor Ritchie noted that according to the paperwork, everything is in order and this subdivision is ready for final acceptance.

Councilman Peterson moved to grant approval of final acceptance of subdivision improvements for Olympia Park West Subdivision No. 3 located at approximately 5840 South 4300 West. Councilman Stokes seconded the motion. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted “aye.” The motion carried.

Councilman Peterson noted that Larry Horspool approved the subdivision and then, according to a letter from Wasatch Civil Engineering, Mark Miller disagreed. He asked if the policy was clear and why there was a discrepancy. Mr. Davis stated that hopefully the situation is now rectified. He noted that in the last meeting, Councilman Stokes asked similar questions. Mr. Davis stated that he hopes the people responsible for those issues are doing a better job taking care of them. Mr. Davis stated that the house in question, the furthest northwest house in Olympia Park, had to be red-tagged because of water issues. It has now been built according to specifications. Mr. Davis stated that some of the issues were revealed after the fact. Specific guidelines and checklists are now in place so that improvements that are to be done get inspected in a timely manner. Mr. Davis stated that as noted in the letter, final acceptance should have occurred in

2002 and by 2004 the guarantee period was over; hence, there is no way to enforce the completion of the improvements by the developer. Mr. Davis stated that in the past, this has been a frustration.

Councilman Stokes asked if items such as basements depths are or should be tied to improvement completion. Mr. Davis stated that it depends on the area the home is in and the water table that exists in that area. Mr. Davis stated that there are now basement depth requirements in place to avoid problems with flooding and subsequent homeowners coming to the City for help. Councilman Stokes stated that his understanding is that subdivision improvements include items such as curb, gutter, sidewalk, roads, etc. He expressed concern about unnecessarily holding developers hostage on issues unrelated to improvements. He would like to see Wasatch Civil not hold up developers for petty issues. Mr. Davis stated that they haven't. Mr. Davis stated that the big issue in Roy City, especially on the west side, is groundwater; hence, those are the kinds of issues Wasatch Civil addresses and only in those circumstances are they even involved. Councilman Stokes stated that developers, other than in this situation and location, have told him that Larry Horspool does an inspection and gives them the go-ahead to proceed, they proceed in good faith, and then Wasatch Civil pulls the rug out from under them. Mr. Davis stated that Mr. Horspool was more liberal than he should have been. Mr. Davis stated that had Mr. Horspool enforced the city standards, Wasatch Civil would not have had to intervene. Mr. Davis stated that Mr. Horspool is a friend of his, he was a good employee, however, this area was a challenge for him. Councilman Stokes asked if Wasatch Civil is taking it beyond what the standards are. Mr. Davis assured him that they are not. Councilman Stokes stated that was his concern. Mr. Davis stated that Mr. Horspool was required at that time to do more than he was able to do.

10. CITY MANAGER'S REPORT

Chris Davis updated the Council on the legislature. Mr. Davis also stated that he is in contact with Dan Tanner who is still working on the Roy Days Celebration.

11. MAYOR AND COUNCIL REPORTS

Mayor Ritchie stated that he had a discussion with Councilman Tafoya regarding some of the committees that affect Roy City. Alan Nakayu has been serving on the Mosquito Abatement Board but Mayor Ritchie and Councilman Tafoya felt that it would be beneficial to have an elected official from Roy City on that Board. Councilman Stokes stated that he would be willing to serve on that board. Mayor Ritchie said he would find out the schedule for those meetings and bring it back to the next Council meeting.

12. ADJOURN

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Councilwoman Becraft moved to adjourn City Council Meeting at 7:49 p.m.

Joe H. Ritchie
Mayor

Attest:

Char Wolverton
Secretary