

MINUTES OF THE JUNE 7, 2011, ROY CITY COUNCIL MEETING

1. Approval of May 3, 2011, minutes
2. Ratification of the Mayor's appointments to the Planning Commission
3. Public hearing to receive public input and obtain Council approval of amendments to the Fiscal Year 2011 Budget
 - a. Consideration of Resolution No. 984 approving adjustments to the Fiscal Year 2011 Budget
4. Public hearing on the proposed Fiscal Year 2012 Budget to receive public input
5. Public hearing regarding consideration of donation for Jessica Baird's participation in Miss Utah Pageant
6. Motion to adjourn City Council Meeting and convene a Redevelopment Agency Meeting
7. Motion to adjourn Redevelopment Agency Meeting and reconvene the City Council Meeting
8. Consideration of Ordinance No. 1039 amending rental dwelling license and rental dwelling nit disproportionate service impact regulations and amending the Good Landlord Incentive Program
9. Consideration of Resolution No. 986 adopting Rental Dwelling Licensing Fees, Rental Dwelling Disproportionate Service Impact Fees, and Discounting Licensing and Impact Fees for Good Landlord Incentive Program participants
10. Public comments
11. Consideration of Resolution No. 985 approving the Irrigation Water Supply Agreement between Roy City and the Roy Water Conservancy District
12. Request for approval of an alcoholic beverage license for Quick & Easy Shop located at 5190 South 1900 West
13. Presentation regarding Weber Health Department Drug Drop Off Program
14. City Manager's report
15. Mayor and Council reports
16. Adjourn

Minutes of the Roy City Council Meeting held June 7, 2011, 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 Willard Cragun*
Councilman Brad Hilton
Councilman Larry Peterson
Councilman Michael Stokes
Councilman Dave Tafoya

City Manager Chris Davis
City Attorney Andy Blackburn
Secretary Michelle Drago

* Participating via teleconference pursuant to Section 52-4-7.8(1)(e) and (3)(B)(ii)

Also present were: Cathy Spencer, Management Services Director; Tony Reynolds, Community Services Development Director; Greg Whinham, Police Chief; Adam Bowers; Janet Baird; Dave Dickson; Rachel Trotter; Lana Schow; Muhammad Sial; Mary Helen Medina; and Missy Powell.

Moment of Silence: Councilman Stokes

Pledge of Allegiance: Councilman Stokes

1. APPROVAL OF MAY 3, 2011, MINUTES

Councilman Peterson moved to approve the minutes of May 3, 2011, as written. Councilman Stokes seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

2. RATIFICATION OF THE MAYOR'S APPOINTMENTS TO THE PLANNING COMMISSION

Mayor Ritchie stated that two members of the Planning Commission had terms which expired on June 30, 2011 - Roy Watts and Lee Holt. Roy Watts was not eligible for renewal. The Development staff had interviewed and recommended that Dave Dickson be appointed to fill Roy Watts' seat. Lee Holt was eligible for renewal, and he was interested in serving another term. Mayor Ritchie asked that the Council ratify his appointments to the Planning Commission.

Councilman Stokes moved to ratify the appointments of Dave Dickson and Lee Holt to the Planning Commission to serve from July 1, 2011, to June 30, 2014. Councilman Hilton seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

3. PUBLIC HEARING TO RECEIVE PUBLIC INPUT AND OBTAIN COUNCIL APPROVAL OF AMENDMENTS TO THE FISCAL YEAR 2011 BUDGET

Councilman Hilton moved to open the public hearing at 6:03 p.m. Councilman Tafoya seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

Cathy Spencer stated that a few adjustments were needed to the FY2011 budget. Revenues were down in a few places. Sales tax remained below expectations, although some increases had been seen in the last few months. Adjustments were need to cover the shortfalls. Ambulance revenues were coming in above expectations, which helped offset the lower sales tax revenue. The following adjustments were proposed:

- Reduce revenue estimates for the Justice Court, both Roy City and Weber County entities, by \$36,200 and \$35,500, respectively
- Reduce revenue estimates for animal licenses by \$4,500
- Reduce revenue from a Justice Court grant for a fingerprint machine by \$11,822. It was decided not to purchase the machine for which the grant was received due to maintenance costs
- Increase budget for the Hope Center Construction by \$5,000 to cover miscellaneous items to complete the project
- Increase the budget for health insurance in the Animal Services Department by \$3,500. One employee added coverage.
- Increase budget for professional and technical services in the Management Services Department by \$1,000. The audit fee was higher due to single audit requirements related to the CDBG grant
- Adjust budget for police motorcycles by \$10,008. Actual cost differed from budget adjustment in February. The motorcycles were purchased with proceeds from the old machines and traffic school funds
- Add the 6000 South canal project of \$260,000 to the budget. The project would be funded partially by current revenues and \$102,500 from fund balance
- Adjust the revenue in the Water and Sewer Utility Fund for water and sewer services. The net increase of \$7,000 was offset against the draw from retained earnings

Mayor Ritchie opened the floor for public comments. There were none.

