



ROY CITY
Roy City Council Meeting Minutes
July 17, 2018 – 5:30 p.m.
Roy City Council Chambers
5051 South 1900 West

Minutes of the Roy City Council Meeting held in the City Council Chambers of the Roy City Municipal Building on July 17, 2018, at 5:30 p.m.

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:

Councilmember Burrell
Councilmember Paul
Councilmember Saxton
Councilmember Tafoya (Mayor Pro-Tem)
Councilmember Yeoman
City Attorney, Andy Blackburn

Also present were: Management Services Director, Matt Andrews; Deputy Police Chief, Aaron Perry; Fire Chief, Jeff Comeau; Parks and Recreation Director, Travis Flint; Public Works Director, Ross Oliver; City Planner, Steve Parkinson; City Recorder, Morgan Langholf; Glenda Moore; Beth Holbrook; Brooke Burdash; Angela Hunter P.; Kathie Darby; Jason & Stephanie Sphar; Deborah Harms; Matt & April Draper; Kari Brandz

Welcome & Roll Call

Mayor Pro-Tem Dave Tafoya welcomed those in attendance. Councilmembers Yeoman and Paul arrived late. Mayor Dandoy and City Manager, Jason Poulsen, were both excused from the meeting. City Attorney, Andy Blackburn, was the Acting City Manager in Mr. Poulsen's absence.

Moment of Silence

Councilmember Burrell invited the audience to observe a moment of silence.

A. Pledge of Allegiance

Councilmember Burrell led the audience in reciting the Pledge of Allegiance.

B. Consent Items

(These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.)

1. Approval of the June 19, 2018 City Council Minutes

Councilmember Burrell motioned to approve the June 19, 2018, City Council Minutes. Councilmember Saxton seconded the motion. All Councilmembers voted "aye". The motion carried.

C. Action Items

1. Consideration of Resolution 18-20 Approving temporary suspension of the curbside recycling program within the City of Roy.

Beth Holbrook from Waste Management gave a small presentation. She explained that one of the

challenges of the recycling program had been increasing education awareness for residents. Her goal was to get citizens and elected officials to implement the most thorough and effective process, because recycling was still a viable proposition. She stated that anytime a manufacturer wanted to produce something, they took a raw material and used energy to create a finished product. Materials recycled in Utah included plastics 1 through 7, old corrugated cardboard (OCC), mixed paper, aluminum, and steel containers; these were the only acceptable recyclable materials that could go in a curbside residential recycling program. Ms. Holbrook mentioned that this presentation was sent to Mr. Andrews; however, technical difficulties during meeting caused it to not be displayed on projector screen. Staff would subsequently send a copy to Councilmembers.

Ms. Holbrook discussed what could be done to balance the cost increases that were being anticipated as a result of changes in the recycling commodities market. Recycling commodities were just like any other product in the fact that they fluctuated in value. Waste Management's standard recycling business model was supply and demand, and they currently had a high supply because they were making up for China's decision to implement a moratorium of 30 days of all recyclables going into the country, beginning in May 2018. China currently had between 50-60% of the recyclables market and had since reopened their market in June. However, they were no longer allowing contamination at the levels that they used to allow.

Ms. Holbrook presented a chart depicting the evolution of recycling and explained that it was a single stream program. She said Waste Management wanted residents to understand that there was no such thing as "wish-cycling" (i.e., an attitude of 'I wish this was recyclable, so I'm going to put it in my recycling bin.') She explained that this actually increased processing costs even more because these products had to be taken out and placed in a landfill, as opposed to just processing a valuable material.

As of early 2017, China market was now enforcing a .5% contamination rate. There was some speculation that with the United States not joining in with the Trans-Pacific Partnership, the Chinese government wanted to force the states into a tiered structure. Therefore, in July 2017, they enforced what was commonly known as the "China Sword" which restricted all products that were in any way contaminated. Waste Management tried to keep all city contracts whole because it was challenging to have prices fluctuate at such a high level. At present, there was a complete ban on mixed paper thereby increasing Management's operating costs. As a result of China's actions, Waste Management had to hire twice as many employees to pick out contaminated materials and process the same amount of products, and this was what resulted in the doubled increase in processing costs.

