

MINUTES OF THE JUNE 1, 2010, ROY CITY COUNCIL MEETING

1. Approval of May 18, 2010, minutes
2. Public hearing to receive public input and obtain Council approval of amendments to the Fiscal Year 2010 budget
 - a. Consideration of Resolution No. 972 approving adjustments to the Fiscal Year 2010 budget
3. Public hearing on the proposed Fiscal Year 2011 budget to receive public input and obtain Council approval
 - a. Consideration of Resolution No. 973 adopting Fiscal year 2011 City budget
4. Motion to adjourn City Council meeting and convene a Redevelopment Agency Meeting
5. Motion to reconvene City Council meeting
6. Discussion and determination of Miss Roy Days Pageant
7. Public comments
8. Consideration of request to amend the preliminary approval for Watterson Subdivision located at approximately 5974 South 2700 West
9. Consideration of a request for conditional use approval allowing the development of a dental office on property located at approximately 4040 South Midland Drive
10. Consideration of approval of a lease agreement between Jordan Valley Water Conservancy District and Roy City for McCall Fields property
11. City Manager's report
12. Mayor and Council reports
13. Adjourn
14. Summary of actions charged

Minutes of the Roy City Council Meeting held June 1, 2010, 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	City Manager Chris Davis
Councilman Willard Cragun	City Attorney Andy Blackburn
Councilman Brad Hilton	Secretary Michelle Drago
Councilman Larry Peterson	
Councilman Michael Stokes	
Councilman Dave Tafoya	

Also present were: Cathy Spencer, Management Services Director; Jared Hall, Planner; Rachel Trotter; Elizabeth Brown; Sarina Brown; Haleigh Van Eerden; Janet Van Eerden; David Van Eerden; Shelby Shelman; Charlotte Shelman; Kylee Flanders; Stefanie Braegger; Craig Gordon; Debbie Gordon; Jolyn Emerson; Terrie Churrgg; and Eric ?.

Moment of Silence: Councilman Cragun

Pledge of Allegiance: Councilman Cragun

1. APPROVAL OF JUNE 1, 2010, MINUTES

Councilman Tafoya moved to approve the minutes of May 18, 2010, as written. Councilman Cragun seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

2. PUBLIC HEARING TO RECEIVE PUBLIC INPUT AND OBTAIN COUNCIL APPROVAL OF AMENDMENTS TO THE FISCAL YEAR 2010 BUDGET

Councilman Peterson moved to open the public hearing at 6:01 p.m. Councilman Stokes seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

Cathy Spencer, Management Services Director, stated that the administration had completed a final review of revenue and expenditures for FY2010. Sales tax revenue was still low. Revenue for sales tax in the General Fund had been reduced by \$150,000. The reduction allowed for \$600,000 to be collected in May and June. The administration had determined how to cover the \$150,000 reduction. Because revenue was up in the Justice Court and development funds, it was only necessary to come up with \$71,000 in reductions. The budget had been increased by \$31,357 to cover costs for the Justice Court. It was also necessary to increase the budget to cover expenditures in the Legal Department. The Fire Department budget had been increased for the retirement of a deputy chief. The budget had been increased due for sales tax at the Recreation Complex. The

increase in the budgeted expenditures for the Justice Court and Recreation Complex were being offset by the increase in revenues. Other expenditures needed to be covered by fund balance reserves.

Ms. Spencer said that engineering had begun on two projects in the Park Development Fund - the Hinckley Drive Extension landscaping and the D&RG Trail. Those projects were in next year's budget, but the some of the engineering fees were coming in now. Current year revenue was sufficient to cover the engineering on those projects. UDOT would reimburse the City for the Hinckley Drive project some time in FY2011. Until then, the expenditure would flow through the Park Development Fund.

Ms. Spencer stated that there were no other proposed adjustments. She asked that the Council approve Resolution No. 972.

Councilman Cragun asked about the Hinckley Drive landscaping. Chris Davis said UDOT was giving the City \$25,000 to landscape the south side of the Hinckley Drive extension. Scott George, Parks Superintendent, and Mark Miller, City Engineer, had been working on the project. It would be similar to the landscaping on 5600 South, except the City was having a little more input this time.

Cathy Spencer stated that the City would be reimbursed in the next fiscal year.

