

MINUTES OF THE MAY 20, 2008, ROY CITY COUNCIL MEETING

1. Approval of May 6, 2008, minutes
2. Award of 2008 Street Maintenance Project
3. Award of 4075 West, 4050 West, and the 3950 West Waterline Replacement Project
4. Presentation of changes to the FY2008 General Fund Budget
 - a. Consideration of Resolution No. 926, "A Resolution of the Roy City Council Approving Budget Transfers Between Departments for the Fiscal Year 2008 General Fund Budget"
5. Public Comments
6. Report on Dyer's Woad
7. Discussion on amending Roy City Sign Ordinance concerning removal of signs
8. City Manager's Report
9. Mayor and Council Reports
10. Adjourn
11. Summary of Actions Charged

Minutes of the Roy City Council Meeting held May 20, 2008, 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 members were in attendance:

Mayor Joe H. Ritchie
Councilwoman Marge Becraft
Councilman Michael Stokes
Councilman Dave Tafoya

City Manager Chris Davis
City Attorney Andy Blackburn

Excused: Councilman Willard Cragun and Councilman Larry Peterson

Also present were: Cathy Spencer, Management Services Director; Mark Miller, City Engineer; William Hunter; Brian Pinder; Christie Pinder; Mark Sage; Lisa Strye; Thayne Fry; and Denny Faulkner.

Moment of Silence: Councilwoman Marge Becraft

Pledge of Allegiance: Councilwoman Marge Becraft

1. APPROVAL OF MAY 6, 2008, MINUTES

Councilman Tafoya moved to approve the minutes of May 6, 2008, as written. Councilwoman Becraft seconded the motion. Council members Becraft, Stokes, and Tafoya voted “aye.” The motion carried.

2. AWARD OF 2008 STREET MAINTENANCE PROJECT

Mark Miller, City Engineer, stated that the 2008 Street Maintenance Project was bid on May 6, 2008. Three bids were received. The low bidder was Staker & Parson Companies in the amount of \$652,648.00. The bid amount was within the budgeted amount. Both he and the Public Works staff recommended that the 2008 Street Maintenance Project be awarded to Staker & Parson Companies and that the Mayor be authorized to sign the Notice of Award and the Contract Agreement. The bidder would then have 15 days to respond with a signed contract, acknowledgment of the Notice of Award, a Certificate of Insurance, and Performance and Payment Bonds.

Councilwoman Becraft asked when the narrow portion of 4000 South immediately west of the tracks would be widened. Chris Davis stated that the portion of 4000 South in from of Kwik City Muffler was in Weber County. Mark Miller said the Street Maintenance Project did not include curb, gutter, or sidewalk.

Councilman Tafoya asked why only certain areas of 4300 West and 6000 South below 3500 West were not included in the project. Mark Miller stated that Wasatch Civil was designing curb, gutter, and sidewalk for the portion of 4300 West in front of Emma Russell Park. The City did not want to pave that portion of 4300 West until the curb, gutter, and sidewalk was in. The portion of 4300 West in front of the Ivory Homes subdivision was not included because Ivory Homes needed to install the curb and gutter. Hooper Water had agreed to pay for half of 4300 West because they put in a new line last year. The very west portion of 6000 South was not included in the maintenance project because the road was in good condition.

Councilman Stokes stated that 6000 South was torn up to 4250 West. He asked if the City owned the entire 6000 South right-of-way. Mark Miller stated that he would get with Mike Mansfield and look at both 4000 South and 6000 South. He would also find out how much of the 6000 South right-of-way was owned by Roy City. Mike Mansfield had indicated that there was a little money left in the budget. He might extend the project to include a few more roads.

Councilman Stokes moved to award the 2008 Street Maintenance Project to Staker & Parson Companies in the amount of \$652,648.00 and to authorize the Mayor to sign the Notice of Award and Contract Agreement. Councilman Stokes seconded the motion. A roll call vote was taken: Council members Stokes, Tafoya, and Becraft voted "aye." The motion carried. (Copy filed for record).