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

Councilman Stokes moved to approve Resolution No. 984 approving adjustments to the Fiscal Year 2011 Budget. Councilman Peterson seconded the motion. A roll call vote was taken: Council members Peterson, Hilton, Cragun, Tafoya, and Stokes voted "aye." The motion carried. (Copy filed for record).

4. PUBLIC HEARING ON THE PROPOSED FISCAL YEAR 2012 BUDGET TO RECEIVE PUBLIC INPUT

Councilman Peterson moved to open the public hearing at 6:06 p.m. Councilman Stokes seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

Cathy Spencer summarized the final adjustments to the FY2012 budget. Based on Council input from budget work sessions, a 2% COLA (cost of living adjustment) and approximately \$200,000 in capital had been added to the budget. The COLA covered all full and part-time employees at a cost of \$177,136. With reimbursements from the Utility Enterprise Fund, the net increase to the General Fund was \$164,269. The increase in capital was for seven police vehicles at a cost of \$199,355. The Council also discussed increasing personnel with a full-time position in the Information Technology Department and a part-time position in the Legal Department at a total cost of \$108,011. Ms. Spencer highlighted the capital items included in the budget. The General Fund included \$200,000 for police vehicles and \$120,000 for fire and maintenance equipment. The Capital Projects Fund included \$179,000 for parks and recreation equipment and improvements to recreational facilities. The Water and Sewer Fund had \$1.35 million for the reservoir and pump house on Hill AFB. In Storm Sewer Utility and Storm Sewer Development there was \$400,000 for the 4300 West Storm Drain project.

Ms. Spencer stated that the contribution from the Hall Foundation would help cover the capital expenditures. This was one-time money received in five annual installments, which reimbursed the City for a portion of the construction costs of the Hope Center. In the original budget, the Hall Foundation payment was not earmarked for use. Rather it was set aside to replenish the fund balance expended for the project. The second source of funding was an increase to the certified tax rate. In order to cover the \$164,269 needed for the COLA, property tax revenue would need to increase 7.02% over 2010 levels. An increase to the certified tax rate would allow for an ongoing revenue stream to continue funding the proposed increase in wages.

Ms. Spencer said the amount of property tax increase could be arrived at in two ways. The first option was for the City to set a specific amount that wanted to receive from the tax increase. The second option was for the City to set a specific rate, and then back into the budgeted revenue.

Ms. Spencer stated that the proposed budget did not include funding for personnel as Weber County did not have all of the valuations for 2011 calculated. Therefore, the City did not know what the current certified tax rate was or what additional revenue would be generated from setting a specific rate. If the Council decided to go ahead with the truth in taxation process, there was not a need to approve the budget at this time. The City would operate on the tentative budget accepted on May 3rd. Increasing the certified tax rate would require a quarter page advertisement and a public hearing. The public hearing could not be held sooner than 10 days after the tax notices were mailed. August 16th was the soonest the hearing could be held.

Councilman Stokes asked Ms. Spencer to elaborate about the certified tax rate. Ms. Spencer stated that the way Weber County calculated the certified tax rate held the City revenue neutral. The City did not see revenue for new growth.

Councilman Stokes stated that the City had been held revenue neutral. If the City had 100 homes in 2005 and 110 in 2011, the property tax rate was actually lower per household. Over time the City had to go through a truth in taxation process in order to capture new growth. He felt the best option was a truth in taxation increase because the City needed to generate a specific amount of money.

Councilman Peterson asked if both options would generate about the same amount of money. Ms. Spencer stated that due to the changes in property values since 2005, she wasn't sure what revenue would be generated using the 2005 tax rate.

Councilman Peterson stated that the State required cities to adopt a budget by June 30th of each year, but the counties did not have to have a certified tax rate until after July 1st. Councilman Stokes stated that every year it was a challenge to prepare a budget without knowing how much revenue the City would actually have. He was concerned about the priority of the acute needs identified in the work sessions. For three to four years, the City had cut back. Now the City needed to take care of some things. He thought the Council's priorities were - police vehicles, personnel, and COLA.

