

MINUTES OF THE DECEMBER 4, 2007, ROY CITY COUNCIL MEETING

1. Approval of November 20, 2007, minutes
2. Recognition of the September, October, and November 2007 Employees of the Month
3. Consideration for adoption of Resolution No. 920 authorizing the issuance and sale of not more than \$10,000,000 aggregate principal amount of water and sewer revenue bonds, Series 2008, of Roy City, Utah; and related matters
4. Consideration of Resolution No. 921 setting a capital improvement fee in the Utility Enterprise Fund
5. Consideration of Ordinance No. 998 vacating a right-of-way on 4800 South at approximately 3050 West
6. Public comments
7. Consideration of Ordinance No. 996 approving amendments to Chapter 11 (Supplementary Development Standards) of the Roy City Zoning Ordinance
8. Consideration of Ordinance No. 997 repealing and re-enacting Chapter 17 (Table of Uses) of the Roy City Zoning Ordinance
9. Council appointment to the Weber-Mosquito Abatement District Board of Trustees
10. City Manager's report
11. Mayor and Council reports
12. Adjourn
13. Summary of actions charged

Minutes of the Roy City Council Meeting held December 4, 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
Councilwoman Marge Becraft
Councilman Larry Peterson
Councilman Tommy Smith
Councilman Dave Tafoya

City Manager Chris Davis
City Attorney Andy Blackburn
Secretary Michelle Drago

Excused: Councilman Michael Stokes

Also present were: Tony Reynolds; Community Services Director; Cathy Spencer, Management Services Director; Mike Mansfield, Public Works Director; Lon Hansen, Water Superintendent; Mark Miller, City Engineer; Matt Howard; Elke Howard; Jace Jacketta; Craig Smith; Preston Kirk; Randy Kapp; and Willard Cragun.

Moment of Silence: Councilman Smith

Pledge of Allegiance: Councilman Smith

1. APPROVAL OF NOVEMBER 20, 2007, MINUTES

Councilman Tafoya moved to approve the minutes of November 20, 2007, as written. Councilman Peterson seconded the motion. Council members Becraft, Peterson, Smith, and Tafoya voted "aye." The motion carried.

2. RECOGNITION OF THE SEPTEMBER, OCTOBER, AND NOVEMBER 2007 EMPLOYEES OF THE MONTH

Councilwoman Becraft stated that Mike Mansfield had nominated Matt Howard for the September 2007 Employee of the Month. Matt has been doing field inspections for Public Works projects and subdivisions. He worked closely with Wasatch Civil Consulting Engineering to make sure the project were done to City standards. Matt has had to learn on the job, spending many hours on site with the contractors. Mat was on the 4800 South Road Project from start to finish, working with Braegger & Sons Construction on the water line, with PEC on the sewer lining, and with Staker & Parson Companies on the road widening. At the same time he was performing all of the Blue Staking for the City and doing subdivision inspections. Matt had taken on this added responsibility and workload, doing a very good job.

Councilwoman Becraft expressed appreciation to the Public Works Department for quickly responding to property owners on 4800 South who were distressed about losing their land and sidewalk.

Councilman Peterson moved to recognize Matt Howard as the September 2007 Employee of the Month. Councilman Tafoya seconded the motion. Council members Becraft, Peterson, Smith, and Tafoya voted “aye.” The motion carried.

Mayor Ritchie presented Matt Howard with a check and recognition plaque.

