

MINUTES OF THE JUNE 15, 2010, ROY CITY COUNCIL MEETING

1. Approval of June 1, 2010, minutes
2. Approval of Resolution No. 975 establishing City Council Meeting Scheduled for FY2011
3. Award of bid to Staker & Parson Companies for 2010 Street Maintenance Project
4. Miss Roy Scholarship Pageant update and determination
5. Public comments
6. Discussion regarding RV parking by Kathy Storlie
7. Approval of Department of Air Force site development lease
8. Consideration of interlocal agreement between Ogden City, Weber County, Roy City, South Ogden City, Riverdale City, North Ogden City, Morgan County, Pleasant View City, Harrisville City and Weber State University for Region 14 Training Council
9. Consideration of Purchase and Sale Agreement between the Utah Transit Authority and Roy City Corporation for property located on Sand Ridge Drive at the Roy Front Runner Station
10. Consideration of a request for a conditional use allowing a pawn shop on property located at approximately 5672 South 1900 West
11. Consideration of a request for a conditional use allowing a church in an existing building on property located at approximately 5798 South 1900 West
12. Consideration of a request to extend the preliminary subdivision approval for the Stone Edge Commercial Condominium Subdivision located at approximately 4655 South 1900 West
13. City Manager's report
14. Mayor and Council reports
15. Adjourn
16. Summary of actions charged

Minutes of the Roy City Council Meeting held June 15, 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 Michael Stokes	
Councilman Dave Tafoya	

Excused: Councilman Larry Peterson

Also present were: Tony Reynolds, Community and Economic Development Director; Ross Oliver, Public Works Director; Jared Hall, Planner; Rachel Trotter; Janet Van Erden; David Van Erden; Kathy Storlie; Rick Storlie; Joseph Clarey; Cindy Clarey; Hart Winget; Jackie Winget; and Eric Drago.

Moment of Silence: Councilman Stokes

Pledge of Allegiance: Councilman Stokes

1. APPROVAL OF JUNE 15, 2010, MINUTES

Councilman Tafoya moved to approve the minutes of June 1, 2010, as written. Councilman Stokes seconded the motion. Council members Cragun, Hilton, Stokes, and Tafoya voted "aye." The motion carried.

2. APPROVAL OF RESOLUTION NO. 975 ESTABLISHING CITY COUNCIL MEETING SCHEDULED FOR FY2011

Councilman Hilton moved to approve Resolution No. 975 establishing regular Council meetings for FY2011. Council member Stokes seconded the motion. Council members Cragun, Hilton, Stokes, and Tafoya voted "aye." The motion carried. (Copy filed for record).

3. AWARD OF BID TO STAKER & PARSON COMPANIES FOR 2010 STREET MAINTENANCE PROJECT

Ross Oliver, Public Works Director, asked that the City Council award the bid for the 2010 Street Maintenance Project to Staker & Parson Companies for \$221,027.00. The project was bid on June 1st. Staker & Parson was the low bidder out of six bids. The engineer's estimate was \$273,000.00.

Mayor Ritchie asked if Mr. Oliver had confidence in Staker & Parson. Mr. Oliver said he did. The City used Staker & Parson a lot.

Councilman Stokes moved to award the bid for the 2010 Street Maintenance Project to Staker & Parson Companies for \$221,027.00 and to authorize the Mayor to sign the Notice of Award and contract agreement. Councilman Hilton seconded the motion. A roll call vote was taken: Council members Stokes, Cragun; Hilton; and Tafoya. The motion carried.

4. MISS ROY SCHOLARSHIP PAGEANT UPDATE AND DETERMINATION

Janet Van Erden, 5796 South 3550 West, stated that ten girls were excited about and had paid the \$50 entrance fee. An entrance fee was not allowed by the Miss Utah Pageant. She had discussed the fee with Princess Frew and Chris Davis. They had all determined that the girls would pay \$50.00. If they dropped out of the pageant, the fee would not be refunded. After the pageant, they could get their money back or opt to purchase a video.

Councilman Stokes moved to allow the Miss Roy Scholarship Pageant to move forward according to the conditions set forth previously. Councilman Hilton seconded the motion. Council members Cragun, Hilton, Stokes, and Tafoya voted "aye." The motion carried.

5. PUBLIC COMMENTS

Jackie Winget, 5850 South 2625 West, and Joseph Clarey, 5875 South 2625 West, stated that their neighborhood had recently received a rash of code enforcement tickets. There were some in the neighborhood that needed tickets, but some of the tickets were not warranted. They wanted to know what the enforcement guidelines were.

