

## MINUTES OF THE MAY 17, 2016, ROY CITY COUNCIL MEETING

1. Approval of May 3, 2016, minutes
2. Public hearing regarding adjustments to the Fiscal Year 2016 Budget
3. Consideration of Resolution No. 16-20 approving adjustments to the Fiscal Year 2016 Budget
4. Consideration of Resolution No. 16-21 approving a Part-time and Seasonal Employee Compensation Schedule
5. Presentation by Nicole Daughtery Roy City's Victim Services Advocate
6. Consideration of an alcoholic beverage license for Roy Sinclair/Lillie Enterprises, located at 5608 South 1900 West
7. Consideration of a conditional use and site plan for a multi-family residential development located at approximately 5629 South 2700 West
8. Consideration of a preliminary subdivision plan for Ward Estates Subdivision Phase 3 Amended, a two (2) lot residential subdivision, located at approximately 5050 South 3500 West
9. City Manager's Report
10. Public comments
11. Mayor and Council reports
12. Adjourn

Minutes of the Roy City Council Meeting held May 17, 2016, 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 Bob Dandoy  
Councilman Brad Hilton

City Manager Andy Blackburn  
Secretary Michelle Drago

Excused: Councilman Dave Tafoya and Councilwoman Karlene Yeoman

Also present were: Cathy Spencer, Management Services Director; Carl Merino, Police Chief; Jason Poulsen, Fire Chief; Ross Oliver, Public Works Director; Travis Flint, Parks and Recreation Director; Steve Parkinson, Planner; D. L. Thurman; Greg Sagen; Suaney Marchant; Haylee Spencer; Dustin Christensen; Karri-Mae Christensen; Verda Baker; Selena Frias; Brooke Perkins; Shae Anderson; Carmen Archuleta; Nate Bybee; Spencer Padovich; Emma Combs; Alissa Jacobs; Lorin Parks; Kent Hill; Katie Stimpson; and Jennifer Orozco.

Moment of Silence: Councilman Hilton

Pledge of Allegiance: Councilman Hilton

1. APPROVAL OF MAY 3, 2016, MINUTES

**Councilman Hilton moved to approve the minutes of May 3, 2016, as written. Councilman Dandoy seconded the motion. Council members Becraft, Dandoy, and Hilton voted “aye.” The motion carried.**

2. PUBLIC HEARING REGARDING ADJUSTMENTS TO THE FISCAL YEAR 2016 BUDGET

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

Cathy Spencer, Management Services Director, stated that the following adjustments to the General Fund in the FY2016 Budget were being proposed:

Tax Revenue

- (\$30,000) decrease in property tax due to a decrease in personal property taxable values
- (\$20,000) decrease in delinquent prior year taxes due to a higher collection percentage

- \$140,000 increase in general sales and use tax due to consumer confidence
- (\$79,000) decrease in telecom gross receipts tax due to fewer land lines and lower cell phone plan rates
- (\$30,000) decrease in Weber County paramedic contract due to miscalculation

#### License Revenue

- \$40,000 increase in business license fees due to collection work on delinquent accounts

#### Charges for Services

- (\$100,000) decrease in ambulance revenue due to fewer calls for service
- (\$25,000) decrease in transport revenue due to fewer calls for service
- (\$8,000) decrease in parking violation due to fewer tickets written
- \$2,500 increase in zoning and subdivision fees due to construction

#### Fines and Forfeitures

- \$25,000 increase in Justice Court fines due to case load

#### Grants

- The budget previously included a FEMA grant for \$95,345, which was not awarded. The grant included a match of \$10,604 by the City, which was no longer needed.

#### Other

- \$25,000 increase in interest income due to higher savings rates

#### Expenditures – Wages and Benefits

- The total adjustment is \$12,918. A part-time salary survey had been completed. The impact on most departments could be covered by current funding levels, except the Aquatic Center. Since nearly half of that department's part-time wages were expended in May and June, an additional allocation would be necessary.