3. AWARD OF 4075 WEST, 4050 WEST, AND THE 3950 WEST WATERLINE REPLACEMENT PROJECT

Mark Miller stated that the 4075 West, 4050 West, and 3950 West Waterline Replacement Project consisted of two roads extending from 6000 South and one from 4800 South where pipes were corroding due to the corrosive soil. Public Works felt these roads had the highest priority. Bids for the project were opened on March 28, 2008. Eight bids were received. The bids were about 25% less than the engineer's estimate due to the slow economy. The low bidder was Braegger & Sons in the amount of \$259,612.00. However, they did not submit a bid bond. That fact alone disqualified them. They also indicated that they had special bonding needs. After consulting with the City Manager and City Attorney, both he and the Public Works staff recommended that the City Council award the contract for the 4075 West, 4050 West, and 3950 West Waterline Replacement Project to the second lowest bidder, Ormond Construction, in the amount of \$261,767.00. The City had been happy with the work Ormond Construction had done in the past.

Councilman Tafoya moved to award the contract for the 4075 West, 4050 West, and 3950 West Waterline Replacement Project to Ormond Construction in the amount of

\$261,767.00 and to authorize the Mayor to sign the Notice of Award and Contract Agreement. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Becraft, Tafoya, and Stokes voted “aye.” The motion carried. (Copy filed for record).

4. PRESENTATION OF CHANGES TO THE FY2008 GENERAL FUND BUDGET

Cathy Spencer, Management Services Director, stated that during the presentation of the FY2009 budget, the administration indicated that sufficient funding was not available to purchase all of the capital items that were requested. The administration felt some of the requested capital items were essential. Therefore, the current year revenues and expenditures had been reviewed to see if it was possible to make the capital purchases in FY2008. It had been determined that sufficient funds were available in FY2008 to purchase the following items:

Building Maintenance - Garage door opener	\$ 1,000.00
Fleet Services - Power washer	5,412.00
Fire - Stall dividers in bathroom/shower	2,500.00
Police - 3 patrol vehicles with equipment	99,483.00
3 unmarked vehicles with equipment	72,000.00
K-9 vehicle with equipment	<u>\$ 99,000.00</u>
Total	\$216,715.00

Ms. Spencer stated that it was not necessary to hold a public hearing to make the budget adjustments because the budget was not being increased. Monies were simply being transferred between accounts. Approval of Resolution No. 926 would allow the transfers and purchases to be made.

Councilman Stokes moved to approve Resolution No. 926 approving budget transfers between departments for the Fiscal year 2008 General Fund Budget. Councilman Tafoya seconded the motion. A roll call vote was taken: Council members Tafoya, Stokes, and Becraft voted “aye.” The motion carried. (Copy filed for record).

5. PUBLIC COMMENTS

William Hunter, 2096 West 5650 South, stated that he had been working with the City Manager and UDOT to have the walkway at approximately 2100 West 5600 South vacated. The vacation hinged on the State moving the semaphore from 2050 West to 2200 West. Tommy Vigil from UDOT had told him the semaphore would not be moved this year. Mr. Hunter wanted to see this resolved. The cost of the fence had increased \$3 a foot. If something wasn't done soon, he wouldn't be able to afford to do anything at all. He appreciated the efforts of the City's Compliance Officer to get neighboring properties cleaned up.

Chris Davis stated that Mike Mansfield had spoken with Cory Pope from UDOT. Mr. Pope indicated the 5600 South project was on the schedule for fall. With that understanding, the City Council needed to decide whether to proceed with the vacation. Mayor Ritchie stated that school was out. The safe walking route would not be needed again until fall. Based on UDOT's promise, he recommended that the City proceed to vacate the walkway. Councilman Stokes was also supportive of moving forward. Chris Davis said he would give the necessary notice.

Lisa Strye, 4045 West 5300 South, stated that she was the Event Chair for Relay for Life, the single largest fund raiser for the American Cancer Society. She invited the City Council and Roy citizens to join them for the annual Relay for Life beginning June 13th at 6:00 p.m. at Roy High School. The event would end on June 14th at 9:00 a.m. This was the fifth annual event in Roy. Their goal this year was to raise \$43,000.

