



ROY CITY

Roy City Council Minutes
June 7, 2016 – 6:00p.m.
Roy City Council Chambers
5051 South 1900 West

1. Approval of May 17, 2016, City Council Minutes
2. **6:00 p.m. Public Hearing** on the Proposed Fiscal Year 2017 Budget
3. Consideration of Resolution 16-23 Adopting the Fiscal Year 2017 City Budget
4. **6:00 p.m. Public Hearing** to Consider a Request to Amend the Zoning Ordinance to allow Chickens/Rabbits within all Single Family Residential Zones
5. Consideration of Ordinance No. 16-3 Amending the Zoning Ordinance to allow Chickens/Rabbits within all Single Family Residential Zones
6. Award of Employee of the Month for April 2016
7. Presentation by Envision Utah – Shane Woods
8. Consideration of Resolution No.16-24 Announcing Roy City’s Intent to Annex Unincorporated Islands and Peninsulas
9. Consideration of Resolution No. 16-10 Approving a Job Description and Salary Range for Engineer Positions in the Fire and Rescue Department
10. Discussion of Council Members Directing / Tasking City Employees
11. Discussion on Non-Compliance to City Zoning Ordinance
12. Discussion of Redesigning the Roy City Flag
13. City Managers Report
14. Public Comments
15. Mayor and Council Report
16. Adjourn



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Minutes of the Roy City Council Meeting held June 7, 2016, 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 Willard Cragun
Councilmember Marge Becraft
Councilmember Bob Dandoy
Councilman Brad Hilton
Councilmember Dave Tafoya
Councilmember Karlene Yeoman

City Manager Andy Blackburn
City Recorder Amy Mortenson

Also present were: Cathy Spencer, Management Services Director; Carl Merino, Police Chief; Jason Poulsen, Fire Chief; Travis Flint, Parks and Recreation Director; Steve Parkinson, Planner; Greg Sagen; Jason Kunzler; David Webb; Amy Webb; Shane Woods; Rick Davis; Brian Carter; Jeremy Berger; Bridget Kay; Sherrie Kay; R. Terry Pickett; Cody Draheim; Brenda Hay; Emily Beeli; Luis Quintana; Becky Bluemel; Jennifer Kolz; Jhan Jensen; Adrienne Robinson; Madelyn Robinson; Lori Crockett; Mark Read and Joshua Shearer.

Moment of Silence: Councilmember Yeoman
Pledge of Allegiance: Councilmember Yeoman

1. APPROVAL OF MAY 17, 2016, MINUTES

Councilmember Becraft moved to approve the minutes of May 17, 2016, as written. Councilmember Dandoy seconded the motion. All Councilmembers voted “aye.” The motion carried.

2. PUBLIC HEARING ON PROPOSED FISCAL YEAR 2017 BUDGET

Councilmember Tafoya moved to open the public hearing. Councilmember Hilton seconded the motion. All Councilmembers voted “aye.” The motion carried.

Management Services Director, Cathy Spencer took a few minutes to quickly go over a couple of highlights on the Budget. Mrs. Spencer stated the total budget for Roy City is \$31,933,000. That is broken down into the General Fund, Capital Projects Fund and Utility Enterprise Funds of which we have three; Water, Storm Water and Solid Waste. There is also funding for impact fees for Parks Development and Storm Sewer for \$195,000 and Class C Road Funds and Transportation Infrastructure for \$1,700,000.



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Mrs. Spencer also explained what is new in this year's Budget. She said the 2015 Legislature had two items that impacted us. They recalculated the way Class C Road money is divvied out. We are expecting an additional \$245,000 from the new calculation. They have also added the Local Options Sales Tax which Weber County Residents voted on last fall. Roy City will get .1% of the .25% sales tax increase. Mrs. Spencer believes the increase will give the city about \$393,000 that will start coming in June.