Councilman Stokes stated that even though the budget was carved into fiscal years, it more of a continuous roll with stops along the way. In the end the Hinckley Drive landscaping would be a wash.

Cathy Spencer stated that the expenditures and reimbursement for the project were coming from the Park Development Fund, not the General Fund. There might be an expenditure in FY2010, but the fund would be reimbursed in FY2011.

Councilman Hilton asked how long the City had been working on the Hinckley Drive project. Mr. Davis said Mr. George and Mr. Miller had been working on it for about five to six months.

Councilman Stokes stated that the Park Development Fund was restricted. The City was not taking money from the employees or benefits.

Councilman Cragun stated that this was the first time he had heard about the project. He felt the Council should be informed about these types of projects. Mayor Ritchie said the project was discussed at a work session.

Mayor Ritchie opened the floor for public comments.

Elizabeth Brown, 4997 South 1950 West, asked why the City was budgeting for landscaping on Hinckley Drive when there were vacant buildings around the City's main entrance on 5600 South. Why didn't the City spend money on those empty buildings?

Mayor Ritchie stated that Ms. Brown was talking about two different things. The State had to put in landscaping along the new road for erosion control. The State would reimburse the City for its work. The City couldn't use the money for anything else.

Councilman Tafoya moved to close the public hearing at 6:09 p.m. Councilman Stokes seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

Councilman Hilton moved to approve Resolution No. 972 approving adjustments to the Fiscal Year 2010 budget. Councilman Stokes seconded the motion. A roll call vote was taken: Council members Tafoya, Peterson, Hilton, Cragun, and Stokes voted "aye." The motion carried. (Copy filed for record).

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

Councilman Stokes moved to open the public hearing at 6:10 p.m. Councilman Hilton seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

Cathy Spencer stated that the total budget for all funds in FY2011 was \$25,238,633. No tax increases were proposed. The only capital expenditure in the General Fund was \$32,000 and would be covered by a grant. The General Fund budget was \$13,750,353. There were no increases in operating expenses. There was an increase in health insurance, which the City would cover for the employees. A few positions had been shuffled into the Water and Sewer Fund. There was an increase in the Water and Sewer Fund due to an increase from Central Weber Sewer. It would be passed on to the residents. Capital expenditures in the Water and Sewer Fund related to the bond, which was already budgeted. Those expenditures should be completed in February 2011. Ms. Spencer said the City didn't have the certified tax rate from Weber County. Weber County didn't have the rates due to an evaluation of property values. The budget included \$2.4 million for property taxes was.

Councilman Peterson stated that it was important to note that the budget did not include capital expenditures. This was the third year in a row that the City had not replaced police cars and other equipment. The City could do that for a short time, but eventually it would catch up to the City.

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

Councilman Peterson moved to close the public hearing at 6:13 p.m. Councilman Stokes seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

Councilman Tafoya moved to approve Resolution No. 973 adopting the Fiscal year 2011 City budget and levying a property tax revenue rate anticipated to be established by Weber County. Councilman Hilton seconded the motion. A roll call vote was taken: Council members Stokes, Tafoya, Hilton, and Peterson voted "aye." Councilman Cragun voted "nay." The motion carried. (Copy filed for record).

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

Councilman Tafoya moved to adjourn to a Redevelopment Agency Meeting at 6:14 p.m. Councilman Cragun seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

5. MOTION TO RECONVENE CITY COUNCIL MEETING

Councilman Hilton moved to adjourn the Redevelopment Agency Meeting at 6:19 p.m. and reconvene the City Council Meeting. Councilman Cragun seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

6. DISCUSSION AND DETERMINATION OF MISS ROY DAYS PAGEANT

Mayor Ritchie stated that a few months ago the City Council voted to not hold a Miss Roy Days pageant in 2010. That decision was based on a lack of interest and economic conditions. Since then the City had received the resignation of Amy Tafoya as pageant director. The administration had met with Haleigh Van Eerden, the current Miss Roy, and other members of the Roy Days committee. Miss Van Eerden wanted to address the Council.