#### Expenditures – Operations

- (\$7,000) Building Maintenance – record contribution from the State of Utah for the school crossing on 1900 West
- \$5,100 Community Development – increase funding for engineering costs. More plan revenues and services related to subdivision and commercial development.
- \$10,000 Roy Days – start-up costs for the August 2016 activities
- \$1,800 – Aquatic Center – increase in equipment, supplies, and maintenance to replace the P A system
- \$4,500 – Parks and Recreation – increase in leased property due to an increase for the Union Pacific Railroad lease

Ms. Spencer stated that the budget adjustments to the General Fund would result in an increased draw from the fund balance of \$79,264.

Councilman Dandoy felt the adjustments were pretty straight forward.

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

**Councilman Dandoy moved to close the public hearing at 6:06 p.m. Councilman Hilton seconded the motion. Councilmembers Becraft, Dandoy, and Hilton voted "aye." The motion carried.**

3. CONSIDERATION OF RESOLUTION NO. 16-20 APPROVING ADJUSTMENTS TO THE FISCAL YEAR 2016 BUDGET

**Councilman Hilton moved to approve Resolution No. 16-20 approving adjustments to the Fiscal Year 2016 Budget. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Dandoy, Becraft, and Hilton voted "aye." The motion carried.** (Copy filed for record).

4. CONSIDERATION OF RESOLUTION NO. 16-21 APPROVING A PART-TIME AND SEASONAL EMPLOYEE COMPENSATION SCHEDULE

Cathy Spencer stated that Resolution No. 16-21 had been prepared for the Council's consideration. The staff had completed a part-time and seasonal employee salary survey. Roy City's pay scale was compared to other cities of similar size and revenue. Based on the salary survey, the administration was proposing a new part-time and seasonal employee compensation schedule. The schedule contained a minimum wage and a maximum wage, which would apply to all departments except the Fire Department.

Ms. Spencer said the Fire Department's part-time pay schedule proposed paying all part-time employees a flat rate. They would not receive merits or COLA's. Everyone would receive the same rate. It would be a higher rate than they would receive if they were on a merit system. The proposed rates were equivalent to the Fire Department's full-time rates. The rates would remain the same until another salary survey showed they should be increased. There were other fire districts moving to flat rates, and Chief Poulsen decided they would be best for Roy. Any part-time fire fighters paid over the flat rate would be frozen until the part-time rates increased to that amount. Any fire fighters below the flat rate would move up.

Councilman Dandoy asked when the new part-time pay scale would go into effect. Ms. Spencer said it would be retroactive to May 14<sup>th</sup>.

Councilman Hilton clarified that there was a minimum wage and a maximum wage. He asked if the department heads would determine the range of the part-time employee based on their performance. Cathy Spencer stated that the Personnel Policy said a part-time employee could receive 10% above the minimum wage when they were hired.

A permanent part-time employee could receive a merit along with all of the other employees, but it would be based on the number of hours they worked. She recommended that the Personnel Policy be amended to allow permanent part-time employees to receive more of a merit increase. Councilman Hilton agreed.

Councilman Hilton asked if pay schedule would resolve the problem with seasonal workers. Ms. Spencer said the salary for the seasonal workers had gone up. All seasonal employees would be adjusted to the new rate as of this pay period.

Councilman Hilton asked if the new pay schedule would help Parks and Recreation. Travis Flint said it would.

Cathy Spencer stated the seasonal employees would receive a little bit of a bump if they came back. Travis Flint stated that Obamacare made it a challenge to bring back seasonal employees.

**Councilwoman Becraft moved to approve Resolution No. 16-21 approving a part-time and seasonal employee compensation schedule. Councilman Dandoy seconded the motion. Council members Hilton, Becraft, and Dandoy voted “aye.” The motion carried. (Copy filed for record).**

5. PRESENTATION BY NICOLE DAUGHTERY ROY CITY'S VICTIM SERVICES ADVOCATE

Nichole Daughtery, Roy City's Victim Services Advocate, stated that the City's Victim Advocate Program started in early 2013. Since then over 500 residents had been served by the program; over 85% of them were domestic violence victims. The program served 70 victims in 2013; 55 were domestic violence. In 2014, 185 victims were served; 162 were domestic violence. In 2015, the program served 182 victims; 156 were domestic violence. In 2016, there had been 91 new clients so far. Eighty-nine percent (89%), or 81, were domestic violence victims. Over one-third of the victims were children present at the time of a domestic violence incident.