Ms. Holbrook continued reviewing global market changes, impacts on recycling and other external factors. She mentioned several articles that discussed the philosophy that recycling was a commodity and its value was based upon end user purchasing. She presented an overview of the commodity structure and a chart depicting comparisons between the markets in the United States and China. The United States was currently looking at other markets for purchasing recyclable materials including India, Southeast Asia, etc. However, any business ventures would take a couple of years to gain momentum.

Ms. Holbrook presented an image of a single stream composition, which meant residential curbside. The State of Utah did not accept glass via curbside programs. However, Salt Lake City did a separate glass recycling program that used a different container. She reviewed materials recycled in Utah and their value in the market, and noted that OCC had the highest value.

Another challenge to the trade agreements was the issue of tariffs. A chart depicting price swings from 2016, 2017 and 2018, indicated that the cost fluctuations had been significant.

Mayor Pro-Tem Tafoya explained that the City was currently considering getting rid of its recycling program. He had the impression from the last Council discussion that they had some time to make this

decision, and he inquired as to how much time they had. Ms. Holbrook suggested the City take four to six months on this item. Within that timeframe, Waste Management could work with staff in setting up a schedule of work sessions so that an in-depth analysis could take place. Rates would stay the same as currently listed during that time.

Councilmember Burrell said she would like a copy of the information Ms. Holbrook presented so she could study it in the interim. Ms. Holbrook said she would send Councilmember Burrell the information requested. Mayor Pro-Tem Tafoya advised her to work with staff in setting up a schedule of work sessions.

Councilmember Burrell motioned to table this resolution until they have more information. Councilmember Yeoman seconded the motion. All Councilmembers voted “Aye”. The motion carried.

2. Consideration of Resolution 18-15 approving Ambulance Transportation Rates and Charges

Fire Chief, Jeff Comeau, explained that every year the State Department of Health adjusted ambulance transportation rates. He presented the list of rates and charges and noted the following increases:

	Current Rate	Order Rate	Increase
Advanced Ambulance	\$984.00	\$1018.00	\$34.00
Paramedic	\$1,440.00	\$1,490.00	\$50.00

Councilmember Yeoman motioned to approve Resolution 18-15 approving Ambulance Transportation Rates and Charges. Councilmember Saxton seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.

3. Consideration of Resolution No. 18-16, approving an agreement for the Countywide Mutual Aid Fire Protection

Chief Comeau explained that the old agreement for these services had expired after five years. He noted that none of the agreement terms had changed.

Councilmember Burrell motioned to approve Resolution No. 18-16 approving an agreement for the Countywide Mutual Aid Fire Protection. Councilmember Saxton seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.

4. Consideration of Resolution No. 18-17, approving and ratifying the amended and restated agreement creating the Utah Local Governments Trust.

City Attorney, Andy Blackburn, advised the Council on the appropriate motion to make on this item. He explained that the contract needed to be signed by July 1st; however, it now needed to be ratified by the City Council.

Councilmember Yeoman motioned to approve Resolution No. 18-17 approving and ratifying the amended and restated agreement creating the Utah Local Governments Trust. Councilmember Burrell seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.

5. Consideration of Resolution No. 18-18, approving and authorizing the execution of an interlocal agreement between Roy City and Weber School District for law enforcement services.

Mr. Blackburn stated that this contract had been redone several times. He and Reed Richards met with the school district and made the most recent modifications, and it was now being sent out to all the local agencies for approval. He noted that the agreement included both junior highs and the high school.

Councilmember Yeoman motioned to approve Resolution No. 18-18 approving and authorizing the execution of an interlocal agreement between Roy City and Weber School District for law enforcement services. Councilmember Burrell seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.