Mrs. Spencer said wages and benefits make up about 70% of the city's general fund budget. So items that will impact us pretty heavily will be a 2.5% Merit for eligible employees, a 2% Cost of Living adjustment and also a health insurance increase of about 5%. The health insurance increase was minimized from 10% to 5% by changing some of the benefits the city offers to the employees. The city will also see 5 part time positions moving to full time that includes the City Prosecutor and accounting technician and 4 fire fighters. We are also providing enhancements to 6 positions for additional responsibilities that they will be performing.

Mrs. Spencer said with the strong economy we are seeing in the State of Utah we have a lot of other entities that are taking our employees away. They are offering positions at higher rates and so the City Council has asked to begin the process of having a salary survey conducted. This should help retain out trained personnel and so far we have \$356,000 set aside for the salary survey.

There is also a new fund set up for Roy Days. It has been budgeted with \$60,000 just for the activities. We will also be tracking the overtime but that is not a part of the \$60,000.

Mrs. Spencer said we also have Capital Assets. They city is funding \$626,000 of the Capital Assets. RAMP will be funding \$298,000. Class C Roads has a capital of \$155,000. The Local Option Sales tax has \$393,000, Community Development Block Grant for the Hal Vern Subdivision is \$250,000 and then a plan to set aside about \$800,000 for Capital a Capital Improvement Plan.

Mrs. Spencer said some of the highlights for the water and sewer plan are a rate increase for customers in the North Davis Sewer District. There is a slight increase in water rates from Weber Basin Water and the City will continue with the change out of the touch read meters to radio read. The Solid Waste fund discontinues the curb side dumpster program for right now and implemented a spring, summer and fall cleanup which are about 2 weeks a piece. There is a slight increase in garbage rates with Waste Management but the City will absorbed that cost right now and not pass it along to the residents. There is also \$30,000 in the Budget for the Website Design.

Mrs. Spencer stated as far as revenue goes the State of Utah is doing very well with a lot of consumer confidence. Sales Tax revenue is expected to increase about 3.23%. The other tax revenue from franchise taxes is expected to just be modest. Most of our chargers for services being at Recreation, Ambulance Services have reached a maximum and are even declining a little. We will need to find was to make up for those changes. They City Council has determined they would like to hold they fund balance at about 18%. Mrs. Spencer said if we remain at 18% and the factors of not a lot of increases in to many places we are going to have to start relying on property tax increases to fun the operations of the city a little more. She stated that based on the current Budget



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that was presented to the Council our property tax revenue would have to be 3.7 million dollars. That is about 45% higher than last year. The last tax increase Roy City had was in 2005. If the City Council tentatively approves this budget the way it is set with all the modifications that are in, it would cause the city to go into the truth and taxation process. That would start once the Resolution was approved tonight. Mrs. Spencer also stated the 45% is an estimate. We would have to wait for Weber County to tell us what our Tax Rate is and see what that generates us and then calculate what the tax increase would be to give us the revue that we need. Mrs. Spencer estimated the increase would need to be 50% to fund the Budget that is before the City Council.

Councilmember Dandoy asked if the money created from the Fund Balance going from 23% to approximately 18% and being moved to capital assets could be used for something else. Mrs. Spencer indicated it is one time money and would prefer to look at as a onetime expense like beginning to fund a capital project versus an ongoing expense. Councilmember Dandoy asked if they City Council could move the money to where it is best suited and Mrs. Spencer said yes, that is could.

Councilmember Tafoya asked if the City finances were really that short to justify raising the taxes and hold a truth in taxation process. Mrs. Spencer said with the Budget presented the way it is with all the additions, we are short. Councilmember Tafoya stated he was under the impression we were good to go and we were going to look at truth and taxation as far as a possible salary increase. Mrs. Spencer said there is a 2% COLA put in there that wasn't in the first budget and also all the adjustments that were made to fund the Capital and doing all that created the increase. Councilmember Tafoya asked Mrs. Spencer to tell him about the \$356,000 that was set aside for possible future raises. Mrs. Spencer stated it could be taken off and say we would not fund the step increases because right now we haven't done a salary survey, we haven't seen how we want to place people within the steps. However, the council asked for this in the work sessions so we could better place our employees within their positions. Councilmember Tafoya asked if it was city wide and not just one department. Mrs. Spencer said it was city wide.

