

MINUTES OF THE JULY 7, 2009 ROY CITY COUNCIL MEETING

1. Approval of Minutes of June 16, 2009
2. Public comments
3. Approval of Resolution No. 955 establishing City Council Meeting schedule
4. Approval of combined precincts and polling places for the 2009 municipal elections
5. Resolution No. 956 approving amendments to the Roy City Personnel Policy
6. Approval of Chevron Pipe Line Reimbursement Agreement
7. City Manager's report
8. Mayor and Council reports

Minutes of the Roy City Council Meeting held July 7, 2009, 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
Councilmember Marge Becraft
Councilmember Willard Cragun
Councilmember Larry Peterson
Councilmember Michael Stokes
Councilmember Dave Tafoya

City Manager Chris Davis
City Attorney Andy Blackburn

Also present were: Stacey MacArthur, Ethan MacArthur, Brayden Searle, Landon Cragun, Amy Tafoya, Rachel Trotter, Schuyler Taylor, Greyson Flint, Tyler Skidmore, Brody Seibold, Chad Probasco and Brad Chapple.

Moment of Silence and Pledge of Allegiance: Councilmember Peterson

At 6:00 p.m. Mayor Ritchie called the meeting to order and welcomed those in attendance.

1. APPROVAL OF MINUTES OF JUNE 16, 2009

Councilmember Tafoya moved to approve the City Council Minutes of June 16, 2009 as written, Councilmember Cragun seconded the motion; Councilmembers Becraft, Cragun, Peterson and Tafoya voted "aye," motion carried.

2. PUBLIC COMMENTS

Mayor Ritchie called for public comments, but there were none offered.

3. APPROVAL OF RESOLUTION NO. 955 ESTABLISHING CITY COUNCIL MEETING SCHEDULE

Mayor Ritchie asked if anyone had any concerns with the proposed meeting schedule. Councilmember Peterson corrected the first paragraph, third line, to read "commencing July 1, 2009" (rather than July 1, 2008). **Councilmember Peterson moved to approve Resolution No 955 establishing the City Council Meeting schedule for the next fiscal year as corrected, Councilmember Becraft seconded. In a roll-call vote Councilmembers Peterson, Becraft, Cragun and Tafoya voted "aye," motion carried.**

(Councilmember Stokes arrived at the meeting at this point)

4. APPROVAL OF COMBINED PRECINCTS AND POLLING PLACES FOR THE 2009 MUNICIPAL ELECTIONS

City Manager Chris Davis presented this item for the Council's consideration. He said that Roy City will be using paper ballots this year because the electronic ballots would be more than twice as expensive to use. Paper ballots will require having some counting judges. This year voters have to present I.D. to vote; if they don't have it, they can vote a provisional ballot, so there potentially will be more provisional ballots. There will be some extra judges at a large precinct at Midland Elementary. The polling places are the same as those used in the 2007 election. Mayor Ritchie asked if anyone had any concerns with the combined precincts and polling places. No one expressed any. **Councilmember Tafoya moved to approve the combined precincts and polling places for the 2009 election (copy filed for record), Councilmember Becraft seconded the motion. Councilmembers Becraft, Tafoya, Cragun, Stokes and Peterson voted "aye," motion carried.**

5. RESOLUTION NO. 956 APPROVING AMENDMENTS TO THE ROY CITY PERSONNEL POLICY

City Manager Chris Davis presented Resolution No. 956 amending the Roy City Personnel Policy relating to the classification of department deputy chiefs. Mr. Davis said there had been a discussion in a work session about the status of deputy chiefs and making them nonmerit and at will employees subject to termination by the department head. Resolution No. 956 would implement that aspect. The City Attorney and Camille Johson from Snow Christensen and Martineau had reviewed the language. Mr. Davis said this resolution would facilitate some of the things that were passed in the budget which was just adopted. This action needed to be taken to be able to put a position into place. Depending on the vote of the Council, a position would be offered the next morning.

