

MINUTES OF THE APRIL 3, 2012, ROY CITY COUNCIL MEETING

1. Approval of February 21, 2012, minutes
2. Recognition of Roy City Founders
3. Public comments
4. Recognition of March 2012 Employee of the Month
5. Mayoral Proclamation declaring May 2012 as "Foster Care Month"
6. Discussion regarding Aquatic Center Fund Raiser Policy
7. City Manager's report
8. Mayor and Council reports
9. Adjourn

Minutes of the Roy City Council Meeting held April 3, 2012, 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
Councilman John Cordova
Councilman Willard Cragun
Councilman Brad Hilton
Councilman Michael Stokes
Councilman Dave Tafoya

City Manager Chris Davis
City Attorney Andy Blackburn
Secretary Michelle Drago

Also present were: Travis Flint, Parks Superintendent; Rachel Trotter; Bob Dandoy; Marge Becraft; Tommy Smith; Scott Spencer; Larry Aders; Marlene Eastman; Beverly Wiberg; Elaine Child; Lewis Child; Ron Barker; Nola Barker; Norm Bennington; Marilyn Bennington; David Kasy; Matthew Zimmerman; Boy Scout Troop 470; and Boy Scout Troop 560.

Moment of Silence: Councilman Cragun

Pledge of Allegiance: Councilman Cragun

Mayor Ritchie welcomed students from Roy High School.

1. APPROVAL OF FEBRUARY 21, 2012, MINUTES

Councilman Cragun moved to approve the minutes of February 21, 2012, as written. Councilman Stokes seconded the motion. Council members Cordova, Cragun, Hilton, Stokes, and Tafoya voted “aye.” The motion carried.

2. RECOGNITION OF ROY CITY FOUNDERS

Mayor Ritchie stated that the Diamond Jubilee committee had suggested, and the Council agreed, that the City should recognize the people who were alive and living in Roy in 1937 when the town was incorporated. The first of those to be recognized were in attendance.

Bob Dandoy, Committee Chairman, introduced members of his committee who were in attendance - Marge Becraft; Scott Spencer; and Tommy Smith. He said that when you looked in terms of where you are, you needed to appreciate the past. The Diamond Jubilee Committee wanted to recognize those who lived in Roy when it was incorporated. They had seen the city grow from sand to what it was today.

Mayor Ritchie presented Beverly Wiberg, Marlene Eastman, Nola Barker, Marilyn Bennington, and Elaine Rundquist Child with commemorative coins and certificates recognizing them for being pioneer citizens to the founding of Roy City on March 10, 1037. For over 75 years, they had stood as witnesses to the foundation and growth of a great city.

3. PUBLIC COMMENTS

Marge Becraft, 1992 West 3775 South, updated the Council on the next project planned by the Diamond Jubilee Committee - a city-wide clean up on April 14th, 21st, and 28th. Due to dumpster capacity, the clean-up had been divided into thirds using the CERT quadrants. The northern portion of the City would be done on April 14th; 4800 South to 5600 South would be done on April 21st, and the southern portion would be April 28th. All of the churches in the City had been notified about the clean-up.

Larry Aders, 5549 South 2150 West, stated that his yard was a sandbox. He had talked to Animal Control and the Police Department about the cat problem, but nothing had been done. He had tried trapping the cats and taking them to the County animal shelter, but they wanted him to pay for the cats. Cats were not as easy to trap as dumb dogs. He had to do a poop patrol before he could mow his lawn. Cats used his wife's rose bed. He had tried chemicals and sonic devices. They didn't work. Ignoring the problem did not make it go away.

Councilman Cragun stated that the Council tried to address the issue of cats many years ago. Feral cats were a problem in the City. He suggested that the staff research ordinances about cat control.

Andy Blackburn stated that staff was preparing revisions to the Animal Control Ordinance, which it planned to present to the Council. He felt the issue of cat control could be discussed in a work session. The City provided cat traps, but the citizens had to take to the cats to the animal shelter and pay for them.

Councilman Stokes stated that two to three nights a week he could hear cats howling around his house. It would be a challenge to present this to the public, but he felt it needed to be looked at. Cats would be tougher to tackle than dogs. There needed to be a way to manage the problem going forward.

Mayor Ritchie asked Andy Blackburn to discuss cat control with Animal Control and the Police Chief.

4. RECOGNITION OF MARCH 2012 EMPLOYEE OF THE MONTH

This item was postponed until the next meeting.

5. MAYORAL PROCLAMATION DECLARING MAY 2012 AS "FOSTER CARE MONTH"

Mayor Ritchie stated that the Utah Foster Care Foundation had asked that the City participate in Foster Care Month by signing a proclamation and providing them with a copy. He asked for the Council's ratification of his signature.

The Council agreed that the Mayor should sign the proclamation (signed copy filed for record).

6. DISCUSSION REGARDING AQUATIC CENTER FUND RAISER POLICY

Chris Davis stated that the issue of fund raising at the Aquatic Center came up periodically. Recently, the staff noticed that the PTA had made a reservation for this summer for the purpose of fund raising. A fund raiser could not be held at the Aquatic Center without Council approval. Travis Flint, the Parks Superintendent, had indicated that fund raisers occurred. The administration had reiterated to the staff that they needed to clearly let people know when they reserved the Aquatic Center that it could not be used for a fund raiser. The administration was seeking direction about what to do with the PTA group and if the Council wanted to revise the fund raising policy. Mr. Flint had suggested that the reservation rate be raised.