Councilman Tafoya stated that because of their commitment to the City and their willingness to take on all the projects asked of them, Cathy Spencer felt Jace Jacketta and Craig Smith were excellent choices for the October and November 2007 Employees of the Month. Over the past few months, they had been instrumental in the demolition and installation of the network infrastructure going into the Municipal Building remodel project. The wiring in the ceiling of the Municipal Center was a spaghetti bowl of outdated wiring from several old systems intermingled with the current wiring. The plans for the remodel did not call for pulling out all of the old cabling, but Jace and Craig took the time to do just that. They had to find out which cable was in use and separate it from that which needed to be extracted. Prior to the demolition, an old network in the Police Department had to be taken out, reworked, and transferred to the existing network system. While that didn't sound difficult, it took a lot of time to reprogram the network and each of the computers attached to it. For the new construction, they worked with the contractor to wire the two temporary trailers and transfer connections from out existing system. All the wiring for the new construction would run into the phone room where a switch would take the connections through fiber to the server room in the basement. Installation of the new switch and tying it into the servers was not part of the construction contract. Jace and Craig have kept ahead of the contractors so that there was no delay when the contractors ran the individual cables to the switch. They set up the rack, switch, and prepared patch cables for all connections. In addition, they moved employee systems and got them up and running in the newly remodeled area. Craig Smith also saved the City money when moving phone connections due to his background in wiring telephone systems. When the contractor was out of town at the time the Police Department was moving, Craig was able to move the existing connections to the new phone block with no additional cost to the City. All of the work on the Municipal Building was done while keeping up on the every day system maintenance. Roy City had two individuals to maintain its system when other cities of similar size had much larger staffs. Ten years ago, the City had very small individual network systems in each department. The remodel had allowed Jace and Craig the opportunity to complete the transformation from several independent systems to one city-wide network.

Councilman Tafoya moved to recognize Jace Jacketta and Craig Smith as the October and November 2007 Employees of the Month. Councilwoman Becraft seconded the motion. Council members Becraft, Peterson, Smith, and Tafoya voted “aye.” The motion carried.

Mayor Ritchie presented Jace Jacketta and Craig Smith with checks and recognition plaques.

Mayor Ritchie thanked both of them on behalf of the City Council.

3. CONSIDERATION FOR ADOPTION OF RESOLUTION NO. 920 AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$10,000,000 AGGREGATE PRINCIPAL AMOUNT OF WATER AND SEWER REVENUE BONDS, SERIES 2008, OF ROY CITY, UTAH; AND RELATED MATTERS

Chris Davis stated that the City Council held a work session regarding the issuance of revenue bonds to fund improvements to the City's water system. This was the first phase of a multi-phase project that would bring the City's water system up to where it should be. The system worked well, but had worn out over time. Improvements to the water system included making the reservoir on Hill AFB functional and repairing areas where pipe was being corroded by acidic soil. The cost of Phase 1 was estimated to be about \$8 million. In the spring, the staff anticipated asking the citizens to approve the sale of general obligation bonds to fund the balance of the project.

Preston Kirk, George K. Baum & Company, stated that Resolution No. 920 had been prepared by the City's bond counsel. It provided for the sale of up to \$10,000,000 in water and sewer revenue bonds not to exceed 5.5%. Mr. Kirk anticipated an interest rate of 4.5%. The bonds would be issued for 25 years. They looked at other alternatives that were lower but felt some of the procedures might have a higher cost than anticipated. Resolution No. 920 would initiate the process. Two notices would be printed in the *Standard Examiner* that would start the 30-day contest period. When the contest period was up, the bonds could be issued. They anticipated coming back to the City Council in the middle of February with actual interest and terms.

Councilman Peterson asked if Resolution No. 920 was simply declaring the City's intent to bond. Preston Kirk said that was correct.

Councilman Peterson asked if the City Council needed to state any findings. Andy Blackburn said the findings were included in Resolution No. 920.

Councilman Peterson moved to approve Resolution No. 920 authorizing the issuance and sale of not more than \$10,000,000 aggregate principal amount of water and sewer revenue bonds, Series 2008, of Roy City, Utah; and related matters. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Smith, Becraft, Peterson, and Tafoya voted “aye.” The motion carried. (Copy filed for record).

4. CONSIDERATION OF RESOLUTION NO. 921 SETTING A CAPITAL IMPROVEMENT FEE IN THE UTILITY ENTERPRISE FUND

Chris Davis stated that the City Council just approved the procedure to issue bonds. The City Council had decided the bonds would be paid for with a capital improvement fee in the Utility Enterprise Fund. The bonds would not be sold locally, which meant the City would have to have a bond rating. This was a general obligation bond, which meant a coverage of 1.75 to 2. The \$5 per month fee did that. The staff also anticipated a slight savings that could be put toward the next phase of projects. This fee would be used exclusively for capital improvements; it was not for equipment or salaries. It would be used for the list of improvements the City Council had already reviewed. If Resolution No. 921 was approved, the staff anticipated sending out a letter in December under the Mayor’s signature. The fee would go into effect January 1st, but would not be seen on water bills until March 1st. This fee would be in addition to the \$0.49 equipment fee.

