

NOTICE AND AGENDA

September 18, 2018

If you must speak badly of someone, don't speak it, but write it—in the sand, at the water's edge, near the waves. - Anonymous

Notice is hereby given that the Roosevelt City Council will hold its regular Council Meeting on Tuesday, September 18, 2018, at the Roosevelt Municipal Building, 255 South State Street, Roosevelt, Utah, which meeting shall begin promptly at 5:30 p.m.

The agenda will be as follows:

- 1. Call to Order Page
- 2. Roll Call
- 3. Opening Ceremony (*Prayer and Pledge of Allegiance*)
- 4. Minutes..... 1-3
- 5. Public Comment Period (*The comment period is limited to 15 minutes. Any person wishing to comment shall limit their comments to three (3) minutes. Any person wishing to comment during the comment period shall request recognition by the Mayor. Upon recognition, the citizen shall approach the front and state his/her name and address for the record. All comments shall be directed to the Mayor or entire Council. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate with the Mayor, City Council or City Staff; however, the Mayor, City Council or City Staff may respond within the 15-minute period. During this time, citizens may address the Council on any subject.*)
- 6. Public Hearings (as needed)
- 7. Appointments
  - A. Resolution 2018-289 A RESOLUTION AMENDING SECTIONS 3.4 AND 3.5 OF THE FINAL BOND RESOLUTION DATED AUGUST 7, 2018, TO REDUCE THE RESERVE ACCOUNT WITH RESPECT TO THE \$160,000 EXCISE TAX ROAD REVENUE BONDS, SERIES 2018, FOR ROAD IMPROVEMENTS, AND RELATED IMPROVEMENTS; AND RELATED MATTERS ..... 4-6
  - B. Johnson Water Agreement Review and Discussion
  - C. 800 South Curb, Gutter, and Sidewalk Project Award
- 8. Purchase Orders and Quarterly Financial Review
- 9. Reports from Standing Committees
- 10. Report from City Manager
- 11. Standing Agenda Items
  - A. Pending Discussion Items (*discussed previously, but final action not yet taken*)
    - 1. Chapter by chapter detail review of city code
- 12. Closed Session (as needed)
- 13. Adjourn

Further information can be obtained by contacting Carolyn Wilcken at (435) 722-5001 or (435) 725-7203. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during these hearings should notify Carolyn Wilcken at 255 South State Street, Roosevelt, Utah, 84066, at least three days prior to the hearing to be attended.

## MINUTES OF A REGULAR COUNCIL MEETING

August 21, 2018

The meeting was called to order at 5:30 p.m. by Mayor JR Bird.

A roll call was taken which showed council members Aaron Weight, Joe Burdick, Dustin White, David Labrum, and David Baird present. Mayor JR Bird stated that the meeting was a regularly called meeting and that notice of the time, place and agenda of the meeting had been provided to the local news media, to each member of the governing body, and was posted on the city web page and the state public meetings web page.

Others present included City Manager Ryan Snow, City Recorder Carolyn Wilcken, Public Information Officer LeeNichole Marret, Hal Huff, Tim Glenn, Michael Wedon, John Barrus, Bobby Richardson, and Susannah Garcia present.

Opening prayer was given by JR Bird.

### **MINUTES**

A motion was made by Councilman Dustin White to approve the minutes of the regular meeting of August 7, 2018, as presented. Motion was seconded by Councilman David Labrum. Those voting Aye were Aaron Weight, Joe Burdick, Dustin White, David Labrum, and David Baird. Motion was carried unanimously.

### **PUBLIC COMMENT PERIOD**

There were no comments.

### **TIM GLENN - RUNNING FOR STATE HOUSE DISTRICT 69 – INTRODUCTION**

Tim Glenn appeared before Council to introduce himself as a candidate for State House District 69. He lives in Green River, Utah.

### **REHABILITATE RUNWAY 7/25 DESIGN GRANT APPROVAL**

We are receiving funding to rehabilitate our airport runway and add a taxiway. The cost of this project is \$3.5 million and would be funded 90% from the Federal Aviation Administration, 5% from Utah State, and Roosevelt would fund 5% which amounts to \$235,000. After discussion, a motion was made by Councilman Aaron Weight to approve Roosevelt's portion of the funding. Motion was seconded by Councilman David Baird. Those voting Aye were Aaron Weight, Joe Burdick, Dustin White, David Labrum, and David Baird. Motion was carried unanimously.

### **MASTER SITE PLAN – THE S.A.P. SHACK**

The applicant did not appear again.

**RESOLUTION 2018-288 - ECONOMIC DEVELOPMENT COMMITTEE**

Mayor JR Bird explained this resolution would establish an economic development committee consisting of 15 members. Members would be appointed by the Mayor and represent local businesses, educational institutions, and utility and serve for three-year terms. A motion was made by Councilman David Baird to approve Resolution 2018-288, a resolution forming the Roosevelt City Economic Development Committee, as presented. Motion was seconded by Councilman David Labrum. Those voting Aye were Aaron Weight, Joe Burdick, Dustin White, David Labrum, and David Baird. Motion was carried unanimously.