Councilman Stokes felt the PTA should be allowed to have its fund raiser.

Chris Davis suggested that there be a threshold for fund raising, such as a 5013C - the State's designation as a legitimate charity. The Boys and Girls Club, Boy Scouts, and the PTA were legitimate charities.

Councilman Cragun suggested that this issue be left in the hands of the staff. Every group that wanted to reserve the Aquatic Center didn't need to come to the Council. The staff had received direction from the Council. He felt the City should use the Internal Revenue Service (IRS) to determine true charitable status. He felt the Council should consider raising the reservation rate as insurance and maintenance costs kept going up.

Mayor Ritchie stated there had been problems with charities and the State. Councilman Stokes stated that the State required charities to be registered in order to conduct a fund raiser. He felt the Council needed to set the policy before handing the

issue back to the staff. He felt charities should be registered; that should be the threshold. He didn't want to get into deciding whether one cause was better than another.

Councilman Cordova asked what additional responsibilities fund raisers caused the City. Travis Flint, Parks Superintendent, said fund raisers did not cause significant problems. He knew of three different organizations that consistently used the Aquatic Center for fund raising. They had gotten around the City's policy by doing all raffling and ticket sales before arriving at Aquatic Center. Some organizations came to the Council and others circumvented the rules. What did the Council want the staff to do when the rules were circumvented?

Councilman Hilton asked if there had been a problem with concessions. Travis Flint did not care if food was brought in as long as groups followed rules, such as no glass. The staff had not seen money change hands. It was done before people arrived.

Councilman Stokes asked if people would go the extra mile to be registered as a charity if the City required it. Mr. Flint felt they would. If they didn't, they shouldn't be allowed to continue.

Councilman Stokes asked if fund raisers created additional liability for the City. Travis Flint didn't feel they did. However, people had asked the City for refunds when a fund raiser could not be held due to weather.

Andy Blackburn was not aware of anything that required people to be a legal charity before holding a fund raiser. There was always liability if the City was not policing its policy.

Councilman Stokes stated that if someone was injured it didn't matter if an activity was a fund raiser or a registered charity.

Councilman Tafoya suggested that a deposit be required in addition to the reservation fee. If the City found out a fund raiser had been held in violation of its policy, it could keep the deposit.

Councilman Cordova asked what difference it made to the City in revenue if a fund raiser was held. Chris Davis said the Council made a decision several years ago to limit the use of a public facility for money making activities. They felt if public facilities were used for fund raising, the City should at least be able to make enough money to cover its costs.

Travis Flint stated that he was seeking direction about how the rules should be applied. He liked fund raisers, but he was concerned about people using public facilities to become profitable when the City was covering part of the cost.

Councilman Tafoya asked how much it cost the City to run the Aquatic Center for one night. Travis Flint estimated that personnel costs were \$525 to \$575. There were also utility and chlorine costs. The current reservation fee was \$700. There were usually 63 nights every summer that the pool could be reserved.

Councilman Cordova wanted to know the real cost for one night. The City needed to recoup its costs. He also asked to see the fund raising policy as well.

Councilman Stokes stated that it cost \$100 to register a charity with the state. A 15-page document and attachments also had to be submitted.

Councilman Tafoya suggested that the reservation fee be increased to \$1,000 in order to make sure the City was covering its costs.

Councilman Stokes stated that his initial reaction was, "Why did the City want to police fund raisers?" If a group paid the reservation fee, which covered the City's costs, they were allowed to use the facility as long as they followed the safety rules.

Mayor Ritchie summarized that the Council wanted to look at the current policy, real costs, and how other cities addressed the issue of fund raising.

Councilman Cragun felt charities should go through the State's hoops.

Councilman Tafoya stated that the Council still needed to provide the staff with direction regarding this year. The Council agreed to let the PTA hold its fund raiser as it was money that would go back into the community.

7. CITY MANAGER'S REPORT

Chris Davis stated that the administration and department heads were in the midst of budget meetings.

Chris Davis stated that Councilman Hilton had reminded him that was time to hold another town meeting. The meeting would be for the northern part of the community and would be held at North Park Elementary. The Council suggested the dates of May 2nd or 3rd.

Chris Davis stated that all of the Council members were registered for Utah League of Cities and Towns.

8. MAYOR AND COUNCIL REPORTS

Mayor Ritchie stated that Mrs. Wilson approached the Council about the crown of the street causing problems getting into her driveway. The Council asked that she contact them if the problem wasn't addressed. It wasn't, and she called him. He met with Ross Oliver to look at her home. The problem wasn't the crown of the street, but the slope of her driveway. Her neighbor had the same problem. The City asked Stark Brothers, under the City's Concrete Maintenance Contract, to resolve the problem, which they did. Mrs. Wilson and Mr. Dittmore sent the City a note of thanks.

Councilman Tafoya stated that he would be not able to attend the next meeting.

Councilman Hilton stated that when Dr. John's came in, the City was caught unaware. Weather was warming up and areas in the country were being 'occupied.' Did the City have any ordinances in place to address and "occupation?" Chris Davis said there were ordinances prohibiting overnight camping in the parks. He would look into it further.

9. ADJOURN

Councilman Cordova moved to adjourn at 7:00 p.m.

Joe H. Ritchie
Mayor

Attest:

Amy Mortenson
City Recorder

dc:capr312