Mayor Ritchie opened the floor for public comments. There were none.

Councilman Stokes moved to close the public hearing at 6:16 p.m. Councilman Hilton seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

Councilman Peterson also felt the Council's priorities were police vehicles, personnel, and a COLA if there was anything left over.

Councilman Hilton thought a 2% COLA was a clear priority.

Councilman Peterson stated that there had been a discussion about whether to use a truth in taxation increase to fund a COLA.

Cathy Spencer stated that the City Council needed to decide if it was going to fund all three items. If it did, which funding option did it want to use? The tax increase would probably be about 14% to fund all three items.

Councilman Cragun felt the priorities from the work session were police vehicles, personnel, and COLA. For three years the employees had been told there wasn't any money left over. The employees had picked up the increased cost of health insurance. They had gone the extra mile. He strongly recommended that the Council look at some type of COLA as a second priority. If there was money left over, the City could hire additional personnel.

Councilman Tafoya agreed the first priority was police vehicles. During the budget work sessions there were discussions about how to fund a COLA and additional personnel. He felt the COLA should be taken from the reserve fund balance. He didn't feel this was the time to raise taxes for that purpose. He realized that the City could not cover the cost of two employees from that fund.

Mayor Ritchie stated that there appeared to be several suggestions to fund the same three items.

Councilman Stokes stated that he didn't want to raise taxes either. He was willing to consider a truth in taxation option to put the certified tax rate back at the 2005 level. He felt the funds generated should be used for personnel. If the COLA was funded from the fund balance, it was a one time thing; more like a bonus.

Councilman Tafoya stated that the department heads had done a great job of cutting. However, the Council had not really talked about cutting programs, such as the dumpster program.

Councilman Hilton asked how Councilman Tafoya proposed to fund the personnel. Councilman Tafoya felt the police vehicles should be funded. The current employees were the backbone of the City. The Council needed to take care of those who took care of them.

Councilman Peterson felt the Council was in favor of all three items. The Council needed to know how what the certified tax rate was and how revenue was going to come in. He felt comfortable directing the staff to prepare to fund all three items using both options and to schedule a truth in taxation hearing in August.

Cathy Spencer stated that the Council did not have to adopt a budget until June 22nd. She suggested that the Council wait to make a decision until the June 21st. meeting.

Councilman Stokes asked Chief Whinham what would be better for his department - an IT person or a COLA. Chief Whinham said an IT person.

Councilman Stokes felt there were some acute staffing needs. He was extremely worried about the City Attorney's time and resources. He was willing to consider a tax increase for personnel with the COLA coming from the fund balance.

Councilman Cragun stated that the employees had gone four years without a staff increase or a salary increase. They had picked up increased costs for health insurance and dealt with the economy that everyone else had. He understood the need for an IT person and help for the City Attorney. However, if the City kept taking money from the fund balance, when would it be replenished? What would happen if the economy didn't turn around in a few years? He wasn't in favor of using the fund balance.

Andy Blackburn, City Attorney, stated that if the Council was going to consider a tax increase, it would have to set a date and time to adopt the budget and give the staff direction to give the proper notice and prepare documentation for both options.

Councilman Peterson asked when the City would have to give notice about the truth in taxation. Cathy Spencer said the Council could make a decision on June 21st. If the Council decided to use the truth in taxation option, the City would operate on the tentative budget adopted on May 3rd until the public hearing in August.

Councilman Peterson moved to table consideration of the FY2012 budget until the June 21st meeting. Councilman Stokes seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

Cathy Spencer stated that it appeared the Council wanted to know what revenue would be generated from the 2005 tax rate of .002514.

5. PUBLIC HEARING REGARDING CONSIDERATION OF DONATION FOR JESSICA BAIRD'S PARTICIPATION IN MISS UTAH PAGEANT

Councilman Tafoya moved to open the public hearing at 6:40 p.m. Councilman Stokes seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted “aye.” The motion carried.

Mayor Ritchie stated that the City had received a donation request from Jessica Baird, a Roy City resident who was participating in the Miss Utah Pageant as Miss Dixie. The City Attorney had completed the study required by the State. The Council needed to decide if a donation to Jessica Baird would provide a benefit to the City equal to or more than the donation.

Janet Baird, 6085 South 2450 West, stated that Jessica was asking for a donation to help with expenses for the Miss Utah Pageant. The pageant was in two weeks. Jessica had provided public relations and service in the elementary schools in Roy by going into the classrooms and meeting with the students. She encouraged higher education. She had worked with Nadine Wimmer on a women’s conference and a tutoring program.

