

MINUTES OF THE JUNE 16, 2015, ROY CITY COUNCIL MEETING

1. Approval of the June 2, 2015, minutes
2. Public hearing to amend Fiscal Year 2015 Budget
3. Consideration of Resolution No. 15-7 approving adjustments to the Fiscal Year 2015 Budget
4. Consideration of Resolution No. 15-5 adopting the Fiscal Year 2016 City Budget and levying a property tax revenue rate
5. Consideration of Resolution No. 15-6 approving a development agreement for the West Park Subdivision
6. Consideration of a request for approval of a conditional use for a drive-up window for East Roy Retail Development within an existing strip mall type building located at 4860 South 1900 West
7. Consideration of a request for approval of a conditional use for a drive-up window for SH & Sons Sinclair Convenience Store, an existing vacant building, located at 5190 South 1900 West
8. Consideration of Roy City Contract No. 2015-8 an agreement between Roy City Corporation and Ferguson Waterworks Meter and Automation Group for Roy City Water Meter Upgrade Project - Phase 1
9. Presentation by Anderson Development regarding possible development of property located at approximately 4300 South 2700 West
10. City Manager's report
11. Public comments
12. Mayor and Council reports
13. Adjourn

Minutes of the Roy City Council Meeting held June 16, 2015, 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 Willard Cragun
Councilwoman Marge Becraft
Councilman John Cordova
Councilman Brad Hilton
Councilman Dave Tafoya
Councilwoman Karlene Yeoman

City Manager Andy Blackburn
Secretary Michelle Drago

Excused: City Attorney Clint Drake

Also present were: Ross Oliver, Public Works Director; Carl Merino, Police Chief; Cathy Spencer, Management Services Director; Steve Parkinson, Planner; Elizabeth Brown; Rachel Trotter; Cary Empey; Marnae Bowden; Todd Sheffield; Kirk Smith; Carolyn Bennett; Ed Anderson; Judy Anderson; Robert H. Drysdale; Susanna Drysdale; Richard Vandenberg; Marian Vandenberg; JaNae Penrod; Greg Sagen; Jeff Burton; Daniel Burton; Jennifer Griffiths; Ryan Anderson; and Dave Morton.

Moment of Silence: Councilwoman Becraft

Pledge of Allegiance: Councilwoman Becraft

1. APPROVAL OF THE JUNE 2, 2015, MINUTES

Councilman Hilton moved to approve the minutes of May 5, 2015, as written. Councilman Tafoya seconded the motion. Council members Becraft, Cordova, Hilton, Tafoya, and Yeoman voted “aye.” The motion carried.

2. PUBLIC HEARING TO AMEND FISCAL YEAR 2015 BUDGET

Councilwoman Becraft moved to open the public hearing at 6:02 p.m. Councilwoman Yeoman seconded the motion. Council members Becraft, Cordova, Hilton, Tafoya, and Yeoman voted “aye.” The motion carried.

Cathy Spencer, Management Service Director, stated that during a work session held in May the Council discussed whether the fund balance should be at the State’s maximum level of 25%. The Council decided that an 18% fund balance level was sufficient. The

staff proposed budget adjustments to lower the fund balance level to 18%. The adjustments included some capital and beautification items, radios for the Fire Department, slurry seal for municipal facility parking lots, and a transfer for George Wahlen North Park. The transfer amount for North Park was a maximum number. The final transfer amount would be adjusted after the audit was complete and the final revenue numbers were in. The actual amount might be a little lower. Ms. Spencer said there was also \$85,000 in revenue and expenditure adjustments. Some franchise taxes were a little lower due to the mild winter, and some construction costs for the Weber County Library were higher than anticipated. In the Utility Enterprise Fund, \$185,000 was adjusted from a capital item to an expense. Ms. Spencer asked that the Council approve Resolution No. 15-7 approving the adjustment for FY2015.

Mayor Cragun complimented the staff. The FY2015 Budget was very austere. The State allowed cities to have a maximum of 25% surplus in the budget. The City Council felt that 18% was an adequate surplus to carry. The staff had done an outstanding job in keeping Roy City financially sound.