6. **6:00 P.M. PUBLIC HEARING** Consideration of Resolution 18-19 Approving Adjustments to the Fiscal Year 2019 Budget.

a. Consideration of Resolution 18-19 Approving Adjustments to the Fiscal Year 2019 Budget.

Councilmember Yeoman motioned to go into Public Hearing regarding the adjustments to the Fiscal Year 2019 Budget. Councilmember Saxton seconded the motion. All Councilmembers voted “Aye”. The Motion Carried.

Management Services Director, Matt Andrews, explained that the following items had been requested for adjustment in the FY 2019 budget.

General Fund

- Revenues:
 - Increase revenue due to transfer from the Capital Projects Fund \$337,000; transfer City portion of funding for Ice Rink due to the delay in project.
 - Increase the budgeted use of fund balance reserves by \$21,000 for all expenditures listed below that were not funded by the additional revenue items.
- Expenditures:
 - Provide funds for the Building Maintenance Department to purchase an air conditioning unit for Municipal Building, \$150,000.
 - Re-budget remaining funds for D&RG bathroom and parking lot from FY18, \$208,000.
- Payment:
 - Transfer funds in the amount of \$187,000 from the General Fund to the Water & Sewer Utility Fund for the advance made by the Water Utility Enterprise Fund to the Redevelopment Agency of Roy Utah

Capital Projects Fund

- Revenues:
 - Increase the contribution from fund balance reserves by \$1,261,989. At the end of fiscal year 2018, the residual balance was greater than estimated when the budget was originally prepared.
 - Increase the contribution from fund balance reserves by \$337,000; transfer Roy City portion of funds for Ice Rink to General Fund.
- Expenditures:
 - Adjust budget to expend FY18 residual funds for George Wahlen North Park.
 - Transfer funds from the Capital Projects Fund to the General Fund, \$337,000.

Water and Sewer Utility Enterprise Fund

- Revenues:

- Increase the budgeted use of fund balance reserves by \$187,000 for expenditure listed below. The Increase of cash flow would result from repayment of advance from General Fund.
- Expenses:
 - Provide increased funds for water meters, \$187,000.

Risk Management Fund

- Revenues:
 - Increase the budgeted use of fund balance reserves by \$138,935 for expenditures listed below that were not funded by the additional revenue items.
- Expenses:
 - Provide funds for URMMA (Utah Risk Management Mutual Association) early payout of claims repayment and penalty, \$138,935.

The impact to the General Fund, overall, was an increase to revenues and expenditures of \$358,000. Revenue from a transfer of funds from the Capital Projects Fund and a draw from fund balance were necessary to balance the expenditures. For the Capital Projects Fund, expenses increased by \$1,598,989. A draw from fund balance was necessary to re-budget a project and transfer funds. In the Water and Sewer Utility Enterprise Fund, expenses increased by \$187,000. The increase of cash flow would result from repayment of advance from General Fund. For the Risk Management Fund, expenses increased by \$138,935. A draw from fund balance was necessary to balance the increased expenditures.

No members from the general public came forward to comment on this item.

Councilmember Yeoman motioned to go out of Public Hearing regarding the adjustments to the Fiscal Year 2018 Budget. Councilmember Saxton seconded the motion. All Councilmembers voted “Aye”. The motion carried.

Councilmember Saxton asked how much an early payout to URMMA would save the City in the long run. Mr. Andrews stated that it would save them approximately \$15,000 per year. In addition, they would no longer be liable for attorney fees as well as several other fees that were subjective in nature depending upon the City’s usage of those services.

Councilmember Burrell motioned to approve adjustments to the Fiscal Year 2019 Budget. Councilmember Yeoman seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.