**OUT-OF-CITY WATER CONNECTION REQUEST – SUSANNAH GARCIA**

Susannah Garcia has requested an out-of-city water connection request located at 1769 North 1500 East in Ballard. Because it is in Ballard, a letter will need to be obtained from Ballard stating there is no conflict getting Roosevelt City water services. After discussion, a motion was made by Councilman Aaron Weight to approve this request. Motion was seconded by Councilman Joe Burdick. Those voting Aye were Aaron Weight, Joe Burdick, Dustin White, David Labrum, and David Baird. Motion was carried unanimously.

**AWARD OF 800 SOUTH HMA CONTRACT**

This contract is to pave 800 South and the sidewalk on the north side of the road and will be done after the UDOT portion of the project is completed and will be the final part of the 800 South improvement project. The engineers bid was \$508,226.25. The low bid received was \$464,842 from Burdick Paving. After discussion, a motion was made by Councilman David Labrum to approve this to Burdick Paving in the amount of \$464,842. Motion was seconded by Councilman Aaron Weight. Those voting Aye were Aaron Weight, Joe Burdick, Dustin White, David Labrum, and David Baird. Motion was carried unanimously.

**PURCHASE ORDERS**

A motion was made by Councilman Joe Burdick to approve the following purchase orders. Motion seconded by Councilman David Labrum. Those voting Aye were Aaron Weight, Joe Burdick, Dustin White, David Labrum, and David Baird. Motion carried unanimously.

76060	Maverick Contractors	\$ 31,872.25
76062	Maverick Contractors	25,759.50
75955	Poppoff Concrete, Inc.	11,726.00
75938	Curtis Blue Line	15,238.20
76076	Lance Denver	40,000.00
76077	Staker & Parsons/dba Burdick	21,978.25
	PEHP	37,144.52
	Jones & DeMille Engineering	<u>44,270.71</u>
	<b>TOTAL</b>	<b><u>\$227,989.43</u></b>

**STANDING COMMITTEE REPORTS**

There were no reports.

**CITY MANAGER REPORT**

Ryan Snow reported we are making progress with our remote water management system.

**CLOSED SESSION**

A motion was made by Councilman Dustin White to go into a closed session to discuss property acquisition and then convene back into a regular city council meeting. Motion seconded by Councilman David Labrum. Those voting Aye were Aaron Weight, Joe Burdick, Dustin White, David Labrum, and David Baird. Motion was carried unanimously.

A motion was made by Councilman David Labrum to adjourn the meeting. Motion seconded by Councilman Aaron Weight. Those voting Aye were Aaron Weight, Joe Burdick, Dustin White, David Labrum, and David Baird. Motion carried unanimously.

Meeting adjourned at 7:25 p.m.

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Roddy I. Bird Jr., Mayor

ATTEST:

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Carolyn Wilcken, Recorder

**ROOSEVELT CITY, UTAH**  
**AMENDED FINAL BOND RESOLUTION**  
**EXCISE TAX ROAD REVENUE BONDS, SERIES 2018**  
**September 18, 2018**

**RESOLUTION NO. 2018-289**

A RESOLUTION AMENDING SECTIONS 3.4 AND 3.5 OF THE FINAL BOND RESOLUTION DATED AUGUST 7, 2018, TO REDUCE THE RESERVE ACCOUNT WITH RESPECT TO THE \$160,000 EXCISE TAX ROAD REVENUE BONDS, SERIES 2018, FOR ROAD IMPROVEMENTS, AND RELATED IMPROVEMENTS; AND RELATED MATTERS.

WHEREAS, on August 7, 2018, Roosevelt City, Duchesne County, Utah (the "Issuer"), adopted a final bond resolution to finance road improvements by issuing its \$160,000 Excise Tax Road Revenue Bonds, Series 2018 (the "Series 2018 Bonds") and the Issuer obtained a commitment for a grant in the amount of \$1,233,281; and

WHEREAS, the final resolution dated August 7, 2018 set up a Reserve Account providing for a reserve to be built up over six year to the maximum amount of \$18,725, which is the maximum annual debt payment on the Series 2018 Bonds; and

WHEREAS, pursuant to Treasury Regulation Section 1.148-2(b), the Reserve Account will eventually result in arbitrage if the Reserve Account retains more than \$16,000, which is 10% of the face amount of the Series 2018 Bonds; and

WHEREAS, the Issuer desires to amend Sections 3.4 and 3.5 of the final bond resolution dated August 7, 2018, to reduce the maximum amount of the Reserve Account to \$16,000:

NOW, THEREFORE, it is hereby resolved by the City Council of Roosevelt City, Duchesne County, Utah, as follows:

1. The Issuer hereby amends and restates Sections 3.4 and 3.5 of the final bond resolution dated August 7, 2018, to read as follows:

Section 3.4 Flow of Funds for the Series 2018 Bonds. From and after the earlier of the delivery date of the Series 2018 Bonds, and until all the Series 2018 Bonds have been fully paid, the Revenues shall be set aside into the Roosevelt City, Duchesne County, Utah Excise Tax Road Revenue Fund referred to herein as "Revenue Fund," established hereunder, to be held by the Depository Bank. The Issuer will thereafter make accounting allocations of the funds deposited in said Revenue Fund for the following purposes and in the following priority:

(a) As a first charge and lien on the Revenues, the Issuer shall allocate the following amounts to the Bond Account established herein such amounts as will assure, to the extent of the availability of Revenues, the prompt payment of

the principal, and interest, if any, on the Series 2018 Bonds as shall become due. The amount to be so set aside with respect to the Series 2018 Bonds shall, as nearly as may be practicable, be set aside and allocated to the Bond Account on or before the tenth day of each month commencing the month of issuance of the Series 2018 Bonds, an amount equal to approximately one-twelfth (1/12) (in the case of the first Sinking Fund Year, the fraction, the numerator of which one and the denominator of which is the number of months remaining until the first principal and interest payment date) of the principal and interest, if any, payment next due on the Bonds. Amounts allocated to the Sinking Fund shall be solely for the purpose of paying principal and interest on the Series 2018 Bonds and shall not be reallocated, transferred or paid out for any other purpose prior to payment of amounts due with respect to the Series 2018 Bonds

(b) Of the amounts allocated to the Revenue Fund after there shall have been allocated the amounts required to be allocated under (a) above, there shall be allocated monthly on or before the tenth day of each month, beginning the month of issuance of the Series 2018 Bonds, to the "Excise Tax Reserve Account" referred to herein as the "Reserve Account" established on the books of the Issuer the sum of \$222 plus such additional amount as may be required to meet any monthly installment to the Reserve Account not theretofore made in whole or in part, such allocations shall continue until there shall have been accumulated in the Reserve Account an amount equal to \$16,000. Amounts allocated to the Reserve Account shall be used to pay the principal and interest, if any, falling due on the Series 2018 Bonds at any time when there are not sufficient funds in the Bond Account to pay the same, but pending such use may be invested as hereafter provided. When the Reserve Account has been accumulated as in this paragraph provided, no further allocations to the Reserve Account need be made unless payments from the Reserve Account have reduced the same below the amounts required by this paragraph, in which event allocations shall be resumed until such deficiency has been remedied; and

(c) All remaining funds, if any, in the Revenue Fund after all of the payments required to be made under (a) and (b) above, may be used by the Issuer (a) to prepay or redeem the Series 2018 Bonds in whole or in part, or (b) to be applied to any other lawful purpose as determined by the Issuer.

(d) If at any time, the Revenues received by the Issuer shall be insufficient to make any payment to any of the above funds or accounts on the date or dates specified, the Issuer shall make good the amount of such deficiency by making additional payments out of the first available Revenues thereafter received by the Issuer.

Section 3.5 Investment of Funds Series 2018. Any funds allocated to the Bond Account and the Reserve Account may, at the discretion of the Issuer, be invested in accordance with the State Money Management Act. All income derived from the investment of the funds of the Bond Account shall be maintained in said funds and disbursed along with the other moneys on deposit therein as herein provided. All income

derived from the investment of the Bond Account and the Reserve Account shall at the end of each Sinking Fund Year be transferred by the Issuer to the Bond Account so long as the Reserve Account after said transfer shall have funds equaling \$16,000. Should the Reserve Account have less than \$16,000, then said income shall be maintained in the Reserve Account until total deposits in the Reserve Account equals \$16,000. There shall not be required to be in the Bond Account and the Reserve Account at any time more than the total amount required to pay the total principal outstanding of the Series 2018 Bonds. Whenever the money in the Bond Account and the Reserve Account equal the total principal amount of the Series 2018 Bonds outstanding, the money in said Accounts shall be used to prepay all of the Series 2018 Bonds.

2. All other provisions of the August 7, 2018 final bond resolution are hereby reaffirmed without amendment or modification.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_.

PASSED, ADOPTED AND APPROVED this 18<sup>th</sup> day of **September, 2018**, by majority vote of the following:

Aaron Weight  
Joe Burdick  
Dustin White  
David Labrum  
David Baird

SIGNED:

\_\_\_\_\_  
Roddy I. Bird Jr, Mayor

ATTEST:

\_\_\_\_\_  
Carolyn Wilcken, Recorder

( S E A L )