Councilman Hilton asked about the status of the water meter upgrade. Ms. Spencer stated that later in the meeting the Council would consider a contract for the Phase One of the meter upgrade project. The budgeted amount would cover one-fifth of the total project. It would take five years to complete the entire project.

Mayor Cragun opened the floor for public comments.

Greg Sagen, 4027 West 4900 South, stated that at the last meeting a 3% increase in sales tax was discussed. Cathy Spencer said the City was expecting a 3% increase in sale tax revenue. The Council was not considering a sales tax increase.

Andy Blackburn stated that the Council was considering adjustments to the FY2015 Budget, not the FY2016.

Councilman Cordova moved to close the public hearing at 6:05 p.m. Councilman Tafoya seconded the motion. Council members Becraft, Cordova, Hilton, Tafoya, and Yeoman voted "aye." The motion carried.

3. CONSIDERATION OF RESOLUTION NO. 15-7 APPROVING ADJUSTMENTS TO THE FISCAL YEAR 2015 BUDGET

Councilman Cordova moved to approve Resolution No. 15-7 approving adjustments to the Fiscal Year 2015 Budget. Councilman Hilton seconded motion. A roll call vote was taken: Council members Yeoman, Hilton, Becraft, Tafoya, and Cordova voted "aye." The motion carried. (Copy filed for record).

4. CONSIDERATION OF RESOLUTION NO. 15-5 ADOPTING THE FISCAL YEAR 2016 CITY BUDGET AND LEVYING A PROPERTY TAX REVENUE RATE

Cathy Spencer stated that the Council held a public hearing for the FY2016 Budget at its last meeting. If the recycling participation rate fell below 75% by the end of June, the cost of a garbage can for those who opted out would increase by \$0.60. If the participation rate remained above 75%, the cost of a can would increase by \$0.18.

Councilman Tafoya asked how close the City was to falling below 75%. Ms. Spencer said the City could lose about 200 recycling participants and still be okay. About 140 residents had opted out so far.

Ms. Spencer said that since the last meeting, \$16,506 had been transferred from the Fire Department to the Capital Projects Fund for additional costs for the ambulance upgrades. The City had received a certified tax rate from Weber County.

Councilman Tafoya moved to approve Resolution No. 15-5 adopting the Fiscal Year 2016 City Budget and levying a property tax revenue rate. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Tafoya, Cordova, Hilton, Yeoman, and Becraft voted “aye.” The motion carried. (Copy filed for record).

5. CONSIDERATION OF RESOLUTION NO. 15-6 APPROVING A DEVELOPMENT AGREEMENT FOR THE WEST PARK SUBDIVISION

Steve Parkinson said the key issue of the agreement was the developer's \$60,000 participation in the construction of the roundabout. At the last meeting, the Council had questions about how traffic from 2700 West would interact with the entrance of the subdivision. He presented the Council with a rendering of the traffic movements to and from the entrance to the proposed West Park Subdivision. There was an existing median at 2700 West 4800 South, and there would be a separate lane for westbound traffic from 2700 West that would extend beyond the entrance to the subdivision. A new concrete median would be constructed to restrict left turn movements to and from the subdivision. The roundabout would be constructed with the space for two westbound traffic lanes. Right now it would only have one lane now because there wasn't enough traffic for two lanes.

Councilman Cordova felt the drawing answered his questions. There was a lane for westbound traffic as well as one for traffic attempting to enter the subdivision.

Steve Parkinson stated that the drawing would be attached to the agreement as Exhibit “C.”

Councilman Cordova asked if there would still be a right hand turn lane at 2700 West 4800 South. Mr. Parkinson said the existing right hand turning lane would remain.

Councilman Cordova moved to approve Resolution No. 15-6 approving a development agreement for the West Park Subdivision. Councilman Hilton seconded the motion. A roll call vote was taken: Council members Cordova,

Hilton, Tafoya, Becraft, and Yeoman voted “aye.” The motion carried. (Copy filed for record).