Thayne Fry, 3821 South 2275 West, stated that Councilwoman Becraft had played a tape of his neighbor's roosters crowing at the last meeting. He wondered if anything had been done. He understood that his neighbor was zoned to have chickens, but he didn't feel he should have to listen to them all day. Didn't the City have a Noise Ordinance in place that would require his neighbor to keep his chickens quiet? Chris Davis stated that the Compliance Office had made several attempts to contact the property owner. Although the property owner was home, he would not open the door. The owner had to give the Compliance Officer permission to enter his property. Mr. Fry said his neighbor did not speak English and would not open the door. Mr. Davis said the coop met zoning requirements. Mayor Ritchie understood Mr. Fry's frustration, but chickens were a legal use in this zone. Councilman Stokes also sympathized with Mr. Fry.

Denny Faulkner stated that he lived eight doors from the chickens. The properties in this neighborhood were quite large. The chickens were quite a distance away, but he could hear them all day. The City had an ordinance for barking dogs. Why couldn't it do something about chickens that crowed all day? Mayor Ritchie said the City would not give up.

Brian Pinder, 4210 West 4800 South, stated that Chris Davis and John Bjerregaard, from Wasatch Civil, had contacted him since the last meeting. He disagreed with some of the issues raised by the City, but he thanked the City for its help. He also wanted to give the City permission to work on his property. He would do anything he could to help.

6. REPORT ON DYER'S WOAD

Chris Davis stated that he had spoken with Joe Taylor, the chairman for Dyer's Woad. This year's season had passed. Based on the City Council's suggestion, a study would be prepared and notice would be given so that next year the maximum contribution of \$250 would be included in the FY2009 budget. Consideration of the request would be on the June 17th Council agenda. Mayor Ritchie asked if Joe Taylor would have to approach the Council next year. Mr. Davis said he would not if the contribution was included in the budget. Councilman Stokes was happy to allocate funds if there was Dyer's Woad in Roy. He was concerned that Joe Taylor couldn't manage the funds to insure that the \$250 from Roy City was used to remove Dyer's Woad from Roy City.

7. DISCUSSION ON AMENDING ROY CITY SIGN ORDINANCE CONCERNING REMOVAL OF SIGNS

Andy Blackburn stated that Councilman Tafoya had suggested that the City look at amending the Sign Ordinance to require businesses that closed to remove their signs within 30 days. In order to consider such an amendment, the City Council had to refer the matter to the Planning Commission for their recommendation.

Councilman Tafoya moved to refer an amendment to the Sign Ordinance regarding closed businesses to the Planning Commission for their study and recommendation. Councilwoman Becraft seconded the motion. Council members Becraft, Stokes, and Tafoya voted "aye." The motion carried.

8. CITY MANAGER'S REPORT

Chris Davis reported on a meeting with employee representatives regarding COLA and merit increases for FY2009. The City Council had directed the staff to review potential increases from 3.8% to 5%. The consensus of the employees was to keep the COLA, with any remaining being applied to merit increases. The employees were appreciative of the Council's efforts. The administration would get the funding information back to the Council. Councilman Tafoya suggested doing away with the hassle of merit increases. Chris Davis said merit increases were earned. Councilman Stokes said the value of a merit system was lost if everyone received a merit increase. He felt the merit system should be done away with, or revamped so that it meant something.

Chris Davis stated that the Elks Lodge was still looking for a Roy Days theme.

9. MAYOR AND COUNCIL REPORTS

Councilwoman Becraft stated that Valley View Elementary and North Park Elementary had expressed their appreciation to Roy City for use of the Aquatic Center.

10. ADJOURN

Councilman Tafoya moved to adjourn at 6:55 p.m.

11. SUMMARY OF ACTIONS CHARGED

1. Chris Davis to schedule hearing to vacate the walkway at 2100 West 5600 South.
2. Chris Davis to schedule hearing for Dyer's Woad contribution.
3. Planning Commission to review proposed amendment to the Sign Ordinance.

Joe H. Ritchie
Mayor

Attest:

Michelle Drago
Secretary

dc:cmay2008