Councilman Tafoya stated that even with the proposed increase, Roy City’s water rates were lower than a lot of other cities. Chris Davis agreed that Roy City’s fees would still be significantly lower.

Mayor Ritchie felt it was significant that the \$5 fee was less than what was discussed during the work session. Chris Davis said the staff originally thought the fee would be \$6 per month. After further study, the staff felt \$5 would be sufficient.

Councilman Tafoya moved to approve Resolution No. 921 setting a capital improvement fee of \$5 per month in the Utility Enterprise Fund. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Becraft, Smith, Tafoya, and Peterson voted “aye.” The motion carried. (Copy filed for record).

5. CONSIDERATION OF ORDINANCE NO. 998 VACATING A RIGHT-OF-WAY ON 4800 SOUTH AT APPROXIMATELY 3050 WEST

Andy Blackburn stated that a public hearing was held at the last Council meeting to consider vacating the right-of-way located at approximately 3050 West 4800 South in the Pheasant Run Subdivision. The City Council unanimously decided to go ahead with the

vacation. The staff had prepared Ordinance No. 998 which would officially vacate the walkway. The City Council needed to find that there was good cause to vacate the walkway and that no person nor the public would be materially harmed by the vacation.

Mayor Ritchie stated that Ordinance No. 998 was the result of the City Council's instructions at the last Council meeting.

Councilman Peterson stated that at the last meeting there was some discussion about who would be responsible to remove the concrete and how it would be coordinated with the adjoining property owners. Chris Davis stated that Lon Hansen had met with Josh Rolph and Sylvia Carter, two adjoining property owners. The City had made arrangements to bring in a backhoe and its mini excavator to take out the sidewalk.

Councilman Smith moved to approve Ordinance No. 998 vacating a right-of-way located at approximately 3050 West 4850 South in the Pheasant Run Subdivision based on the City Council's findings of good cause, safety issues, and that no person nor the public would be materially injured. Councilman Peterson seconded the motion. A roll call vote was taken: Council members Tafoya, Smith, Peterson, and Becraft voted "aye." The motion carried. (Copy filed for record).

6. PUBLIC COMMENTS

There were none.

7. CONSIDERATION OF ORDINANCE NO. 996 APPROVING AMENDMENTS TO CHAPTER 11 (SUPPLEMENTARY DEVELOPMENT STANDARDS) OF THE ROY CITY ZONING ORDINANCE

Tony Reynolds stated that consideration of Ordinance No. 996 was a continuation of a discussion started at the last Council meeting. In that discussion the City Council expressed concern about the proposed amendment. The City Council suggested restricting vehicle sales to 1900 West and Riverdale Road. Based on the Council's concerns, Item No. 3 had been added. The proposed amendment now read:

Section 1109 - Supplementary Requirements for Vehicle and Equipment Rental or Sale, New or Used, Minor or Major

The purpose of this Section is to provide supplementary regulations for the development and operation of Vehicle and Equipment Rental or Sale, new or Used, Minor or Major and the use of the same in the City in order to promote, protect and secure the public health, safety and general welfare.

1. Vehicle and Equipment Rental or Sale, New or Used, Minor or Major uses shall be fully improved and maintained in compliance with current City standards, including, but no limited to a fully paved display area, a permanent and dedicated sales office built to the current building code, security lighting and permanent signage.
2. Display vehicles at Vehicle and Equipment Rental or Sale, New or Used, Minor or Major uses shall not be located within the public right-of-way, within any required landscape area or within any required setback or required yard areas.
3. No Vehicle and Equipment Rental or Sale, New or Used, Minor or Major use shall be permitted on any parcel of land that does not have frontage on 1900 West or on Riverdale Road.
4. No Vehicle and Equipment Rental or Sale, New or Used, Minor use located in a Community Commercial Zoning District shall be permitted within 300 feet of any Single-Family Residential or Residential Estates Zoning District.

Mr. Reynolds showed the City Council on a map exactly where vehicles sales could be located in Community Commercial zones along 1900 West based on the proposed amendment. Those areas were: The Wayne Hansen property at approximately 3900 South 1900 West; a small area of Herefordshire Square; and an area east of 1900 West between 4600 South and 4900 South. If the Council wanted to allow vehicle sales along 3500 West/Midland Drive as a conditional use, businesses could be located just south of 4000 South along Midland Drive, a small strip on the west side of 3500 West north of 4800 South, a small interior portion of Kent's Commercial development; and a small area south of 6000 South east of 3500 West.