Councilmember Dandoy asked how the Merit increase and COLA increase will be implemented. Mrs. Spencer said the 2% COLA would be effective on the first full pay period in July and the Merit would come into play with the persons anniversary date so they can evaluate weather on not they should get the Merit.

Councilmember Tafoya stated in his opinion the Council did not do their due diligence as for as the Police Chief and the Police Department. They came to the Council 9 months ago and said we have a problem that needs to be fixed and Councilmember Tafoya feels the council didn't do much for it. Councilmember Tafoya said the Police Chief came up with a step plan and said this what I need to be competitive and now that money isn't there for them. We still have the same problems. Ogden City is going to fund their step plan and other cities are funding their step plans. We will not be able to continue to hire police officers because they will want to go where there is guaranteed money. Councilmember Tafoya said they told the Police Chief they would really look at the issue, now 9 months has gone by and we still don't have anything. Councilmember Tafoya feels the Council short changed the Police Department.



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Mayor Cragun said the issue was talked about in the last Budget Work Session. He said one of the things that they felt would make the city competitive this year would be to give the 2.5% Merit and 2 % COLA and then to do the salary survey and implement the steps. Mayor Cragun also stated retaining and hiring new employees wasn't a problem just in the Police Department, he feels it needs to be looked at in all departments.

Councilmember Tafoya said he feels the Council could have done a better job to deal with what we said they said they were going to do 9 months ago.

Mayor Cragun said he felt the Council worked to resolve it. Councilmember Tafoya disagreed and felt the Council didn't do its due diligence in helping the Police Department.

Councilmember Dandoy wondered if it mattered when the 2.5% Merit was given to employees. He also stated that he was wondering if it was feasible to give the Merit and COLA all up front in July to help employees now until the salary survey can be done.

Councilmember Dandoy also stated he was concerned about the Roy City Complex. He stated the budget states the city will absorb a \$637,000 loss on the Roy Complex. He said this needs to be fixed. Councilman Dandoy said citizens are going to Davis County and Ogden instead of our facility. He also said this needs to be fixed in the 5 year plan. He said if we could fix this kind of money, maybe we wouldn't be discussing wages.

Mayor Cragun Opened to floor to Public Comments:

Emily Beeli, 2730 West 4800 South said she wanted to know if the Council was approving the Budget tonight even with this deficit issue. Councilmember Dandoy said it is what it is right now and that it can't be fixed today but the Council will be looking at it in hopes to find a solution. He also said he is not accepting a \$637,000 loss especially when the city is losing its work force in large part because our pay isn't competitive. He also said the council will fix it. Mrs. Beeli asked if tonight was the night the Council would accept or reject the budget was. Councilmember Tafoya said the answer to that is yes. The Council said they can accept it or postpone it but the law states it has to be approved by the 30th of this month.

Councilmember Hilton said that just for the record this was not the first time this issue had been brought up. The Council has been brainstorming, trying to figure things out. We have Grants to figure out and it just takes time to compile all of that information. Councilmember Hilton said they Survey will be very helpful with this question and will help guide the Council as to what citizens would like the Council to do.

Councilmember Tafoya said the Budget will be approved tonight but it is not set in stone. It can be amended as needed.

3. CONSIDERATION OF RESOLUTION 16-23 ADOPTING THE FISCAL YEAR 2017 CITY



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BUDGET

Councilmember Hilton moved to close the public hearing. Councilmember Becraft seconded the motion. All councilmembers voted “aye”. The motion carried.

Councilmember Hilton stated this Budget Session was a big one for Cathy and staff. Things have gone back and forth and it is not a perfect budget right now but he feels Cathy has done an excellent job on the Budget with trying to meet the needs of every department and every employee of the City.