Haleigh Van Eerden, 5976 South 3550 West, knew that there were issues regarding the Miss Roy Days Pageant, such as lack of interest and budget concerns. However, she felt it was important to hold the pageant. As part of her platform - Girls Excited About Math - she had visited half of the schools in Roy and spoke with 6th grade girls. The Miss Roy Pageant was free public relations for the City and provided more benefits that the City Council realized, such as a role model for the youth. The girls who participated in the pageant gained valuable life skills. She had heard that the scholarship money that would have been awarded at the pageant would now be based on an essay contest. A contest would not provide the experience that a pageant would. An essay contest would not provide a role model for the youth.

Mayor Ritchie stated that an essay contest had not been decided upon. If the Council decided not to hold a pageant, Haleigh Van Eerden would be invited to remain Miss Roy for another year.

Haleigh Van Eerden stated that the decision to not hold a pageant would not impact her, but she wanted other girls to have the experience she had. She understood there was a concern about the lack of interest and commitment among the girls. It was difficult for girls to get information about the pageant. She had visited the high school and signed up girls for the pageant. Four of those girls were in attendance; five more sent emails. Nine girls were committed to doing the pageant. She provided the Council with a list of those girls. Another seven or eight were partially committed. There were girls who were interested.

Ms. Van Eerden said she did not know a lot about the funding problem. The building was free. Pageant expenses were usually covered by ticket sales. She felt there were ways to cut the expenses through contributions and sponsorships. With all of the free publicity, she felt a small contribution from Roy City was reasonable. Terrie Chugg and the Bambi Chugg Healing Hearts Foundation usually provided a small scholarship to Miss Roy. Weber State University did as well. She felt it would be difficult to get the pageant going again if the City skipped a year.

Mayor Ritchie asked why the pageant needed to happen this year versus waiting for a year. Ms. Van Eerden said that life circumstances could change dramatically for these girls in a year.

Councilman Hilton stated that one option discussed by the City Council was supporting the Weber County Pageant. Ms. Van Eerden said that Miss Weber County would not represent Roy. She felt there needed to be a representative from Roy.

Councilman Stokes asked about the actual cost to hold the pageant. He didn't feel the ticket sales covered all of the expenses. Chris Davis said the City's major responsibility was a scholarship. Ms. Van Eerden said the City's minimum commitment was \$250. Mr. Davis said the City's contribution was usually ten times that amount.

Councilman Peterson stated that a franchise fee was owed to the Miss America Pageant. Ms. Van Eerden said that was usually covered by ticket sales. Councilman Peterson stated that in the past, girls backed out, and ticket sales did not cover expenses. There wasn't a pageant director. Ms. Van Eerden said her mother had offered to direct the pageant this year if no one else volunteered.

Councilman Stokes asked if the girls would be willing to pay an entry fee. Ms. Van Eerden felt there were sponsors who could cover the entry fee. There could be an entrance fee.

Mayor Ritchie said there was only two months until Roy Days. Ms. Van Eerden felt there needed to be a filing deadline in order to determine who was really committed. She had not given the Council

names of the girls who said 'maybe.' Last year's pageant had filled a lot of the auditorium, even with only four participants.

Councilman Stokes asked if the scholarship money had to be put into the pageant. Chris Davis said the Miss America Pageant required the City to contribute toward the scholarship. Councilman Stokes asked about the franchise fee. Ms. Van Eerden said it was \$575; the crown was \$175. Councilman Stokes said the City was looking at total contribution of \$1,000. Ms. Van Eerden felt the franchise fee and crown could be covered by sponsors.

Councilman Tafoya stated that at least four girls were required to hold a pageant. Haleigh Van Eerden had signed up twenty girls. Only three girls and one parent were in attendance to show they were committed. The interest in the pageant just didn't seem to be there.

Councilman Stokes stated that if the pageant was held, the burden needed to fall back on those who were interested. He suggested that the City Council set a minimum number of participants (seven to eight), an entrance fee, that the franchise fee and crown costs be covered by sponsors, and that the City contribute \$1,000 toward the scholarship.

Mayor Ritchie asked where the \$1,000 would come from. Councilman Tafoya said it was not in the budget. Councilman Stokes asked how much was budgeted in the Council Contingency Fund. Mr. Davis said there was \$15,000. Councilman Stokes suggested that the \$1,000 be taken from the Council Contingency Fund.

Councilman Tafoya felt that a two week filing deadline was reasonable. If Ms. Van Eerden was willing to direct the pageant this year, there was still a question about who would do it next year.