Ms. Daughtery explained that as a Victim Services Advocate, she worked with the prosecutor by contacting victims before court to inform them of their rights and to offer additional services like protective orders and safety planning. She shared the victim's wishes and opinions with the Prosecutor and assisted him during court with orders and preparing victims if a case went to trial. She followed up after court to let victims know the outcome of the proceedings and to inform them if they were eligible for further compensation or assistance. She worked with the Police Department by taking phone calls from officers at any time to assist with a domestic violence incident. Immediate questions about emergency shelter and safety planning were addressed. She was available at any time to offer victims of any crime guidance regarding further services available in the community through the officers and detectives. She also developed and

maintained relationships with other local advocate programs to ensure victims received services outside her expertise. She attended the local Domestic Violence Coalition with other entities to do outreach and education in the community. She attended City events and kept information in the newsletters and on the website to inform the community about the advocate program. She worked with Crime Victim Reparations to help victims get the emergency financial services they needed. She kept up on annual training and worked with other local programs to keep the community in-the-know when it came to implementing new and important victim services and protocols.

Ms. Daughtery stated that she had been working with the Police Department to start the Lethality Assessment Program. LAP was a two-part intervention process that featured a research-based lethality screening tool and a protocol that provided direction for LE, and in Roy City's case, the YCC in Ogden. The goal of LAP was to prevent domestic violence homicides, serious injury, and re-assault by encouraging more victims to utilize the support and shelter services of domestic violence programs. The questionnaire was a tool to help the officer and the victim assess the severity of domestic violence situations and gauge what level of support would be best in those situations. She and an officer were trained to be LAP trainers for the Roy Police Department. They had a lesson plan ready to go and had planned to have the department trained by the end of May. However, they had run into a significant barrier that prevented them from implementing the program. The only solution that allowed them to implement the LAP program while complying with department policy and the Utah Domestic Violence Coalition was the issuance of department phones. The UDVC would not allow officers to use personal phones to make calls to the YCC on behalf of the victims.

Councilwoman Becraft asked how many domestic violence victims went back into the same situation. Nicole Daughtery did not have a percentage, but she had noticed that people reoccurred on the court docket.

Councilman Dandoy asked how issuing phones would resolve the problem. Chief Merino explained that the phone used to make the call could be used as evidence in a case. If a personal phone was used as evidence, everything on the phone would be admissible in court.

Mayor Cragun asked if the City could provide a certain number of phones for the department that could be used by every shift. Chief Merino said it could.

There was a discussion about possible solutions.

Mayor Cragun asked Nicole Daughtery and Chief Merino to reach a solution and bring it back to the City Council.

Councilman Hilton felt the City owed it to the victims to find a resolution to this problem.

Cathy Spencer asked if the advocate grant could be used to purchase phones. Nicole said she would check.

6. CONSIDERATION OF AN ALCOHOLIC BEVERAGE LICENSE FOR ROY SINCLAIR/LILLIE ENTERPRISES, LOCATED AT 5608 SOUTH 1900 WEST

Cathy Spencer stated that the Sinclair Station at 5608 South 1900 West had a new owner who was requesting approval of a Class A Beer license, which was for off-premise consumption.