6. CONSIDERATION OF A REQUEST FOR APPROVAL OF A CONDITIONAL USE FOR A DRIVE UP WINDOW FOR AN EAST ROY RETAIL DEVELOPMENT WITHIN AN EXISTING STRIP MALL TYPE BUILDING LOCATED AT 4850 SOUTH 1900 WEST

Steve Parkinson stated that the City had received a request for approval of a conditional use for a drive-up window in a retail development located at 4860 South 1900 West. The development contained a Tunex and a small strip mall. The north unit of the strip mall was currently vacant. The proposed tenant was requesting a drive-up window. There would not be exterior changes to the building. One of the panes of glass on the north side would be changed to a window. A steel plate would be installed at the bottom of the window to prevent vehicles from breaking the glass. The steel plate would be the same color as the window. The Planning Commission held a public hearing and recommended that the Council approve the conditional use.

Councilman Tafoya asked about access to the drive lane. Mr. Parkinson said vehicles would enter the drive lane on the south side of the strip mall. The business would not have a squawk box. All orders would be placed at the window. Councilman Tafoya asked if there was enough room behind the mall for vehicles to drive without conflict. Mr. Parkinson said there was. The property owner planned to change the existing parking stalls behind the building to diagonal to leave a few extra feet. The parking stalls nearest the northeast corner of the building would be labeled for compact cars only to allow for the needed turning radius. Councilman Tafoya asked if the tenant was a soda shop. Mr. Parkinson said it was.

Councilman Hilton asked if the fire lane would be clearly marked. Mr. Parkinson said the Fire Department was requiring that the fire lane be marked.

Councilman Hilton moved to approve a conditional use for a drive-up window for an east Roy retail development within an existing strip mall type building located at 4860 South 1900 West based on the staff’s findings and subject to the recommendations from the staff and Planning Commission. Councilwoman Yeoman seconded the motion. Council members Becraft, Cordova, Hilton, Tafoya, and Yeoman voted “aye.” The motion carried.

7. CONSIDERATION OF A REQUEST FOR APPROVAL OF A CONDITIONAL USE FOR A DRIVE UP WINDOW FOR SH & SON’S SINCLAIR CONVENIENCE STORE, AN EXISTING VACANT BUILDING, LOCATED AT 5190 SOUTH 1900 WEST

Steve Parkinson stated that the convenience store located at 5190 South 1900 West had been vacant for some time. The City has received a request for approval of a conditional use for a drive up window. The applicant owned a convenience store in

Clearfield and noticed that 80% of its business came from the drive-up window. The applicant felt a drive-up window was critical for the success of the convenience store in Roy. Due to the sidewalk that surrounded the existing building, it would be necessary to construct a small addition for the drive-up window. The addition would be constructed of the same material as the existing building. Mr. Parkinson said there were still a few issues the applicant was working on, such as the location of the drive lane and how it would interact with the existing parking stalls. Based on the size of the building, only four parking stalls were needed. There were nine parking stalls shown on the site plan so the applicant had room to work with. Mr. Parkinson said the staff and Planning Commission recommended that the conditional use be approved subject to the applicant resolving the staff's concerns about the site.

Councilman Tafoya asked which side of the building the drive-up window would be located on. Mr. Parkinson said it would be on the north side.

Councilwoman Yeoman moved to approve a conditional use for a drive-up window for SH & Son's Sinclair Convenience Store, an existing vacant building, located at 5190 South 1900 West subject to the staff and Planning Commission recommendations. Councilwoman Becraft seconded the motion. Commission members Becraft, Cordova, Hilton, Tafoya, and Yeoman voted "aye." The motion carried.

8. CONSIDERATION OF ROY CITY CONTRACT NO. 2015-8 AN AGREEMENT BETWEEN ROY CITY CORPORATION AND FERGUSON WATERWORKS METER AND AUTOMATION GROUP FOR THE ROY CITY WATER METER UPGRADE PROJECT PHASE 1

Ross Oliver, Public Works Director, stated that Roy City sent out a Request for Proposals for the Roy City Water Meter Upgrade Project. The proposals were opened on May 11th. The three proposals ranged from \$241,771 to \$349,618.75. The staff asked that the Council approve a contract with Ferguson Waterworks Meter and Automation Group for \$241,771.