Councilman Cragun stated that the decision to not hold the pageant was not made lightly. The Council realized there would be consequences. He felt bad that the Council's decision resulted in Amy Tafoya's resignation. The City Council was working under serious budget constraints. Employees had not had raises for three years. He felt Councilman Stokes had proposed a great compromise. He would like to see those suggestions continued in the future.

Councilman Stokes was motivated by Haleigh Van Eerden's initiative. The pageant was good for the community.

Councilman Hilton felt Haleigh Van Eerden was a great ambassador for the City. The City did get a lot of public relations from Miss Roy. Ms. Van Eerden had brought up some good points. The Council made a difficult decision, but the interest just didn't seem to be there. The Council was willing to give the pageant a reprieve, but the girls had to show their commitment.

Mayor Ritchie asked for comments from Terrie Chugg.

Terrie Chugg, representing the Bambi Chugg Healing Hearts Foundation, stated they usually gave Miss Roy a \$200 scholarship. They had decided to increase it to \$500 this year. Scholarships were not given to everybody. Miss Roy was required to complete her platform before receiving the money. Ms. Chugg believed in the Miss Roy program. It taught the girls poise and how to conduct themselves in front of an audience.

Councilman Stokes moved to hold the Miss Roy Pageant in conjunction with Roy Days 2010 subject to at least eight girls participating; that each girl pay a \$50 entry fee; that the filing deadline be June 15th; that the Miss America franchise and crown costs be covered by sponsors; that the entry fee, ticket sales, and Roy City's \$1,000 contribution be used to cover expenses; whatever was left would be used for a scholarship; and that there be a committed pageant director.

Haleigh Van Eerden asked for and received clarification about the Roy City's contribution. Councilman Stokes said the entry fee, ticket sales, and Roy City's contribution of \$1,000 would go into a pot. Expenses would be paid from that pot. Whatever was left would be the scholarship Miss Roy received.

Councilman Tafoya wasn't sure the Miss America bylaws allowed the City to charge an entrance fee.

Councilman Stokes said Roy City didn't have to be part of Miss America. Miss Roy would not be able to participate in the Miss Utah Pageant, but the City would still receive publicity and value.

Councilman Hilton seconded the motion. Council members Cragun, Hilton, Peterson, and Stokes voted "aye." Councilman Tafoya voted "nay." The motion carried.

Janet Van Eerden, 5796 South 3550 West, stated that she would be willing to act as the pageant director for 2010.

Councilman Peterson moved to appoint Janet Van Eerden as the director for the 2010 Miss Roy Pageant. Councilman Stokes seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

7. PUBLIC COMMENTS

Elizabeth Brown, 4997 South 1950 West, asked why Roy Days didn't have live entertainment from local bands on Saturday night. She felt it would be good to have local bands, such as Greg Simpson. Councilman Tafoya stated that there was live entertainment in the park on Super Saturday. Roy

Days 2010 would have all the same activities it had had in the past. Chris Davis stated that last year Greg Simpson had performed for about an hour just before the fireworks.

8. CONSIDERATION OF REQUEST TO AMEND THE PRELIMINARY APPROVAL FOR WATTERSON SUBDIVISION LOCATED AT APPROXIMATELY 5974 SOUTH 2700 WEST

Jared Hall stated that the Watterson Subdivision was a six lot subdivision located at approximately 5974 South 2700 West. It had received preliminary approval some time ago. The developer was asking that the preliminary approval be amended to allow the subdivision to be done in two phases. Phase No. 1 would consist of three lots on 2700 West; Phase No. 2 would be three cul-de-sac lots at the west end of 5950 South. The DRC and the Planning Commission recommended approval of the amendment.

Councilman Cragun asked if additional street lighting would be needed. Jared Hall stated that nothing about the subdivision had changed, except for the phasing.

Councilman Stokes felt the phasing would make financing better for the developer.

Councilman Stokes moved to amend the preliminary approval of the Watterson Subdivision to allow two phases based on the findings of the staff and the recommendations of the staff and Planning Commission. Councilman Cragun seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

9. CONSIDERATION OF A REQUEST FOR CONDITIONAL USE APPROVAL ALLOWING THE DEVELOPMENT OF A DENTAL OFFICE ON PROPERTY LOCATED AT APPROXIMATELY 4040 SOUTH MIDLAND DRIVE

Jared Hall stated that Intermountain Dental had requested approval of a conditional use for a dental office at 4040 South Midland Drive, Lot No. 3 of the Midland Square Commercial Subdivision. The DRC and the Planning Commission recommended that the conditional use be approved. The use would be a multi-tenant dental facility. The site had the potential for cross access with the lot to the north. All access would be from the interior road. There was still some engineering issues that would be worked out prior to construction.