**Councilman Hilton moved to approve an alcoholic beverage license for Roy Sinclair/Lillie Enterprises at 5608 South 1900 West. Councilman Dandoy seconded the motion. Council members Becraft, Dandoy, and Hilton voted “aye.” The motion carried.**

7. CONSIDERATION OF A CONDITIONAL USE AND SITE PLAN FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT LOCATED AT APPROXIMATELY 5629 SOUTH 2700 WEST

Steve Parkinson, Planner, stated that the City had received a request for approval of a conditional use and site plan for a multi-family development located at 5629 South 2700 West, which was the southwest corner of the 5600 South 2700 West intersection. The site was zoned R-3, which allowed multi-family dwellings as a conditional use. The owner of the property had submitted at least three different renditions for this site. The Planning Commission held a public hearing for the conditional use on September 2015. It tabled consideration of the site plan due to unresolved issues. The current plan met the requirements of the Zoning Ordinance. On May 10<sup>th</sup>, the Planning Commission reviewed the latest site plan and recommended that it be approved along with the conditional use. The staff also recommended approval of both items.

Councilman Dandoy stated that the proposed site plan placed storage units in front of the buildings. Mr. Parkinson said the developer planned to have one storage space for each dwelling unit. Some would be located next to the trash enclosure. They would appear as one building. Due to the site's topography, some of the storage units would be located inside one of the buildings along with the recreational amenities.

Councilman Dandoy asked about the zoning requirement to have architectural relief for every 30 feet of building length. Steve Parkinson stated that he had asked the Planning Commission to determine if the developer's proposal to use vertical siding would meet the requirement for architectural relief. The developer proposed to alternate the vertical siding with one-inch strips along the sides and rear of each building. There would be a small undulation, but it would not bump out like the front porch would. The Zoning Ordinance did not state that the architectural relief had to be a certain size. The Planning Commission felt the vertical siding met the intent of the Zoning Ordinance.

Councilman Dandoy asked if the sign they were proposing would be permanent. Mr. Parkinson said it would. He did not know what it would look like as the developer had not submitted sign plans, but it would have to comply with the new Sign Ordinance and sight triangle regulations. Councilman Dandoy asked what would happen to the sign and development when 5600 South was widened. Mr. Parkinson said the applicant planned to retain ownership of the development. The sign would not be like a subdivision sign. It would not become a nuisance to the occupants. UDOT had reviewed the plans for this development. As UDOT didn't have any special comments or stipulations, he did not feel widening 5600 South was in their immediate plans. When 5600 was widened, the owner of this property would just be another individual property owner UDOT would have to deal with.

Councilman Dandoy stated that the site consisted of three separate parcels that needed to be combined. Mr. Parkinson said it did. The property owner was in the process of submitting a preliminary subdivision plan to resolve that issue. The conditional use could be approved subject to compliance with the property combination.

**Councilman Dandoy moved to approve a conditional use and site plan for a multi-family development located at 5629 South 2700 West based on the staff's findings and subject to the conditions recommended by the staff and Planning Commission. Councilwoman Becraft seconded the motion. Council members Becraft, Dandoy, and Hilton voted "aye." The motion carried.**

8. CONSIDERATION OF A PRELIMINARY SUBDIVISION PLAN FOR WARD ESTATES SUBDIVISION PHASE 3 AMENDED, A TWO (2) LOT RESIDENTIAL SUBDIVISION, LOCATED AT APPROXIMATELY 5050 SOUTH 3500 WEST

Steve Parkinson stated that the City had received a request for preliminary approval of Ward Estates Subdivision Phase 3, Amended, which was located at 5050 South 3500 West. The property in question contained over three-quarters of an acre and was zoned R-1-8. The existing home was located on the back portion. The owner wanted to create a lot in front of the existing home. The Planning Commission held a public hearing on September 8, 2015. It tabled consideration of the subdivision because it did not meet the requirements for the shared driveway proposed by the property owner. The new lot would have access to 3500 West unless it was denied by UDOT. On April 11<sup>th</sup>, the City did receive a letter from UDOT indicating that they would not allow the new lot to have access onto 3500 West. Without access, the new lot met the requirements for a shared driveway. It also met the lot width and size requirements for the R-1-8 Zone. The staff and Planning Commission recommended that the City Council approve the preliminary subdivision plan.