7. Consideration of Ordinance 18-15 Amending Title 10 of the Roy City Municipal Code by adding Section 10-10-43 Swimming Pool, Private

City Planner, Steve Parkinson, explained the changes made from the last Council meeting. He noted that a copy of the ordinance was in the staff report and included language from 2004 as compared to the new language added in the proposed, amended version. In preparing the amended version, he researched ordinances in other cities including Clearfield, Ogden, Bountiful, Layton, Riverdale, South Ogden, Provo and Weber County.

Councilmember Yeoman asked about pools’ average measurements. In response, Mr. Parkinson displayed images of several examples, which lead to Council deliberations on the appropriate measurements to specify within the ordinance. Consensus regarding the appropriate pool size was a height of no more than 30 inches, or alternatively, a pool that could hold no more than 2,500 gallons of water.

Councilmember Saxton asked how much it cost to obtain a pool permit in the City. Mr. Parkinson said he did not know the exact answer; typically, the cost was determined by how many inspections were needed to ensure safety and compliance.

Councilmember Burrell made a motion to approve Ordinance 18-15 with the requested changes made. Councilmember Yeoman seconded the motion. A roll call vote was taken. Councilmember Paul voted “Nay” and the remaining Councilmembers all voted “Aye”. The motion carried.

8. Reappointment of Planning Commissioners Jason Sphar and Ryan Cowley

Councilmember Paul made a motion to reappoint Planning Commissioners Jason Sphar and Ryan Cowley. Councilmember Burrell seconded the motion. All Councilmembers voted “Aye”. The motion carried.

D. Public Comment

Mayor Pro-Tem Tafoya opened the floor for public comments.

Glenda Moore, 2088 West 3825 South, explained that the City’s business directory did not include information for home-based and mobile-based businesses, many of which were full-time operations. She stated that if a company had a Roy City business license, they should be included in the business directory. The Council concurred and indicated they would see that this was corrected.

Ms. Moore also inquired on the status of Roy City enacting a policy for using culinary water for lawn care to match the rules regarding secondary water usage. Mayor Pro-Tem Tafoya said ultimately the City could not restrict culinary use because it was used for other uses besides lawn care. Councilmember Paul wondered if it could be restricted when used for lawn care. He noted that Mr. Poulsen was going to visit with the Public Works Director, Ross Oliver, but he was not sure whether or not that discussion took place. Ms. Moore said it would be easier for citizens if the rules for culinary water usage were consistent with those for secondary water usage, in terms of lawn care.

Ms. Moore asked about Roy City Days advertising. She remarked that while the newsletter was great, she would like to see the Roy Days website updated to be more contemporary and include all event details. She stated that she would also like to see some banners, too, because there were new people in the City, many of which did not read the newsletter. Mr. Blackburn mentioned an electronic Reagan sign to which the City had free access for a week during the summer. He said he visited with Parks and Recreation Director, Travis Flint, on the matter. Councilmember Yeoman mentioned other banners and billboards used throughout the City for advertising Roy Days.

Angela Hunter, 2621 West 4050 South, explained that one of her loved ones recently passed away in West Haven, and it was comforting to her that the first responders on the scene were from the Roy City Fire Department. She stated that she knew several of the firemen personally because they had coached her children in sports. She expressed gratitude to City staff for their professionalism in helping her family get through their time of crisis.

Kathie Darby, 4069 South 3600 West, West Haven, briefly remarked on the amenity of the Aquatic Center in Roy City. She said she went to the Roy dog park about three to four times per week, and sometimes there were 30-40 dogs there at the same time. She, along with several other dog park patrons, wished to request trees at the park. She recalled that there was a staff member working on this and she asked if she could get their contact information. Mayor Pro-Tem Tafoya stated that the staff contact would either be Mr. Flint or Mr. Oliver.

Councilmember Paul said in speaking with Mr. Poulsen, he learned the property was actually owned by the power company, and the power company allowed the City to use it as a dog park. The property was a detention basin. Mr. Poulsen had informed Councilmember Paul that the City was limited in what they could put in that space.

