

MINUTES OF THE AUGUST 21, 2007, ROY CITY COUNCIL MEETING

1. Approval of July 17, 2007, minutes
2. Consideration of vacation of City walkway at approximately 3050 West 4800 South
3. Public hearing on FY2008 budget and setting a certified tax rate for 2007
  - a. Consideration of Resolution No. 912 adopting the Fiscal Year 2008 City Budget and levying a property tax revenue rate established by Weber County
4. Hill Air Force Base environmental update
5. Introduction of "Project Never Forget"
6. Public comments
7. Consideration of Ordinance No. 991 on Conveyance of Surplus Real Property
8. City Manager's report
9. Mayor and Council reports
10. Adjourn City Council Meeting and convene a Redevelopment Agency Meeting
11. Summary of actions charged

Minutes of the Roy City Council Meeting held August 21, 2007, 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	City Manager Chris Davis
Councilwoman Marge Becraft	City Attorney Andrew Blackburn
Councilman Larry Peterson	Secretary Michelle Drago
Councilman Tommy Smith	
Councilman Michael Stokes	
Councilman Dave Tafoya	

Also present were: Tony Reynolds, Community Services Director; Cathy Spencer, Management Services Director; Mike Mansfield, Public Works Director; Ben Martinez; Lori Nakayu; Adam Nakayu; Robyn Simmons; Shane Warden; Dale Martin; T. J. Slack; Gavin Shaw; Josh Rolph; Timothy Dolan; Sylvia Carter; Donna Hay; Jane Day; Ted Day; Ron Craven; Barbara Fisher; Mark Robinske; Dave Harris; Lisa Stary; and Victoria Karpos.

Moment of Silence: Councilman Michael Stokes

Pledge of Allegiance: Councilman Michael Stokes

1. APPROVAL OF JULY 17, 2007, MINUTES

**Councilman Tafoya moved to approve the minutes of July 17, 2007, as written. Councilman Smith seconded the motion. Council members Becraft, Peterson, Smith, Stokes, and Tafoya voted "aye." The motion carried.**

2. CONSIDERATION OF VACATION OF CITY WALKWAY AT APPROXIMATELY 3050 WEST 4800 SOUTH

Mayor Ritchie stated that the City had received a petition to vacate a walkway located at approximately 3050 West 4800 South, which was in the middle of the block. It was in poor repair and was not used as much as it could be. The City had also received a petition against vacating the walkway. He asked the Council to refer this matter to the Planning Commission for further study. The Planning Commission would hold a public hearing to allow public input.

**Councilwoman Becraft moved to refer the vacation of a walkway at approximately 3050 West 4800 South to the Planning Commission for a study and public hearing. Councilman Smith seconded the motion. Council members Becraft, Peterson, Smith, Stokes, and Tafoya voted "aye." The motion carried.**

3. PUBLIC HEARING ON FY2008 BUDGET AND SETTING A CERTIFIED TAX RATE FOR 2007

Mayor Ritchie stated that the FY2008 budget presented to the Council a few months ago included an increase in the certified tax rate. Every year the Weber County Assessor specified what the tax rate for the City would be. The City then decided whether it would accept that rate or not. This year, Roy City lost about \$90,000 of revenue due to changes made by the State Legislature. Therefore, the FY2008 budget included a higher tax rate than the one recommended by the County. Since the budget was presented to the Council in May, the City learned that the County's new assessed property values would provide the needed revenue without raising the certified tax rate. The City had no control over the assessed value of property. Property owners could appeal the assessed value of their homes to the Weber County assessor.

**Councilman Smith moved to open the public hearing at 6:11 p.m. Councilwoman Becraft seconded the motion. Council members Becraft, Peterson, Smith, Stokes, and Tafoya voted "aye." The motion carried.**

Cathy Spencer stated that a few changes had been made to the tentative budget the Council received in May. The property tax rate would not be increased. The certified tax rate would be .002178. There would be a slight increase in animal control fees due to increases imposed by Ogden City. North Davis Sewer did not approve its rate increase so there weren't any increases to pass along to the citizens. The budget included 2½ new employees: an administrative assistant for the Mayor, City Manager, and City Attorney; a planner/code enforcement official; and a full time janitor, rather than a part time one. The budget also included a 2% COLA as well as implementation of a recent salary survey. There weren't any large increases in expenditures other than fuel line items. The \$5 per month increase in the Water and Sewer equipment fee had been removed from the budget because a final project plan had been completed. The increase would be brought back to the Council when the staff had a definite number. The remodel of the

Municipal Building and construction of the Hope Community Center were part of the capital projects included in the budget. The Parks Development Fund included completion of the Emma Russell Park.

Mayor Ritchie stated that the Code Enforcement Officer was responsible to make sure that properties were kept up to code in appearance. The City had been struggling along with a part time Code Enforcement Officer. With a part time employee, the City could only respond to complaints. With a full time officer the City could start being proactive.

Councilman Smith felt the City was being prudent to have looked at the budget and determined that it wasn't necessary to raise the property tax rate.