Mayor Ritchie stated that the Council was looking for benefits to the community over and above the donation. He asked what activities Miss Dixie did in Roy.

Councilman Tafoya asked where Jessica Baird was currently living. Janet Baird said she was in St. George.

Councilmen Hilton and Tafoya asked if Dixie College had contributed funds to help Jessica with the Miss Utah Pageant.

Councilman Hilton stated that he knew Jessica Baird. He was concerned about whether she had also asked for donations from Dixie and why funding wasn’t coming from Dixie. The time Jessica could spend in Roy was limited.

Janet Baird stated that Jessica had brought in ambassadors from Dixie to help Roy students.

Mayor Ritchie opened the floor for public comments. There were none.

Councilman Peterson moved to close the public hearing at 6:48 p.m. Councilman Hilton seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted “aye.” The motion carried.

Councilman Stokes felt Jessica Baird was a better representative of Dixie than Roy at this point in time. As a rule, he was opposed to giving donations. Donations came out of the

pockets of the citizens. The Council had just discussed whether to increase taxes for acute needs. Now it was talking about giving a donation.

Councilman Peterson asked if the application form required the applicant to list how much they were receiving from other sources. Mr. Blackburn said it did not.

Councilman Tafoya felt the Council needed to support Miss Roy and that Jessica needed to receive backing from Dixie.

Councilman Cragun congratulated Jessica Baird on being selected as Miss Dixie. However, Roy City was struggling to balance a budget. He felt Jessica should seek funding from local businesses.

Councilman Hilton moved to deny the funding request from Jessica Baird. Councilman Tafoya seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

6. MOTION TO ADJOURN CITY COUNCIL MEETING AND CONVENE A REDEVELOPMENT AGENCY MEETING

Councilman Hilton moved to adjourn to a Redevelopment Agency Meeting at 6:54 p.m. Councilman Tafoya seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

7. MOTION TO ADJOURN REDEVELOPMENT AGENCY MEETING AND RECONVENE THE CITY COUNCIL MEETING

Councilman Hilton moved to adjourn a Redevelopment Agency Meeting at 6:59 p.m. and reconvene the City Council Meeting. Councilman Stokes seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

8. CONSIDERATION OF ORDINANCE NO. 1039 AMENDING RENTAL DWELLING LICENSE AND RENTAL DWELLING NIT DISPROPORTIONATE SERVICE IMPACT REGULATIONS AND AMENDING THE GOOD LANDLORD INCENTIVE PROGRAM

Tony Reynolds stated that the Development staff was asking that the Council repeal and reenact a portion of the Good Landlord program with Ordinance No. 1039. The length of time required to complete the training program had been changed. It would give landlords time to complete the training prior to licensing. Resolution No. 986 adopted a uniform fee

per unit for ease of administration. If enough revenues were not generated, the City could increase the fee without having to complete another study.

Councilman Tafoya moved to approve Ordinance No. 1039 amending Title 3 of the Roy City Code by amending Chapter 1 to Title 3, and adding Chapter 8 to Title 3, providing for the regulation of rental dwelling units and the formation of a "Good Landlord Incentive Program" that requires owners of residential rental properties to obtain a business license; establishing a license fee based on a Municipal Service Study determining disproportionate costs relating to rental units and providing for a discount in the license fee for owners of rental units voluntarily participating in and complying with the requirements of the Good Landlord Incentive Program and providing an effective date. Councilman Cragun seconded the motion. A roll call vote was taken: Council members Tafoya, Hilton, Peterson, Cragun, and Stokes voted "aye." The motion carried. (Copy filed for record).

9. APPROVAL OF RESOLUTION NO. 986 ADOPTING RENTAL DWELLING LICENSING FEES, RENTAL DWELLING DISPROPORTIONATE SERVICE IMPACT FEES, AND DISCOUNTING LICENSING AND IMPACT FEES FOR GOOD LANDLORD INCENTIVE PROGRAM PARTICIPANTS

Councilman Peterson moved to approve Resolution No. 986 adopting fees for the owners of rental dwelling units. Councilman Stokes seconded the motion. A roll call vote was taken: Council members Hilton, Stokes, Peterson, Tafoya, and Cragun voted "aye." The motion carried. (Copy filed for record).

10. PUBLIC COMMENTS

There were none.