Councilmember Hilton moved to approve Resolution 16-23 adopting the Fiscal Year 2017 City Budget. Councilmember Dandoy seconded the motion. A roll call vote was taken. All Councilmembers voted “aye.” The motion carried.

4. 6:00 P.M. PUBLIC HEARING TO CONSIDER A REQUEST TO AMEND THE ZONING ORDINANCE TO ALLOW CHICKENS/RABBITS WITHIN ALL SINGLE FAMILY RESIDENTIAL ZONES

Councilmember Dandoy moved to open the public hearing. Councilmember Yeoman seconded the motion. All Councilmembers voted “aye.” The motion carried.

Councilmember Hilton stated the Planning Commission has spent a huge amount of time on this issue. Councilmember Hilton feels the Ordinance they submitted was pretty good. He felt a few items that needed to be looked at. One was runs; the ordinance before the council said they were not required. Councilmember Hilton would like to amend that to say that a run is required. He stated most of the complaints he received were about people’s chickens jumping fences and getting out because they were not contained in runs. That would also fix number the fencing requirement by requiring that the chickens stay in the run.

Councilmember Yeoman asked about a fee. It was discussed that it would have to be decided by the Council. The Council agreed that it would be the same as bees.

Mayor Cragun opened the floor to Public Comments:

Greg Sagen, 4027 West 4900 South, said he would like to ask the City Council not to recommend the runs. A lot of the concerns people had was the smell. When you combine chickens into a smaller area that makes the potential of a bad smell greater. When they can move around they take care of the yard better and become healthier birds. Mr. Sagen said that they were good with the fee that was being considered. He also stated wings could be clipped to prevent them from going over fences and getting out.

Mike Adams, 4046 West 4900 South stated if the council would consider a compromise between requiring them to be in a run by just requiring a run to accompany the coup and also allow them the ability to free range.



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Dustin Kerns, 5687 South 2650 West stated he grew up with rabbits and that is was a big part of his childhood. He moved to Roy and he was told he can't share his same experience with his children. He said rabbits make no noise. He doesn't understand why citizens aren't allowed to have rabbits.

Emily Beeli, 2730 West 4800 South Stated she would like the Council to discuss property rights and what people are allowed to do on their property. In the Declaration it talks about citizens having the right to life, liberty and the pursuit of happiness which a lot of people equate to property and how the governments rule is to protect a citizens rights. Mrs. Beeli feels the ordinance it too lengthy and limits citizens too much. She feels the code telling citizens what they can do on their property is a different perspective on the governments roll as opposed to allowing people to do what they desire on their property.

Becky Levelle, 3877 South 2225 West stated she used to live in Vancouver, Washington and almost didn't move to Roy because of this issue. She said lots in Vancouver were lots smaller but people still had and were allowed chickens. The rule was you couldn't have more than 6 hens and they didn't get involved with telling people what they could do on their property.

Robert Terry Pickett, 2125 West 5125 South stated he used to live on 3100 west and he had chickens, goats, geese, a calf the whole works. When he moved to his new house he was sad to see he had to get rid of his chickens. When he was home his chickens would free range but when he was gone he would put them in the run and never had any problems or complaints.

Councilmember Yeoman moved to close the public hearing. Councilmember Dandoy seconded the motion. All Councilmembers voted "aye." The motion carried.

Councilmember Dandoy stated looking at the history of this event leave him no question that there is a lot of passion to this discussion. Councilmember Dandoy said that as many people that have wanted chickens have also not wanted them. What is really important is that for 5 years we have had this conversation and we have an ordinance that is well written. It may not be perfect for everyone but it is something we can live with. As long as some balance is maintained we can keep both sides of this issue happy. Councilmember Dandoy said Chickens fly and he never wants a chicken to fly and gets into a yard with a dog. Other animals will take advantage of chickens.

Councilmember Becraft stated that she spoke with many different people and they are not in favor of chickens. She said if we can live with this ordinance things will be good.