Mayor Ritchie stated that City's code enforcement became more active in the spring. He didn't know the specific circumstances regarding the tickets in their neighborhood. Code enforcement in a neighborhood was generated by a complaint. The code enforcement officer entered the neighborhood to determine if a citation was needed and if others were needed as well. Tickets were not given randomly. The initial notices were fix-it tickets. If the situation was resolved, the ticket was forgiven. The ordinances and statutes that covered code enforcement were available to the public.

Mrs. Winget stated that one of her neighbors called Sherry May. Sherry May was supposed to have called her back, but had not done so yet.

Councilman Tafoya stated that all of the City's ordinances were available online.

Mayor Ritchie asked that Mrs. Winget and Mr. Clarey meet with Jared Hall and Sherry May regarding the particulars of the tickets. Mr. Hall would then report back to the Council.

6. DISCUSSION REGARDING RV PARKING BY KATHY STORLIE

Kathy Storlie, 4001 West 5600 South, stated that Sherry may recently cited her and her husband for parking their RV on the street while they were loading and unloading it. The ticket was dated May 27th. They could prove they were out of town on May 27th. She found out that the inspection was done on May 25th. She knew that an RV could not be parked on a street for more than 72 hours and that it had to be five feet from a driveway. She didn't know a vehicle parked on the street could not be longer than 30 feet. Their RV was 37 feet in length. It did not fit in their driveway, and they couldn't park it on the grass so they stored it in Ogden. The RV was parked in front of their house on Monday, May 24, and Tuesday, May 25, only. When she went to the Police Department to inquire about the ticket she was told it was a code enforcement ticket and that she would have to speak to Sherry May. Ms. May was out of the office at that time. The Police Department explained the regulations to her. Mrs. Storlie felt that when Sherry May called her back, her attitude was very abrupt and threatening. Ms. May had suggested that they park their RV in a nearby grocery store parking lot. That was very inconvenient and not something the owners were amenable to.

Mayor Ritchie stated that he spoke with Sherry May about the Storlie's ticket. Sherry May indicated there wasn't a problem parking an RV on the street for loading and unloading.

Mrs. Storlie said she hadn't received any notification that the ticket had been dismissed. Mayor Ritchie said a ticket became null and void if the problem was resolved within five days.

Kathy Storlie stated that Sherry May told her that they would be issued a \$350 ticket if their RV was not moved. No one else in her neighborhood had received a ticket, even though one had relatives blatantly living in an RV on the street. She felt the ordinance needed to be clear, and it needed to be enforced fairly.

Mayor Ritchie asked Kathy Storlie what she would like the Council to do. Kathy Storlie felt that 6-2-1 of the Roy City Code needed to include language that allowed an RV to be parked on a street for loading and unloading. She wanted to file a formal complaint against Sherry May. Mayor Ritchie said that type of action would have to be handled through Sherry May's supervisor. The City Council enacted ordinances and set policies; employment was handled by the administration.

Councilman Tafoya felt the clause in the ordinance that allowed a vehicle to be parked on a street for 72 hours gave owners time to load and unload their RV's. The citation gave a property owner five days to resolve the problem without a fine. If the problem was not resolved, a property owner was issued a ticket with a fine. The City Council had asked Sherry May to enforce the ordinances on behalf of the City. Every spring, the City received a rash of complaints because she was doing her job. He agreed it was not pleasant to receive a ticket.

Councilman Stokes felt Kathy Storlie's concerns needed to be separated into two issues. The City Council directed policy. It might need to clarify the ordinances. The management of employees was handled by the City Manager.

Rick Storlie agreed that there needed to be some give and take and reassessment of the ordinance. Usually when a ticket was issued, the ordinance in violation was listed on the ticket. In their case, it was not. When they asked Sherry May what section they had violated, she told them to look it up. It had taken them days to find it.

Councilman Cragun felt that Sherry May was very busy dealing with a lot of code enforcement problems. When Sherry May received a complaint, she had been instructed to blanket the surrounding area. She did what the City hired her to do. However, he felt that vehicle problems should be moved out of the realm of code enforcement and put under the Police Department. Mayor Ritchie said that would change the ticket from civil to criminal.

Councilman Stokes stated that code compliance gave property owners the opportunity to take care of a ticket and have it go away. If police officers enforced the ordinances, property owners would have to see the judge to make the ticket go away.

Mayor Ritchie asked that Kathy Storlie meet with Tony Reynolds, the Community and Economic Development Director.

Councilman Stokes commended them for their patience. The RV parking regulations were written in 1990. Twenty years ago, RV's were not as popular as they are today. The ordinances were living documents. Mr. Reynolds would make amendment recommendations to the Council.

Councilman Stokes stated that there were many things to address in the ordinance. One of their biggest complaints was the way the City looked. The City was trying to tackle the problem from many different directions. It was making progress.