Councilman Tafoya moved to approve Roy City Contract No. 2015-8 an agreement between Roy City Corporation and Ferguson Waterworks Meter and Automation Group for the Roy City Water Meter Upgrade Project Phase 1 in the amount of \$241,771 and to authorize the Mayor to sign the Notice of Award and Contract Agreement. Councilman Cordova seconded the motion. A roll call vote was taken: Council members Hilton, Tafoya, Yeoman, Becraft, and Cordova voted "aye." The motion carried. (Copy filed for record).

*See comments from Ken Sheffield under Public Comments.

9. PRESENTATION BY ANDERSON DEVELOPMENT CONCERNING POSSIBLE DEVELOPMENT ON PROPERTY LOCATED AT 4300 SOUTH 2700 WEST

Ryan Anderson, Anderson Development, stated that his company had been in business for over 20 years and was currently developing the former Geneva Steel site in Utah County. They were looking at two parcels located at approximately 4300 South 2700 West for a possible TOD (transit oriented development) because of their proximity to the Front Runner Station. The two parcels in question were located north of the proposed West Park Subdivision near the Hooper Water tank. The two parcels were currently zoned for an agricultural use. The Future Land Use Map designation was manufacturing.

Mr. Anderson said his company was proposing a density of about 25 units per acre. In order to make the project really viable, they felt a pedestrian bridge was needed over the Union Pacific right-of-way. A pedestrian bridge would mean a short walk from the development to the Front Runner Station. UTA was encouraging walkable communities. They would ask for the City's help to get storage facilities and property north of the proposed project cleaned up. Mr. Anderson said a possible source of funding for the bridge and cleaning up the adjoining properties was a redevelopment area.

Councilman Hilton asked how they would like the area cleaned up. Mr. Anderson said the property use could be changed. A parking lot for the Front Runner could be built.

Councilman Tafoya said the City would have to purchase the property. He asked if the project would include a mix of residential and commercial. Mr. Anderson said it would just be residential. There wouldn't be any commercial because the property wasn't on a main road. Councilman Tafoya asked how much a pedestrian bridge would cost. Mr. Anderson said it would be about \$1 million. Some possible funding sources were a match from UTA or a grant. Councilman Tafoya asked if Anderson Development had contacted UTA about access for a bridge. Mr. Anderson said they had not. They wanted to see if the City Council was interested in the project before pursuing anything further. Councilman Tafoya said the City did not have \$1 million.

Mr. Anderson felt this property was unique because it was situated between an old railroad turned walking trail and an existing railroad right-of-way. The topography lent itself to high density housing.

Councilman Tafoya felt the biggest issue was access. It would be a major hurdle to overcome. The key was to have access from both 4000 and 4800 South.

Dave Morton, Anderson Development, felt access could be resolved. They did not want to put time and money into this project if the City wasn't interested.

Councilwoman Becraft asked if the property on 4000 South was still unincorporated. Ryan Anderson said it was.

Councilman Cordova felt having the road punched through to 4000 South made the project more appealing. The City was struggling with the West Park Subdivision

because its only access was 4800 South. He felt it would take work to provide access to 4000 South, but it would be a better solution.

Ryan Anderson stated that there the properties to the north had an existing 30-foot right-of-way easement. In order to put in a road, property would have to be purchased, or the City would have to agree to allow a narrower road for a period of time. When properties to the north developed, the City could require a full width road.

Steve Parkinson did not want to tell them to move forward with the project unless the Council was amenable. They would have to apply for an amendment to the Future Land Use Map, a rezone and RIO (to allow for increased density), and a conditional use.

Andy Blackburn said the Council could not give Anderson Development any guarantees, but it could ask the staff to explore possibilities.

Mayor Cragun, Councilman Cordova, and Councilwoman Yeoman all felt the City should look at the project.

Councilwoman Yeoman felt this was a good use for the property. No one had ever been interested in doing anything with it this area.

Councilman Tafoya felt the project faced tremendous hurdles.

Mayor Cragun asked the staff to work with the developer. It might come to fruition, but there might be hurdles that could not be overcome. He wanted to look at the project to see if the developer could make it happen.