Carry Brandz, 5672 South 2775 West, noted that she had been a Roy citizen for 48 years. She then proceeded to describe an ongoing issue in her cul-de-sac with regards to some red curbing in front of a neighbor's home. She explained that the majority of her neighbors had 10-foot driveways, with the exception of one. One of the neighbors cut out an extra amount of driveway for a total of 23 feet, and they often complained about people parking on the road. She said this was a City-owned road and she had lived in her home on that street for her entire life. The neighbor had been there for over 20 years, they owned 76.2 feet of the curb, and nobody else was allowed to park there. She said she felt like she was often attacked and harassed by them. She wanted to know if the neighbor had a permit for their extra feet of driveway. It felt like an unfair situation in the neighborhood because there were 13 other residences on the street that each only had one gutter. Ms. Brandz stated that the issue was continuing to escalate. There was further deliberation on the matter and whether or not the neighbor in question had the right to paint their curb red. Mayor Pro-Tem Tafoya advised staff to go assess the situation.

Debra Harms, 2793 West 5600 South, made comments regarding the City's recycling program and whether or not it was effectively helping the environment.

There was some discussion regarding red curbing in the City, as it pertained to Ms. Brandz's remarks.

Mayor Pro-Tem Tafoya closed the floor for public comments.

E. Reports and Discussion

1. City Manager Report

Mr. Blackburn reported that the upcoming Art Show would run two weeks. He reminded Councilmembers that they would be serving as judges, and that they should report to the library at 4:00 pm on Saturday. He also announced that Roy Days was coming up and would take place from July 28th to August 4th. The time was then turned over to Councilmember Yeoman to review the Roy Days calendar of events.

2. Mayor and Council Report

Councilmember Saxton asked if Mayor Dandoy had provided any information on the reconfiguration of an intersection on 4000 South, near a Maverik gas station. It was noted that the Council received an email stating possible solutions, but nothing more was provided. Councilmember Paul asked about the reconfiguration of 4800 South and 2700 West, and he was informed that this project would take place next summer.

Councilmember Saxton also stated that last week the Planning Commission approved a new daycare/preschool called Kids' Town, on a vacant piece of property by America First. He said the business had a nice design and would look fantastic in the area. He stated that there were many new businesses coming to town, and mentioned that he would be attending a meeting in two weeks with a theater group. He invited another Councilmember to join him.

Mayor Pro-Tem Tafoya suggested the City start announcing new businesses on its website and Facebook page, in an effort to promote the City. The Council agreed this was a good idea.

Mayor Pro-Tem Tafoya chose not to go into a closed meeting and opened the discussion regarding the purchase of a building. Staff and elected officials discussed the property's value and cost of demolition. Councilmember Paul stated that the property in question would be a great asset for the City. Currently, the City was spending \$30,000 per year for the piece of railroad property, and if they turned that property back over to the railroad the money they had been spending could be used elsewhere.

Mayor Pro-Tem Tafoya said it was important to get an idea of what the City's cap price was for purchasing the property. He noted that the bid process would be closed, as was the case with all State bids. It was noted that there were several interested buyers. Councilmember Saxton asked where the funds to buy the property would come from, to which Mayor Pro-Tem Tafoya said it would come from the City's reserve fund balance.

Councilmember Paul again stated his position that this would be a great purchase for the City. There was further deliberation on the City's cap amount for submitting a bid. Mr. Oliver noted that the bid was due by the end of July.

Councilmember Paul moved that the Council direct staff to go up to \$100,000 on the City's bid for the property. Councilmember Burrell seconded the motion. All Councilmembers voted "Aye". The motion carried.

F. Adjournment

Councilmember Paul motioned to adjourn the City Council meeting at 6:52 p.m. Councilmember Burrell seconded the motion. All Councilmembers voted "Aye". The motion carried.

Robert Dandoy
Mayor

Attest:

Morgan Langholf
City Recorder

dc: 07-17-18