Councilmember Hilton said he has no doubt that the people in the audience that want chickens will take care of them. It's the people that aren't at the meeting that have chickens right now even as we speak that we will have to worry about. He feels the Council has come a long way and there has been a great compromise.

Councilmember Yeoman said Steve has given the Council a lot of other city ordinances and in



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reviewing them she feels Roy City is very comparable to the other cities.

5. CONSIDERATION OF ORDINANCE NO. 16-3 AMENDING THE ZONING ORDINANCE TO ALLOW CHICKENS/RABBITS WITHIN ALL SINGLE FAMILY RESIDENTIAL ZONES

Councilmember Hilton moved to approve Ordinance No. 16-3 Amending the Zoning Ordinance to allow chickens/rabbits within all single family residential zones with council recommendations and regulation. Councilmember Yeoman seconded the motion. A roll call vote was taken. All Councilmembers voted “aye” with the exception on Councilmember Tafoya who voted “nay”. The motion carried.

6. AWARD OF EMPLOYEE OF THE MONTH FOR APRIL 2016

Police Chief, Carl Merino asked Sergeant Gibson to read his nomination for Employee of the Month, Kyle Curtis.

Sergeant Curtis Gibson read his nomination.

Councilmember Tafoya moved to approve Kyle Curtis as Roy City Employee of the Month for April 2016. Councilmember Dandoy seconded the motion. All Councilmembers voted “aye”. The motion carried.

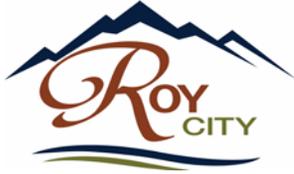
Councilmember Tafoya presented Kyle Curtis with an Employee of the Month Plaque and check.

7. PRESENTATION BY ENVISION UTAH – SHANE WOODS

Shane Woods from Envision Utah explained to the Council that Envision Utah deals with many State wide issues but the issue being looked at currently Transportation and Communities.

Shane stated growth is coming to Utah. The Growth and Development of communities and transportation systems significantly affect Utahns’ quality of life. Choices related to these issues directly impact air quality, household budgets, the ability to grow local fruits and vegetables, and the convenience of traveling from one place to another. Utahns want to live close to shopping, restaurants, jobs, schools and services, and they want their communities to be walkable with reduced car traffic so they can live healthier and breathe cleaner air. They desire more time with family and friends and o spend less time driving. They also want quality housing in safe communities.

Shane stated the housing market is shifting to fewer large-lot homes and more compact housing such as small-lot homes, townhomes, condominiums and apartments. Additionally, Utahns are doing more shopping online and as a result our communities will support fewer retail stores, freeing up land to be redeveloped into mixed-use centers that combine housing with retail, jobs,



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recreation and other amenities. These market changes create a tremendous opportunity to design communities that provide the convenience and quality of life that Utahns want, even as the population almost doubles in the coming decades.

Shane stated they have met with a number of cites already and is presenting this initial concept to the Roy City Council He left some informational brochures with the council.

8. CONSIDERATION OF RESOLUTION NO.16-24 ANNOUNCING ROY CITY’S INTENT TO ANNEX UNINCORPORATED ISLANDS AND PENINSULAS

City Manager Blackburn stated this one of the steps the city has to take to get the annexation taken care of. The next step will be the notices being sent out the appropriate places. We will get right on the notices and it could even be the first meeting in July that we present the Ordinance to the City Council.

Councilmember Tafoya moved to approve Resolution 16-24 Announcing Roy City’s intent to annex unincorporated islands and peninsulas. Councilmember Becraft seconded the motion. A roll call vote was taken. All Councilmembers voted “aye.” The motion carried.

9. CONSIDERATION OF RESOLUTION NO. 16-10 APPROVING A JOB DESCRIPTION AND SALARY RANGE FOR ENGINEER POSITIONS IN THE FIRE AND RESCUE DEPARTMENT

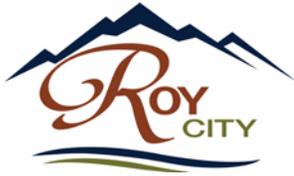
Fire Chief, Jason Poulsen stated these were the positions that were discussed in March. Chief Poulsen understood that the Salary would be \$15.07 per hour but the employees of this position would not be given the Merit, just the COLA.

