



Roy City

Roy City Council Meeting

July 3, 2012 – 6:00 p.m.

City Council Chambers

Municipal Building, 5051 South 1900 West

### **Minutes of the July 3, 2012 Roy City Council Meeting**

1. Approval of June 19, 2012 City Council Minutes
2. Award of Contract for the 2012 Street Maintenance Project – Roy City Contract No. 2012-3
3. Public Comments
4. Discussion of Governors Request for Fireworks Ban and Consideration of Proposed Ordinances
  - (a) Ordinance No. 1046 Adopting Certain Restrictions of the Use of Fireworks Within Certain Areas of the City
  - (b) Ordinance No. 1047 Granting the Fire Chief the Authority to Prohibit the Use of any Ignition Source, Including Fireworks, Lighters, Matches, and Smoking Materials Within the City – and Penalty
5. City Managers Report
6. Mayor and Council Reports
7. Adjourn



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Minutes of the Roy City Council Meeting held July 3, 2012 at 6:00 p.m. in the City Council Chambers 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  
City Recorder Amy Mortenson

Also present were: Ross Oliver, Public Works Director, Jason Poulsen, Fire Chief, Travis Flint, Parks and Recreation Director, Greg Whinham, Police Chief, Niven Turner and Adam Bowers.

Moment of Silence: Councilman Stokes

Pledge of Allegiance: Councilman Stokes

1. APPROVAL OF JUNE 19, 2012 CITY COUNCIL MINUTES

**Councilman Hilton moved to approve the minutes of June 19, 2012 as written. Councilman Tafoya seconded the motion. All Council members voted “aye”. The motion carried.**

2. AWARD OF CONTRACT FOR THE 2012 STREET MAINTENANCE PROJECT – ROY CITY CONTRACT NUMBER 2012-3

Public Works Director, Ross Oliver stated that on the 19<sup>th</sup> of June they had their bid opening for the 2012 Street Maintenance Project. Six companies submitted bids. The lowest bid came from Staker and Parsons Companies in the amount of \$559, 533.00. The high bid was \$668,000.00 and the Engineers estimate was \$559,533.00. Director Olive recommended that the bid be awarded to Staker and Parsons Companies. He stated that



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Roy City Public Works has done business with Staker and Parsons for the last 5 years at least and is very happy with the work they have done.

**Councilman Tafoya moved to approve Roy City Contract number 2012-3, Award of the 2012 Street Maintenance Contract to Staker and Parsons Companies.**

**Councilman Cordova seconded the motion. All Council members voted “aye”. The motion carried.**

### 3. PUBLIC COMMENTS

There were none.

### 4. DISCUSSION OF GOVERNORS REQUEST FOR FIREWORKS BAN AND CONSIDERATION OF PROPOSED ORDINANCES

(a) Ordinance No. 1046 Adopting Certain Restrictions of the Use of Fireworks Within Certain Areas of the City

(b) Ordinance No. 1047 Granting the Fire Chief the Authority to Prohibit the Use of any Ignition Source, Including Fireworks, Lighters, Matches, and Smoking Materials Within the City – and Penalty

City Attorney Blackburn stated that state law prevents municipalities from enacting laws that prohibit the use of class “C” fireworks from July 1 to July 7 and again from July 21 to July 27, but we can limit the areas. Ordinance 1046 lists some areas where fireworks will be restricted. The areas include the Denver and Rio Grande Trail – Roy Segment, Bamberger tracks, Layton Canal and property owned by Weber Basing Water. City Attorney Blackburn stated this ordinance would prohibit people from using fireworks in those areas. Councilman Cragun recommended no fireworks around the Ogden Airport. Councilman Cordova questioned the timing of the ordinance. Will the ordinance be posted? City Attorney Blackburn stated the ordinance will be posted on our web page and in the Standard Examiner. I will also be sent to the State Fire Marshall. Signs have also been posted on the Denver and Rio Grande trail. The other areas will also have signs posted. The ordinance is effective once it is passed. Councilman Cordova asked Fire Chief Poulsen if he felt any other locations should be added. Chief Poulsen was satisfied with the areas brought up by the city attorney and City Council. Chief Poulsen also stated that extra fire personnel will be available from 6:00 to 11:00 p.m. on the fourth with a brush truck and fire engines placed near areas of concern. City Manager Davis