Mayor Ritchie opened the floor for public comments.

Dr. Chevron asked where the public could view the budget. Cathy Spencer said there was a copy of the budget in the administrative offices. Mayor Ritchie said it was a public document. Dr. Chevron asked what revenues the State Legislature had done away with. Mayor Ritchie said the State Legislature reduced sales tax revenues and the telecommunications tax.

Mayor Ritchie felt the staff and City Council were acting prudently.

**Councilwoman Becraft moved to close the public hearing at 6:19 p.m. Councilman Peterson seconded the motion. Council members Becraft, Peterson, Smith, Stokes and Tafoya voted "aye." The motion carried.**

**Councilman Tafoya moved to approve Resolution No. 912 adopting the Fiscal Year 2008 City Budget in the amount of \$30,397,359 and levying a property tax revenue rate established by Weber County. Councilman Smith seconded the motion. A roll call vote was taken: Council members Smith, Becraft, Stokes, Tafoya, and Peterson voted "aye." The motion carried. (Copy filed for record).**

#### 4. HILL AIR FORCE BASE ENVIRONMENTAL UPDATE

Mark Roginske, Project Manager for Operable Unit 12 (Roy Plume), updated the City Council on the environmental restoration of the

Roy Plume. He reviewed the areas of contamination, the indoor air sampling results, and upcoming cleanup activities. They had sampled indoor air for chemicals found in groundwater. Action levels were established for each chemical by the EPA and Utah Department of Environmental Quality. As of July 17, 2007, 314 homes were sampled. Thirty homes had detections above the action level. Twenty-two homes had chemicals below the action level. Two hundred sixty-two homes had no detections. Eighteen air vapor mitigation systems had been installed. The 2007 indoor air sampling program was in progress. They had contacted 479 homes; eight-nine had agreed to sampling. In 2008 they planned to extend the base boundary groundwater containment system by adding four additional extraction wells. The wells would help to cut the groundwater off at the base because there was still contaminants seeping into the groundwater, and they didn't know where it was coming from. In 2008, they planned to remove the known source locations, remove asbestos from the surface, and restrict land use and access with fencing. They also planned maintenance of the permeable reactive barrier.

Councilwoman Becraft asked if the vapor systems would be installed in all thirty homes that had detections above the action level. Mr. Roginske said not all of the residents had given them permission to install the vapor systems. They would install the vapor systems in the homes with detection below the action level if requested.

Councilman Smith felt it was good that Hill AFB was doing something about a problem it had caused.

Councilman Tafoya asked if all of the efforts had shrunk the plume. Mr. Roginske said the plume had not grown. Mr. Roginske said the permeable reactive barrier should have cut off the plume. There might be some field drains that were carrying the water past the barrier. However, the ground water getting past the barrier had levels of 4 milligrams versus 8 elsewhere. The clean up was not a fast process. It would take 30 to 40 years before the groundwater under Roy was clean.

Councilman Smith asked if other bases dealt with environmental problems. Mr. Roginske said there was an environmental problem with nearly every air force base in the country.

2. INTRODUCTION OF "PROJECT NEVER FORGET"

Victoria Karpos said she was representing Operation Never Forget. ONF was a charitable project dedicated to building bronze bust statues for the families of the servicemen and women of the United States Armed Services who were killed in action in Afghanistan and Iraq since 9/11. This national project was started in 2006 by families of those lost in the war on terror and others interested in memorializing these men and women. Over 4,000 busts were planned to be constructed as funds became available. Ms. Karpos asked that the City Council support the project by allowing placement of the busts on Roy City property, a monetary donation, and that Council members tell other council members and State officials about the project.

Mayor Ritchie asked how long it would take to complete the busts. Mr. Karpos said it could take up to six months. However, they had streamlined the process and hoped to have it down to less than a month. Mayor Ritchie felt accommodations could be made for the busts during the remodeling of the Municipal Building.

Andy Blackburn said that State law required the City to complete a study to determine benefits before any monetary donations could be made. He asked Ms. Karpos to get in touch with him, and he would explain the study process to her.

Councilman Smith suggested that the next newsletter include information about Operation Never Forget. He would take information about the project to the Chamber of Commerce. Mayor Ritchie said he would take pamphlets about the project to WACOG.

3. PUBLIC COMMENTS

Adam Nakayu, 4698 South 2325 West, thanked the City Council, on behalf of the Roy High Band, for letting them do Roy Days.

4. CONSIDERATION OF ORDINANCE NO. 991 ON CONVEYANCE OF SURPLUS REAL PROPERTY

Andy Blackburn stated that recent changes in State law had made it necessary to make changes in the City's policy regarding disposition of City owned property. Adoption of Ordinance No. 991 would bring the City current with State law. State law required that a public hearing be held whenever City disposed of a significant piece of property. Each city had to determine what a

significant parcel of property was and what it considered reasonable notice. Ordinance No. 991 defined a significant parcel as one acre or larger. Reasonable Notice meant posting a notice in three public places, on the City's website, and publishing a notice in the newspaper. If the property was less than one acre in size, the City Manager could determine whether to hold a public hearing and seek the Council's input. Mr. Blackburn said some cities used value to determine whether a property was significant. However, using the value of the property meant the City had to have it appraised. Value was also very controversial.