Councilman Dandoy asked who would own the driveway. Mr. Parkinson said the ownership would be shared. The front portion would be owned by the front lot; the back

half would be owned by the back lot. If there was a dispute about the driveway, it would be a civil matter.

Councilman Hilton stated that the subdivision layout was not ideal, but the applicant had taken the appropriate steps.

Councilwoman Becraft asked how the front lot would be affected when UDOT widened 3500 West. Mr. Parkinson said UDOT did have plans to widen 3500 West, but he did not know when it would happen. Councilman Dandoy said Representative Schultz had indicated UDOT planned widen 3500 West from south to north.

**Councilwoman Becraft moved to approve the preliminary plan for Ward Estates Subdivision Phase 3, Amended, located at 5050 South 3500 West based on the staff's findings and subject to the conditions recommended by the staff and Planning Commission. Councilman Hilton seconded the motion. Council members Becraft, Dandoy, and Hilton voted "aye." The motion carried.**

#### 9. CITY MANAGER'S REPORT

Andy Blackburn, City Manager, reported that:

- The pump for the 4000 South Reservoir went out on Monday, May 16<sup>th</sup>. It would take about a month for a replacement to arrive. The City was supplementing with Weber Basin Water.
- The Aquatic Center would hold the annual elementary swim days on Thursday, May 19<sup>th</sup>; Friday May 20<sup>th</sup>; Monday May 23<sup>rd</sup>; and Tuesday, May 24<sup>th</sup>. There would be two schools per day.
- UDOT was working to install new utilities on 5600 South at night.
- The banners had arrived. They should up within a week. Ross Oliver, Public Works Director, said the City was waiting for a permit from UDOT, which they hoped to receive in the next few days.
- There had been a fire earlier in the day at Kapp Auto. A shed behind the business caught on fire.
- Councilman Tafoya had asked that the temporary speed bump on 2175 West in front of North Park Elementary School be taken out. It would be replaced with a permanent one. Mayor Cragun directed the City to conduct studies to determine if it was appropriate before replacing it. There was a discussion regarding speed bumps. Councilman Dandoy asked who installed bumps. Mr. Oliver said it was done by the Public Works Department at the request of the Police Department or

City Manager. Speed bumps were always temporary. There was quite a history regarding the speed bump on 2175 West. Police Chief Merino said speed bumps were an old traffic device. The new theory was to do away with them. Councilman Dandoy was aware that the public wanted a speed bump on 2175 West but did not recall that the Council had discussed it. The City was receiving requests from residents asking that the current speed bump be removed. Ross Oliver said he was directed by a council member to put the speed bump in. Mayor Cragun directed Ross Oliver to remove the speed bump at his convenience.

- The City Council had been invited by Louse Eames to attend the Mountain West News Street Picnic at Sand Ridge Park on Sunday, June 5<sup>th</sup> from 11:00 a.m. to 2:00 p.m.

#### 10. PUBLIC COMMENTS

There were none.

#### 11. MAYOR AND COUNCIL REPORTS

Mayor Cragun reported that the City Council and staff had worked hard to put together a budget. The City had many needs which the City Council was addressing. He complimented the staff and department heads.

Councilman Dandoy reported on the survey status. So far about 158 people had completed the survey. About 600 people needed to fill out the survey in order for there to be a representative sample. He encouraged citizens to fill out the survey, which could be found on the City's website and Facebook page. The survey would help the City Council make decisions regarding the City's five-year plan.

Councilwoman Becraft reported that the Arts Council had found a place to hold the Roy Days Art Show – the new library.

Mayor Cragun asked if there were any funds left in the Council Contingency Fund. Ms. Spencer said there was. Mayor Cragun asked that the Contingency Fund be used to pay for an advertisement about the survey. Councilman Hilton stated that Layton received a lot of publicity when it did their survey.

12. ADJOURN

**Councilman Hilton moved to adjourn at 7:02 p.m. Councilman Dandoy seconded the motion. Council members Becraft, Dandoy, and Hilton voted “aye”.**

Attest:

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Willard Cragun  
Mayor

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Amy Mortenson  
Recorder