Mayor Ritchie asked how the proposed amendment, as written, would affect Triple Stop Auto Sales. Tony Reynolds said it would continue to operate as a legal, non-conforming use.

Councilwoman Becraft asked about the three-car sales lot at Buffalo Brothers. Tony Reynolds said the regulations in the proposed amendment could not be applied retroactive. It would remain a non-conforming use.

Councilman Tafoya moved to adopt Ordinance No. 996 amending Chapter 11 (Supplementary Development Standards) of the Roy City Zoning Ordinance. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council

members Peterson, Smith, Tafoya, and Becraft voted “aye.” The motion carried. (Copy filed for record).

Mayor Ritchie complimented Randy Kapp on the way he operated his business. The Mayor hoped Mr. Kapp’s expansion would be the same and would be an example to others coming into the area.

8. CONSIDERATION OF ORDINANCE NO. 997 REPEALING AND RE-ENACTING CHAPTER 17 (TABLE OF USES) OF THE ROY CITY ZONING ORDINANCE

Tony Reynolds stated that Ordinance No. 997 contained the changes to the Table of Uses in Chapter 17 exactly as they were presented to the City Council at the last meeting.

Councilman Peterson moved to approve Ordinance No. 997 repealing and re-enacting Chapter 17 (Table of Uses) of the Roy City Zoning Ordinance. Councilman Tafoya seconded the motion. A roll call vote was taken: Council members Smith, Becraft, Tafoya, and Peterson voted “aye.” The motion carried. (Copy filed for record).

9. COUNCIL APPOINTMENT TO THE WEBER-MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES

Mayor Ritchie stated that he had received a letter for the Weber-Morgan Mosquito Abatement District indicating that Alan Nakayu’s term would expire December 31st and asking that a representative from Roy City be appointed to fill that vacancy. The mayor at that time had allowed Alan Nakayu to remain on the board even though he was no longer an elected official. Mayor Ritchie indicated he had spoken to the individual Council members about the appointment. All of the Council members felt the City should be represented by an active member of the City Council. Councilman Peterson had expressed an interest in serving on that board. Mayor Ritchie asked the City Council to ratify his appointment of Councilman Peterson to the Weber-Morgan Mosquito Abatement District Board of Trustees.

Councilman Smith moved to appoint Councilman Peterson to represent Roy City on the Weber-Morgan Mosquito Abatement District Board of Trustees. Councilman Tafoya seconded the motion. Council members Becraft, Peterson, Smith and Tafoya voted “aye.” The motion carried.

10. CITY MANAGER’S REPORT

Chris Davis updated the City Council on the Municipal Building remodel. A subcontractor had been hired to complete the construction of the Court Room/Council Room.

Chris Davis updated the City Council on the Hope Community Center. The primary part of the Boys & Girl's Club had been designed. The architect would meet with the seniors tomorrow to begin working on their portion. The staff anticipated that the design would be ready to bid in early February.

Chris Davis stated that the City Council had received invitations to the various department Christmas parties.

11. MAYOR AND COUNCIL REPORTS

Mayor Ritchie recognized Council-elect Willard Cragun and congratulated him on a successful campaign.

Mayor Ritchie stated that the annual WACOG dinner would be held on Monday, January 7th. He asked the Council members to let Laurel Dalton know whether they planned to attend and how many would be attending. He indicated that Willard Cragun was included.

Mayor Ritchie stated that the first Tuesday in January was New Year's Day. The administration would have to determine whether the swearing in could wait until the second meeting in January, or if a special meeting was needed.

Councilwoman Becraft asked about judging the lighting contest. Chris Davis said he would have the information delivered to the Council members so they could complete the judging over the weekend.

Mayor Ritchie expressed his appreciation to Councilman Smith for his years of service on the City Council. Councilman Smith had been a great asset to the seniors.

12. ADJOURN

Councilwoman Becraft moved to adjourn at 6:40 p.m.

13. SUMMARY OF ACTIONS CHARGED

1. Chris Davis to have information regarding the lighting contest to the Council members before the weekend.

Joe H. Ritchie
Mayor

Attest:

Michelle Drago
Secretary