Councilman Tafoya asked how this would affect the current deputy chiefs. Mr. Davis responded that it would give them an option to opt into that if they wanted to, but they would not be forced to. If the two deputy chiefs in the fire department want to stay in their current status, they would stay that way. The Captain who is basically the deputy chief in the police department would have the same kind of status as he does today. Councilman Cragun asked if that was in Resolution No. 956. Mr. Davis said it was not, but he and the City Attorney had talked about it and you cannot change someone's merit status to nonmerit without their concurrence; and that has been explained by both the fire chief and police chief to their employees.

Councilman Stokes asked if full-time employees were nonmerit or at will. Mr. Davis responded that full-time employees were merit and subject to procedural due process.

Councilmember Cragun moved to approve Resolution No. 956 amending the Roy City Personnel Policy relating to the classification of department deputy chiefs, Councilmember Becraft seconded the motion. In a roll-call vote Councilmembers Tafoya, Stokes, Cragun, Becraft and Peterson voted “aye,” motion carried.

6. APPROVAL OF CHEVRON PIPELINE REIMBURSEMENT AGREEMENT

City Attorney Andy Blackburn explained the Reimbursement Agreement. He said that UDOT is extending Hinckley Drive which requires that Chevron move their pipeline back. Chevron Pipeline is requesting that Roy City move its utilities which Roy City has agreed to do, as long as they pay for all costs of having it moved. Roy City is going to hire a contractor who will do all the moving, although Roy City is going to do the surveying, inspecting and the engineering to make sure that is taken care of. Roy City will get reimbursed for our expenses plus 10 percent for administrative costs. There are indemnity provisions. Mr. Blackburn said that everything looked good to him and he recommended approval of this agreement.

Councilmember Becraft asked if the people in Halvern whose back yards were adjacent to this project had been notified. Mayor Ritchie stated that the Chevron people had said that they would do that. Mr. Davis said he thought that we need to have this in place to know that we are moving ahead. No contractor has yet been assigned to do this. Councilmember Cragun said there were several people at the Planning Commission Meeting who live in that area who had questions and the people from Chevron went over that with them, so they were aware that they were going to fill it with the slurry and what was going to go on.

Councilmember Cragun stated that his concern had been addressed, that Roy City contract that out, rather than take it on ourselves.

Mayor Ritchie expressed appreciation to the City Attorney for the work that he had done on this.

Councilmember Becraft made a motion to approve the Reimbursement Agreement with Chevron Pipe Line, Councilmember Peterson seconded the motion. Councilmembers Becraft, Cragun, Peterson, Stokes and Tafoya voted “aye,” motion carried.

7. CITY MANAGER'S REPORT

Chris Davis said that they could use the Council's help for the summer party at the Aquatic Center on July 16; if they would like to help, they would like them to be there as close to 5:00 p.m. as possible to help cook. He said the City was cutting back this year in a couple of areas and the employees wouldn't be receiving gift cards as they had in the past.

Mr. Davis said there was an Audit Committee Meeting scheduled for August 4, 2009, at 5:30 p.m. prior to the City Council Meeting to meet the new auditors and express any specific concerns anyone might want them to look at. Mr. Davis invited the Council members to attend if they would like to, but if there were more than two, they should let Laurel know so that we can post it as a public meeting. Councilmember Peterson said he would be out of town that day. Mr. Davis asked him to let the Mayor know if he had any concerns.

Mr. Davis reported that we are ahead of schedule on the construction of the Hope Community Center. There haven't been any issues of cost overruns. The rain didn't slow them down particularly and the project is moving along well.

8. MAYOR AND COUNCIL REPORTS

Councilmember Cragun said he was glad that they had turned on the traffic light at 2200 West 5600 South. Mayor Ritchie said that had just been done that day. He said he had comments both pro and con, but the pro far outweighed the con.

Councilmember Stokes said his home phone number was no longer in service. He requested that his home number be taken off the newsletter and another contact number be put on.

Councilmember Becraft moved to adjourn at 6:20 p.m.

(The meeting was adjourned; and, after a break, the Council conducted interviews with the Miss Roy contestants)

Joe H. Ritchie
Mayor

Attest:

Laurel S. Dalton
Assistant Recorder