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stated that another are to be restricted would be property at 4800 South Midland Drive to approximately 5000 South Midland Drive, East to 3500 West from 4800 South to 5000 South. It is a pie shaped piece of property located next to the Summit One Credit Union. Councilman Tafoya said he would like some clarification; can citizens light fireworks in front of their residence near these restricted areas? City Attorney Blackburn said yes, as long as they are not being lit in the mentioned areas. Councilman Stokes suggested looking at what other cities have done. He also asked if when looking at a map, would these restrictions prohibit the citizens who live next to the restricted areas from lighting fireworks? And do we want to get that specific. City Attorney Blackburn stated that it would not this ordinance would not prevent them from doing fireworks in front of their residence. Mayor Ritchie stated that last year the biggest issue was the cake fireworks that were made legal. They can tip over and consequently cause fires. Councilman Tafoya stated people need to be responsible with what they choose to do with fireworks. Accidents will happen. Councilman Stokes recommended that we pass the ordinance with the least restrictive as possible. Mayor Ritchie agreed and added that you can't legislate common sense. Councilman Cordova recommended adding the property owned by the RDA which is 2175 West 4000 South to George Wahlen North Park and east to approximately 1950 West.

**Councilman Cordova moved to approve Ordinance No. 1046 Ordinance No. 1046 Adopting Certain Restrictions of the Use of Fireworks within Certain Areas of the City Described as follows:**

**-The Denver and Rio Grande Trail – Roy Segment**

**-Bamberger Tracks**

**-Layton Canal and Property Maintained by Weber Basin Water including the Water Reservoir located at approximately 5200 South 3750 West**

**-Property at 4800 South Midland Drive to approximately 5000 South Midland Drive East to 3500 West from 4800 South to 5000 South**

**-The property at 2175 West 4000 South to George Wahlen North Park and East to approximately 1950 West**

**-Property Owned by the Ogden City Airport**

**Councilman Stokes seconded the motion. All Council members voted “aye”. The motion carried. (Copy Filed for Record)**



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Councilman Cordova asked if there was a time limit for ordinance, he stated circumstances could be totally different next year. City Attorney added that the Ordinance would expire December 31, 2012.

**Councilman Tafoya moved to amend Ordinance 1046 adding the effective date of June 1, 2013. Councilman Cordova seconded the motion. All Councilmembers voted “aye”. The motion carried.**

Ordinance No. 1047 was tabled.

5. CITY MANAGERS REPORT

City Manager Davis stated that two things are happening next week on same day. Honor America night program will start at 5:30 p.m. with speakers and the 23<sup>rd</sup> army band beginning at 7:00 p.m. 5:30 p.m. City Manager Davis and Committee Member Kurt Anderson were working with Roy High to be sure everything would run smooth with sound equipment and the air conditioning.

The employee party is also on the same night as Honor America. The employee party will start at 5:00 p.m. and employees have been informed that they are also invited to Honor America night.

City Manager Davis also stated that a Grand Marshall for Roy Days Parade needed to be picked. The Mayor had an idea of who he would like and Councilman Tafoya said he was okay with whomever the mayor picks

City Manager Davis also mentioned that the new Fire Chief, Jason Poulsen was sworn and he was off and running and things were going well.

6. MAYOR AND COUNCIL REPORT

Nothing at this time.

7. ADJOURN

**Councilman Stokes moved to adjourn at 6:31 p.m.**



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Joe H. Ritchie

Mayor

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Amy Mortenson

Recorder

dc: cjul0312