Councilwoman Becraft asked if the size of a significant parcel was included in Ordinance No. 991. Mr. Blackburn said it was.

Councilman Peterson felt it was important to note that disposition of property was based on the highest and best economic use or other best interest.

Councilman Stokes asked if the determination about the best use of property would fall to the City Manager if the property was less than an acre. Tony Reynolds said it would. Councilman Stokes asked why the City Council shouldn't make a decision on all properties regardless of size. Andy Blackburn said some parcels were truly insignificant which the staff wouldn't want to bother the Council about. The staff could follow up adoption of Ordinance No. 991 with a policy to provide further guidelines.

Councilman Smith felt it would be prudent to have a best practice policy in place.

Councilman Stokes felt it would be wise for the staff to have a cut off. A policy would be a good move.

Andy Blackburn said the staff had looked at a lot of ordinances. Some were very cumbersome.

**Councilman Smith moved to approve Ordinance No. 991 adopting Chapter 14, of Title 1, "Administration", of the Roy City Code pertaining to the disposition of City owned parcels of land by the City of Roy, Utah. Councilman Stokes seconded the motion. A roll call vote was taken: Council members Stokes, Peterson, Tafoya, Smith, and Becraft voted "aye." The motion carried. (Copy filed for record).**

5. CITY MANAGER'S REPORT

Chris Davis updated the City Council on the remodel of the Municipal Building. The administrative offices were being moved into the temporary offices the week of August 24<sup>th</sup>. A picture of the completed remodel had been posted along 1900 West.

Chris Davis asked the Council to think about seating for the new Council room.

Chris Davis stated that the dog park at 5700 South 3260 West was open. There would be an article about the dog park in the next newsletter. There might be some difficulty with on-street parking.

Chris Davis stated that the Roy High School principal had offered Council members high school pass cards for all of the high school games.

Chris Davis said the City had offered those running in the 2007 Municipal Election space in the next newsletter. Their articles had to be turned in by August 22<sup>nd</sup>.

Chris Davis stated that they planned to have a Roy Days wrap up and have everyone make a full report to the City Council.

Chris Davis stated that the City Council should have received their invitations to the Annual League Conference. He asked those interested in attending to let him know as soon as possible.

Chris Davis stated that the City Council needed to hold a work session to discuss capital improvements for Utility Enterprises. He would provide the Council with a list of potential dates.

Chris Davis stated that Parley Oleson's family had requested that Sandridge Park be named after him. Parley Oleson was the Park Superintendent for years and was involved in the construction of Sandridge Park.

Chris Davis stated that the annual youth clean up would be held on September 8<sup>th</sup> from 8:00 to 11:00 a.m. They would be cleaning the D&RG right-of-way in preparation for the paving project. After they were finished the pool would be opened for them from 11:30 a.m. to 1:00 p.m. After that activity, the Aquatic Center would be closed for the season. The City had to enter into an interlocal agreement with UTA to allow the clean up activity to happen.

6. MAYOR AND COUNCIL REPORTS

Mayor Ritchie stated that the *Standard Examiner* had printed an article regarding the commercial development at Hill AFB. The developer selected was a corporation made up of three entities. He was a member of the advisory board. He would keep the Council updated.

Councilman Tafoya stated that the skateboard park at Roy West was recently tagged. He felt those who used the skateboard park need to start policing themselves. The tagging reflected poorly on the entire community. He wanted the kids to know that just because someone was doing it didn't make it cool. He would like to see the kids take some pride in the community. Chris Davis stated that the Parks crew had been working on removing the graffiti since Saturday. In the next newsletter the City planned to offer a reward leading to a successful conviction on the skateboard park and Emma Russell Park. Councilman Peterson suggested inviting the kids who used the skateboard park to sit on an advisory board. Councilman Stokes suggested locking all restrooms at dusk. Chris Davis said that was the current practice.

Councilwoman Becraft stated she had received a few complaints about weeds at some downtown businesses and kids racing west on 4800 South from the railroad tracks.

Councilman Smith asked if motorized scooters were allowed in Roy City. Chris Davis said the City followed State law. Motorized scooters were illegal in Roy City unless they were licensed and street legal.

7. ADJOURN CITY COUNCIL MEETING AND CONVENE A REDEVELOPMENT AGENCY MEETING

**Councilman Smith moved to adjourn at 7:41 p.m. and convene a Redevelopment Agency Meeting. Councilwoman Becraft seconded the motion. Council members Becraft, Peterson, Smith, Stokes, and Tafoya voted "aye." The motion carried.**

8. SUMMARY OF ACTIONS CHARGED

1. Planning Commission to study vacating a walkway at 3050 West 4800 South and hold a public hearing.
2. Next newsletter to include information about Operation Never Forget.

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Joe H. Ritchie  
Mayor

Attest:

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Michelle Drago  
Secretary

dc:caug2107