11. CONSIDERATION OF RESOLUTION NO. 985 APPROVING THE IRRIGATION WATER SUPPLY AGREEMENT BETWEEN ROY CITY AND THE ROY WATER CONSERVANCY DISTRICT

Andy Blackburn stated that there had been an irrigation agreement between Roy City and Roy Water Conservancy District regarding use of the City's shares from the David & Weber Counties Canal Company for some time, but there was some concern about its constitutionality. It had taken some time to negotiate some of the provisions. The new agreement was good for 70 years. He asked that the new water usage agreement be approved.

Councilman Tafoya asked about the City's cost. Mr. Blackburn said it was about \$25,000 per year, which was offset by Roy Water's fee.

Councilman Stokes moved to approve Contract 2011-8 an Irrigation Water Supply Agreement. Councilman Hilton seconded the motion. A roll call vote was taken: Council members Hilton, Stokes, Cragun, Peterson, and Tafoya voted “aye.” The motion carried. (Copy filed for record).

Councilman Stokes moved to approve Resolution No. 985 approving Contract 2011-8, an Irrigation Water Supply interlocal agreement. Councilman Hilton seconded the motion. A roll call vote was taken: Council members Stokes, Peterson, Hilton, Tafoya, and Cragun voted “aye.” The motion carried.

12 REQUEST FOR APPROVAL OF AN ALCOHOLIC BEVERAGE LICENSE FOR QUICK & EASY SHOP LOCATED AT 5190 SOUTH 1900 WEST

Mayor Ritchie stated that the City had received a request for a Class A Beer license for the Quick & Easy Shop located at 5190 South 1900 West. The application had been reviewed and approved by the appropriate departments.

Councilman Hilton moved to approve a Class A Beer license for the Quick & Easy Shop located at 5190 South 1900 West based on the staff’s recommendations. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted “aye.” The motion carried.

13. PRESENTATION REGARDING WEBER HEALTH DEPARTMENT DRUG DROP OFF PROGRAM

Greg Whinham, Police Chief, stated that the City had partnered with the Weber Health Department to receive a grant for cop touring cameras. The cameras had been so successful that cameras in vehicles were going away because the Cop Views were so mobile. Another successful partnership was the one with Weber Human Services for the Drug Drop Off Program.

Lana Schow, Weber Human Services, stated that the Drug Drop Off Program started in the fall of 2009. It had been very successful. Roy City was one of nine police departments in Weber County with drop off boxes. In 2010, a total of 280 pounds of medications were collected from Roy. A total of 1,266 pounds was collected for the entire County. Roy City was the second highest. So far 423 pounds had been collected County-wide in 2011. The grant would be ending this year unless an extension was granted. Roy City had agreed to maintain the box once it was placed. Ms. Schow made the Council aware of a new program called “Use Only As Directed.” It was a website about when and how to use drugs safely.

Mayor Ritchie asked if the drugs from the drop-off boxes included prescriptions, or if it was just for over-the-counter medications. Ms. Schow said it was for both.

Councilman Stokes asked if the drugs were categorized, or just weighed. Ms. Schow said the drugs were just weighed. It was far to labor intensive to sort them.

Councilman Stokes felt it was a benefit to get narcotics off the street. Ms Schow said that narcotics usually made up 50% of the drugs collected in Take Back Events.

Chief Whinham stated that the drop off boxes improved safety by removing drugs that youth could take without knowing what the effects were. He felt the drop boxes were a tremendous thing when you considered the volume coming in.

14. CITY MANAGER'S REPORT

Chris Davis updated the Council on Roy Days. The same carnival wanted to come back. The City had received a couple of small Ramp grants - one for \$5,000 to help with entertainment, the parade, and the fireworks and another for \$2,000 to help offset the cost of Roy Days. He asked the Council members to email him suggestions for a theme and a Grand Marshall.

Chris Davis reminded the Council about a town meeting that would be held at Roy Elementary School on June 29th. A banner about the meeting would be hung across 1900 West. Councilman Stokes asked that there be a write-up about the meeting in the newspaper. The purpose of the meeting was to distribute information regarding some severe infrastructure needs facing the City - water and streets. The Council was seeking input on how to fund the needs, such as a general obligation bond.

15. MAYOR AND COUNCIL REPORTS

Mayor Ritchie stated that Mrs. VanEarden had indicated that she had fourteen applicants for the Miss Roy Pageant.

16. ADJOURN

Councilman Hilton moved to adjourn at 7:23 p.m.

Attest:

Joe H. Ritchie
Mayor

Amy Mortenson
City Recorder

dc:cjun0711