10. CITY MANAGER'S REPORT

Andy Blackburn reminded the City Council members that their online registration was needed by June 17th for any insurance they might have through the City.

Andy Blackburn scheduled a meeting with the Beautification Committee for Tuesday, June 23rd, at 8:00 a.m.

Andy Blackburn stated that Staker Parson had started overlaying 5950 South to 2200 West. There would be a pre-construction meeting for the 4000 South Roundabout on Thursday, June 18th.

Andy Blackburn stated that the City had received complaints about the weeds along the D&RG Trail. Ross Oliver had the entrances cleared. The City had to wait for things to get dryer before it could burn or spray.

Andy Blackburn stated that UDOT was putting in a light on 5600 South in front of Roy Elementary School. It was also putting in a pedestrian light at the D&RG Trail. Both lights would be timed with the semaphore at 2700 West 5600 South.

Andy Blackburn said Darren Calcut's last day with the City would be Friday, June 26th.

Andy Blackburn said the Economic Development Committee would be meeting with Randy Sant on Wednesday, June 24th at 3:00 p.m.

11. PUBLIC COMMENTS

JaNae Penrod, 2058 West 4550 South, said she had lived in Roy for over 56 years and planned to die here. It had been a wonderful place to live. She thanked the Council for all it did to make Roy a great place to live. In 2008, she became a widow. There were many widows and widowers in Roy. Some of the elderly were concerned about the recycling issue. Twenty-five percent (25%) of the residents did not have a recycling can. One of her neighbors requested that the City pick up her recycling can. She was told by a City employee that she would pay for the can anyway. Another neighbor could barely make ends meet on Social Security. A \$0.60 increase was a lot of money for someone on a strict income. Some citizens did not want to be forced to recycle. Even though she did not have a recycling can, she chose to recycle. She took her paper to the bin at North Park Elementary and her grass clippings and metal to the bins at the Public Works Department. She asked what Waste Management did with the recyclables

Cathy Spencer said Waste Management took the recyclable materials to Weber County. Roy City did not make any money from the recycling program. It did save money on tipping fees.

Councilman Tafoya stated that Waste Management would not pick up the recycling if they didn't make money.

Ms. Penrod did not feel it was right for those who did not have a recycling can to pay for a service they did not receive or want

Marnae Bowden, 2067 West 4300 South, stated that many residents were not aware of the recycling increase until an article appeared in the *Standard Examiner*. The fact that the Council was increasing the fees of those who did not recycle was appalling. The Council did not know why citizens had opted out of the program. In her case, she chose not to have a recycling can in order to allow her special needs child to have a way to earn spending money. She did not have a can, but she recycled. She recycled for a greater purpose. Her mother was now being charged for something she could not afford and could not do. She felt the City Council should have collected additional information before making the decision it had.

Ken Sheffield, with Meter Works, stated that his company submitted a proposal for the Water Meter Upgrade Project but not been selected. The company awarded the contract submitted a proposal 30% lower than everyone else. This company's proposals was always 30% lower, but were never selected if the entity tried to use their equipment. Usually they had an opportunity to review their proposal with an entity. They had not been able to do so in Roy. He asked that Roy check out Ferguson's equipment to make sure it was getting the best deal.

Mayor Cragun stated that the City had a lot of faith in its staff. The Council members were not experts. They depended greatly on the staff's recommendation. The staff was usually very thorough in the bid review process.

12. MAYOR AND COUNCIL REPORTS

Mayor Cragun commended the staff. They had done a tremendous amount of work in the last few years. He commended the Council members who were very involved in what was going on in the City. The beautification project was moving forward and there had been work on economic development. He felt the citizens would see some positive things happen in the next few years. The Council members were dedicated to the City.

Councilwoman Becraft pointed out that there was now a name plaque for the Youth City Council. New members would be sworn at the next meeting so they could be on board to help with Roy Days.

13. ADJOURN

Councilman Tafoya moved to adjourn at 7:08 p.m. Councilman Hilton seconded the motion. Council members Becraft, Cordova, Hilton, Tafoya, and Yeoman voted "aye." The motion carried.

Attest:

Willard Cragun
Mayor

Amy Mortenson
Recorder