Councilmember Tafoya said that the Merit and the COLA comes regardless of what the position is. He stated if the salary was set at \$15.07 the positions will still get the Merit and COLA.

Councilmember Hilton felt education is very important and thinks it’s a good idea to look at some educational requirements with promotions. Chief Poulsen said that is something they will look at.

Councilmember Dandoy moved to approve Resolution 16-10. Approving a job description and salary range for engineer positions in the Fire and Rescue Department. Councilmember Hilton seconded the motion. A roll call vote was taken. All Councilmembers voted “aye.” The motion carried.

10. DISCUSSION OF COUNCIL MEMBERS DIRECTING / TASKING CITY EMPLOYEES



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This item was tabled

11. DISCUSSION ON NON-COMPLIANCE TO CITY ZONING ORDINANCE

This item was tabled

12. DISCUSSION OF REDESIGNING THE ROY CITY FLAG

They City Council said they would add the new logo to the City Flag. The Beautification Committee would also look at the flag and bring back some modifications.

13. CITY MANAGERS REPORT

City Manager Blackburn stated there was a bid opening for the 4800 South roundabout project. He plans to approve the contract in the next meeting. We are getting notices to the residents. Public Works is also working on a water line project on 5600 south and 2000 for some additional water pressure. Also Weber Basin Water Conservancy District is having a behind the scenes tour on June 15th. If the Council would like to attend the need to RSVP right away.

Mr. Blackburn also stated the City has redesigned the sign for Harmons and the plan should work now. It should be a week before we have approval. Also the Golden Spike Softball tournament is this weekend. We will also have a movie in the park on June 17th.

Mr. Blackburn also said in two weeks from now, in addition to bringing and Ordinance where we have a hearing officer in place of Board of Adjustments, he has been working on a draft where we can do the same thing for the Employee Appeals Board.

14. PUBLIC COMMENTS

Robert Terry Pickett, 2125 West 5125 South stated two years ago his retaining wall was bumped by a Roy City Vehicle and part of it was knocked down. It still is not fixed correctly. He also stated there is a big hole in the asphalt in front of his house that has never been taken care of in the 20 plus years he has lived in his home.

City Manager, Andy Blackburn asked if could meet with Mr. Pickett after the meeting to get his phone number to get this issue taken care of.

15. MAYOR AND COUNCIL REPORT

Mayor Cragun stated that our parks are being vandalized and he would like to ask citizens to be diligent in keeping an eye out and reporting any vandalism to the police.

Mayor Cragun also stated that there was a wonderful Car Show at Sand Ridge Park this past



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Sunday. He really enjoyed it.

Mayor Cragun said that Roy High School was honored by the Governor for having a 97% graduation rate which is phenomenal. Mayor Cragun really appreciated the Governor for his support in the Roy Cone. He also appreciated Alan and Jeanne Hall for all of their support with education in the community.

Councilmember Becraft said the Art Show will be at the new library. The information is available on the website. Councilmember Becraft also stated that on 4000 South where the library is, there is a turn out that is a right turn only. People are turning left and it creates a very unsafe situation for pedestrians crossing the road. Councilmember Becraft spoke with the police chief and he suggested maybe the possibility of having an island there so they cannot turn left from that area. Mayor Cragun asked the City Manager to have the engineers look at this issue to see what we can come up with.

Councilmember Becraft said on June 18th Miss Roy will be at the Miss Utah Pageant.

Councilmember Dandoy said we have 458 responses to the survey so far. He is meeting with Weber State University tomorrow to go over things.

16. ADJOURN

Councilmember Becraft moved to adjourn at 8:30 p.m. Councilmember Dandoy seconded the motion. All Council members voted “aye”.

Attest:

Willard Cragun
Mayor

Amy Mortenson
Recorder