Councilman Cragun asked about the ingress/egress to the right-of-way. Had the City worked with the State to get left turns onto Midland Drive and 4000 South? Mr. Hall said there was left turn movement on both 4000 South and Midland Drive.

Councilman Peterson moved to approve a conditional use for a dental office located at approximately 4040 South Midland Drive based on the findings of the staff and subject to the

conditions recommended by the Planning Commission. Councilman Hilton seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

10. CONSIDERATION OF APPROVAL OF A LEASE AGREEMENT BETWEEN JORDAN VALLEY WATER CONSERVANCY DISTRICT AND ROY CITY FOR MCCALL FIELDS PROPERTY

Andy Blackburn stated that the administration was seeking approval of a lease agreement for the McCall Fields park. It was used as a soccer field. Jordan Valley Water Conservancy owned the property. They were willing to lease it to the City for 12 years. There was not a payment. The City just had to maintain the field.

Councilman Tafoya stated that this had been tremendously good for the recreation program. Although this was a smaller park, it was used all the time.

Councilman Hilton asked if the City had considered leasing property further to the south. If Jordan Valley Water would lease the corridor to the south, it could greatly add to the City aesthetics.

Councilman Stokes felt that was a good idea. He didn't think Jordan Valley Water planned to do anything with the right-of-way anytime soon. He was comfortable developing their corridor into park space. He felt the staff should look into it.

Councilman Tafoya moved to approve a lease agreement between Jordan Valley Water Conservancy District and Roy City for the McCall Fields property. Councilman Peterson seconded the motion. Council members Cragun, Hilton, Peterson, Stokes, and Tafoya voted "aye." The motion carried.

11. CITY MANAGER'S REPORT

Chris Davis stated that the administration wanted to schedule a work session on Tuesday, June 29th at 5:30 p.m. at the Hope Community Center to discuss community development issues such as the TZRO, signs, and the business license study. Councilman Peterson said he would not be able to attend.

Chris Davis stated that the Elks Lodge was still looking for a Roy Days theme. The Council also needed to nominate a Grand Marshall. Councilman Stokes asked that the Elks Lodge make some theme suggestions.

12. MAYOR AND COUNCIL REPORTS

Councilman Hilton stated that he son recently completed an Eagle project at the Roy City cemetery. He commended Scott George and the Parks Department for the way they maintained the cemetery. He felt it would be helpful to have a cemetery plat showing all of the grave sites located near the sign with the cemetery rules. A plat would make it easier for citizens to find graves. The American

Legion's podium was ready to fall down. They hoped an Eagle Scout would replace it as an Eagle project. Mayor Ritchie asked that the staff put together some information on a sign for the cemetery.

Councilman Cragun thanked Sherry May, Code Enforcement Officer, for enforcing the Nuisance Ordinance on 5600 South. The only property he was still concerned about was Seifert Estates. He understood she was working with the developer.

Councilman Cragun was concerned about the dirt being piled west of the railroad tracks. When the wind blew from the west it carried a lot of dirt into the neighborhoods to the east. Chris Davis stated that the City was temporarily storing top soil for WinCo at the City shop. There were three piles of dirt on 4000 South; some the City had put there, some was from WinCo, and some was from Questar's 1900 West project. The City planned to use the dirt on 4000 South for fill around the new reservoir and the expansion of the 4000 South detention basin. The dirt would not be there permanently. Councilman Cragun asked that Public Works keep the dirt at the shop watered down to prevent blowing dust.

13. ADJOURN

Councilman Peterson moved to adjourn at 7:30 p.m.

14. SUMMARY OF ACTIONS CHARGED

1. Staff to look into leasing more Jordan Valley Water Conservancy property for the recreation program.
2. Staff to present information about posting a plat at the cemetery to the Council.

Joe H. Ritchie
Mayor

Attest:

Michelle Drago
Secretary

dc:cjun110