7. APPROVAL OF DEPARTMENT OF AIR FORCE SITE DEVELOPMENT LEASE

Andy Blackburn asked that the City Council approve a site development lease with the Department of Air Force for the Hill AFB reservoir. The City initially wanted a 50 year lease; the Air Force

wanted 25. For awhile it appeared the City would be part of the Falcon Ridge development, and it had increased the size of the reservoir to 3 million gallons. Now the City was back to dealing just with the Air Force, and it had scaled the reservoir back to 2 million gallons. The local Air Force officials had approved the lease. The administration was asking that the Council approve the lease while the City was waiting for officials in Washington to approve it. Mr. Blackburn liked the terms of the lease. If significant changes were made in the lease, it would be brought back to the Council.

Councilman Stokes asked if the City ran a risk by not having a longer term. Mr. Blackburn felt a 50-year lease was as good as the City could get. Councilman Stokes said the reservoir was a large capital investment. Mr. Blackburn felt that the capital outlay would be worth it even if the lease would have been for only 25 years.

Mayor Ritchie pointed out that the lease contained a renewal clause.

Councilman Stokes moved to approve a site development lease with the Department of Air Force subject to approval of the lease by authorities in Washington, D.C. Councilman Tafoya seconded the motion. A roll call vote was taken: Council members Tafoya, Cragun, Hilton, and Stokes voted "aye." The motion carried. (Copy filed for record).

8. CONSIDERATION OF INTERLOCAL AGREEMENT BETWEEN OGDEN CITY, WEBER COUNTY, ROY CITY, SOUTH OGDEN CITY, RIVERDALE CITY, NORTH OGDEN CITY, MORGAN COUNTY, PLEASANT VIEW CITY, HARRISVILLE CITY AND WEBER STATE UNIVERSITY FOR REGION 14 TRAINING COUNCIL

Andy Blackburn asked that the City Council approve an interlocal agreement with ten different entities for a Region 14 Training Council. The training council would be overseen by the chiefs and sheriffs involved. The City's cost would be \$350 per month plus \$10 per officer for one year.

Mayor Ritchie felt that fee was pretty cheap.

Mr. Blackburn stated that the entities had been doing the training for a long time. They just wanted to formalize it in writing.

Councilman Stokes asked if the money would be cost effective. Mayor Ritchie felt the fee was very reasonable.

Mayor Ritchie asked where the money was coming from. Chris Davis said it would come from the Police Department's training budget.

Councilman Stokes felt the cost was pretty minimal. The City should do anything it could do to make training available and affordable.

Councilman Cragun moved to approve an interlocal agreement between Ogden City, Weber County, Roy City, South Ogden City, Riverdale City, North Ogden City, Morgan County, Pleasant View City, Harrisville City, and Weber State University for Region 14 Training Council. Councilman Hilton seconded the motion. A roll call vote was taken: Council members Hilton, Stokes, Tafoya, and Cragun voted "aye." The motion carried. (Copy filed for record).

9. CONSIDERATION OF PURCHASE AND SALE AGREEMENT BETWEEN THE UTAH TRANSIT AUTHORITY AND ROY CITY CORPORATION FOR PROPERTY LOCATED ON SAND RIDGE DRIVE AT THE ROY FRONT RUNNER STATION

Chris Davis stated that there was currently a reservoir on 4000 South near the UTA Front Runner Station. The City had negotiated the purchase of 1.3 acres from UTA immediately to the west of the current reservoir. The purchase price was the same amount that UTA acquired the property for. The property would be used to construct an additional reservoir. Funding for the purchase and reservoir was coming from the bond. It was one of the last projects, along with the Hill AFB reservoir. The City Engineer was getting ready to bid both projects. He asked that the Council approve the purchase and sale agreement with UTA.

Councilman Stokes asked if the City had discussed purchasing this property before. Mr. Davis said it had, but the purchase was never completed.

Councilman Hilton moved to approve a purchase and sale agreement between the Utah Transit Authority and Roy City Corporation for property located on Sand Ridge Drive at the Roy Front Runner Station. Councilman Stokes seconded the motion. A roll call vote was taken: Council members Cragun, Hilton, Tafoya, and Stokes voted "aye." The motion carried.

Councilman Stokes stated that the City was purchasing the property for the same price it sold it.

10. CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE ALLOWING A PAWN SHOP ON PROPERTY LOCATED AT APPROXIMATELY 5672 SOUTH 1900 WEST

Mayor Ritchie stated that the City Council had the information regarding this request from the Development Review Committee and the Planning Commission.

Councilman Stokes moved to approve a conditional use allowing a pawn shop on property located at approximately 5672 South 1900 West based on the findings of fact and subject to the recommendations of the staff and Planning Commission and that the proponent not engage in pay day lending activities. Councilman Tafoya seconded the motion. Council members Hilton, Stokes, and Tafoya voted "aye." Councilman Cragun voted "nay." The motion carried.

11. CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE ALLOWING A CHURCH IN AN EXISTING BUILDING ON PROPERTY LOCATED AT APPROXIMATELY 5798 SOUTH 1900 WEST

Mayor Ritchie stated that the Council had received information regarding Jason Harris' request for a conditional use for a church from the Development Review Committee and the Planning Commission. Mr. Harris was a Baptist minister. He planned to use a small portion (642 square feet) of the building. The building was currently vacant.

Councilman Stokes moved to approve a conditional use allowing a church in an existing building on property located at approximately 5798 South 1900 West based on the findings of fact and subject to the conditions of the staff and Planning Commission particularly that the inspections for public safety be very thorough. Councilman Hilton seconded the motion. Council members Cragun, Hilton, Stokes, and Tafoya voted "aye." The motion carried.

12. CONSIDERATION OF A REQUEST TO EXTEND THE PRELIMINARY SUBDIVISION APPROVAL FOR THE STONE EDGE COMMERCIAL CONDOMINIUM SUBDIVISION LOCATED AT APPROXIMATELY 4655 SOUTH 1900 WEST

Mayor Ritchie stated that Stone Edge Commercial was an existing development. It had been purchased by a developer who wanted to move forward with its completion. He was asking that preliminary approval of the condominium subdivision plan be extended for one year retroactive to October 2009.

Councilman Stokes asked about an improvement guarantee. Tony Reynolds, Community and Economic Development Director, stated that most of the improvements were in. Only a few were left. He felt they would be done before final approval. The City would have the developer post an improvement guarantee for any outstanding items.

Councilman Stokes asked what form improvement guarantees could take. Mr. Reynolds said the City's ordinances allowed a third party escrow, a letter of credit from a financial institution, or a surety bond that the City could call. Councilman Stokes didn't feel letters of credit were valuable given the economy. He felt the Council should discuss improvement guarantees in a work session. Due to the economy, the City might want to become the third party escrow.

Councilman Stokes moved to extend the preliminary approval for the Stone Edge Commercial Condominium Subdivision located at approximately 4655 South 1900 West retroactive to October 21, 2009. Councilman Cragun seconded the motion. Council members Cragun, Hilton, Stokes, and Tafoya voted "aye." The motion carried.

13. CITY MANAGER'S REPORT

Chris Davis stated that a work session would be held on June 29th at 5:30 p.m. in the Hope Community Center. The agenda would contain discussion regarding community and economic development issues and vehicle usage. Councilman Cragun asked that the agenda include discussion about an ordinance amendment regarding beehives. Mr. Reynolds didn't feel there would be enough time. Councilman Stokes asked that the Council take five minutes to decide whether to do something or not. He would make the preparations for the meeting.

Chris Davis stated that the Boys & Girls Club wanted to recognize Roy City's contribution by including the City's name or logo on a wall in their facilities. All of their major donors were listed on the wall. Did the Council have a preference? The Council agreed on just its name.

Chris Davis stated that the final preparations for Roy Days were being made. There would be a bigger carnival. The Elks Lodge was handling the parade. He asked if the Council wanted to use the golf carts from Ray Citte Motors again. The Council said it did.

Mayor Ritchie recognized Eric Drago from Scout Troop 365.

14. MAYOR AND COUNCIL REPORTS

Councilman Cragun asked for information on delinquent water bills and property taxes. Chris Davis said there weren't a lot of water bills in arrears because of the periodic shutoff's. He felt it would be nominal, but he would get that information from the Water Department. The information regarding delinquent taxes would have to come from Weber County.

Councilman Cragun wondered if the City should move to monthly billing. Councilman Stokes asked what his reasons were. Councilman Cragun said monthly billing meant money coming into the City earlier. People would not get so far behind if they received a monthly bill. Chris Davis said that commercial accounts were billed monthly. He wasn't sure if the City had gone completely to a touch/read system. He would get the cost for monthly billing from the Water Department.

Councilman Stokes asked about the community garden. Tony Reynolds stated that he had spoken with Alan Hall that day. Chris Davis said every location they had looked at would require a conditional use.

15. ADJOURN

Councilman Cragun moved to adjourn at 7:10 p.m.

16. SUMMARY OF ACTIONS CHARGED

1. Jared Hall and Sherry May to meet with Jackie Winger and Joseph Clarey.
2. Tony Reynolds to meet with Kathy Storlie.
3. Chris Davis to get information regarding delinquent water bills and property taxes.
4. Chris Davis to get information about the cost of sending monthly water bills versus bi-monthly.

Joe H. Ritchie
Mayor

Attest:

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Michelle Drago
Secretary

dc:cjun1510