



# ROOSEVELT Utah

## ROOSEVELT CITY COUNCIL APPROVED MINUTES

May 16, 2023

1. Call to Order

Councilman David Baird called meeting to order at 5:31 p.m.

2. Roll Call

Councilmen Dustin White, Cody Aland, David Baird, and Rowdy Cloward were in attendance. Councilman Don Busenbark and Mayor JR Bird were not present.

3. Opening Ceremony *(prayer and pledge of allegiance)*

Councilman Aland motioned to nominate Councilman Baird as Mayor Pro Temp and was seconded by Councilman Cloward. The motion passed unanimously, and Councilman Baird presided over the City Council meeting.

4. Minutes

a. April 4, 2023,

b. April 18, 2023,

Seeing no corrections or additions, Councilman White motioned to approve the April 4, 2023, and April 18, 2023, minutes and was seconded by Councilman Cloward. The motion passed unanimously.

5. Public Comment Period

*if you would like to make a comment, but are unable to attend the meeting, please consider emailing your comment to [citycouncil@rooseveltcity.com](mailto:citycouncil@rooseveltcity.com)*

Matt Luce- addressed the Council regarding several issues: Mr. Luce told the Council that the room that the Arts, Parks, and Recreation Committee uses for their meetings was locked on more than one occasion, and it led to them not having their meetings. Mr. Luce also told the council about working with the Police Department recently regarding ordinances that cannot be enforced right, indicating that there was an issue with the transition from paper to electronic ordinances. Lastly, Mr. Luce expressed concern over the lack of sidewalk in front of Palmer's Tire and asked how long until there would be a sidewalk installed.

6. Committee Appointments

There were no committee appointments during this meeting.

7. Recognitions

a. 2023 Photo Contest Winners

City Manager, Joshua Bake presented the top 3 winners of the Roosevelt City Photo Contest, Taylor Raths, Kyle Niebergall, and Marinda Asay.

8. Terra Colunga Discussion Appointment

Terra Colunga addressed the Council with a prepared statement regarding the keeping and care of her chickens, and the reasons that she believed that she should be able to keep them. Ms. Colunga indicated that her property was clean, that her chickens were well cared for, and she provided free eggs to those who needed them. Ms. Colunga also stated that when she had moved into her home, she had called the City and an unknown staff had told her that she was allowed to have 30 chickens. Ms. Colunga addressed the rooster on her property and stated that the rooster was her partner's emotional support animal, and she didn't want to get rid of it.

*Ms. Colunga's verbatim statement can be reviewed by playing the audio or video of this meeting.*

Heather Bowen-Daniels made a statement in favor of allowing chickens and said she would like to keep chickens as well. Mrs. Bowen-Daniels cited self-sufficiency, and cost of eggs as reasons why residents should be allowed to keep chickens. Lastly Mrs. Bowen-Daniels stated that she felt that 3 residences are being singled out and that although she felt that 30 chickens may be excessive, she did not mind chickens as long as there was no smell.

Lorna Clegg also made a statement in favor of chickens saying that she lives in the middle of all these homes with chickens and thinks that it should be rezoned to allow chickens for everyone. Mrs. Clegg also stated that it was a low-income area, having chickens does help.

Councilman Baird responded to the comments and indicated that he had looked into the ordinances and was interested in updating them adding, "I am just one person, I suspect the council is open to this issue and looking into addressing it."

Planning and Zoning Division Manager, Drew Eschler briefly explained to the council that Ms. Colunga had been talked to about her chickens because of multiple specific complaints about her property and that the City does not go around patrolling for code violations.\

Councilman White made a statement clarifying City ordinances regarding roosters and said that the way the ordinance is written, no one is supposed to have a rooster. Councilman White added that he did not have an opinion one way or the other, but that the emotional support status of the rooster did not affect this situation and that those laws exist for landlord/ tenant situations.

Councilman Cloward stated that he would like to address this issue quickly as more and more people are getting chickens.

In closing, Ms. Colunga asked if she could be given some sort of allowance or extension to address the situation. Planning and Zoning Division Manager, Drew Eschler indicated that she could and requested that she contact him.

## 9. Public Hearings

- a. Fiscal Year 2023 Budget Reopen/ adjustments to general budget for animal shelter building improvements. Lieutenant Allan Tucker and Finance Director, Rhonda Goodrich requested that the Council approve reopening and adjusting the fiscal year 2023 budget to cover the cost of necessary improvements to the Animal Shelter heating and cooling system. Councilman White supported the request saying that the previous work hadn't held up. Lt. Tucker stated that both of the bids being considered were comparable for the work needed. Councilman Aland motioned to enter a public hearing to receive comments on the adjustment and was seconded by Councilman Cloward. The motion passed unanimously.

Seeing no comments from the public, the Council returned to their regular session. Councilman Cloward then motioned to accept the bid and approve the budget adjustment and was seconded by Councilman Aland. The motion passed unanimously, and the amended budget was approved.

- b. ~~Amendments to the Consolidated Fee Schedule Resolution (Recreation Department Fees)~~  
City Manager, Joshua Bake provided the staff recommendation to table this item and the Council agreed to table it for a future meeting.

## 10. Action Items

- a. Cove Recreation Area "Teddy's Playground" Approval  
Arts, Parks, and Recreation Committee Chair, Preston Kadleck gave a presentation to the Council regarding a proposed project, Teddy's Playground. The full presentation will be available with the approved minutes. Recreation Director, Aaron Brown spoke briefly in favor of the project and stated that he had been in communication with a High School Mountain Biking group about the potential of hosting races at the location. Councilman Baird said that he loved the idea but wants the recreation department to investigate how to preserve the land prior to hosting such a large event. Resident, Matt Luce also commented on the project stating that he would like shorter trails to accommodate children, a permanent restroom (also for children and parents), a bike repair stand, and he would also like the department to consider grooming the trails for winter use. Councilman Cloward motioned to approve moving forward with the project and was seconded by Councilman White. The motion passed unanimously.
- b. UORG 2023 Grant Acceptance (Nature Park)  
City Manager, Joshua Bake informed the Council that Roosevelt City had been awarded another round of funding from UORG. Mr. Bake explained that this was the third funding package that UORG had awarded for the Nature Park project and requested that the Council approve the signing of the grant agreement as soon as it arrived. Councilman White motioned to approve the signing of the contract and was seconded by Councilman Aland. The motion passed unanimously.
- c. Cottonwood Creek Grant Approval (Phase I)  
City Manager, Joshua Bake requested that the Council approve the Cottonwood Creek Phase I grant. Councilman Cloward motioned to approve and was seconded by Councilman Aland. The motion passed unanimously.

d. Moonlake Easement Approval

City Manager, Joshua Bake presented an Easement agreement between Moon Lake Electric and Roosevelt City for the purpose of getting power to the new flagpole above the drive in theatre. Councilman Aland stated that he had a conflict of interest as a Moon Lake Electric employee. Councilman White motioned to approve the agreement and was seconded by Councilman Cloward. The motion passed unanimously.

e. Cherry Peak Resort Contract Approval (July 4<sup>th</sup> Fireworks)

City Manager, Joshua Bake updated the Council on the planned July 4<sup>th</sup> entertainment and fireworks. Cherry Peak Resort LLC. Will be providing fireworks as well as sound equipment and a performance by Mark Mackay and a headliner. The total cost is \$21,000 and they expect a 50% deposit. Mr. Bake explained that the document presented was not technically a contract, and that he was just providing updated information on an already approved purchase order.

f. ~~Field Use Agreement~~

This item was tabled for a future meeting.

g. Public Infrastructure Policy (PID)

Marcus Keller with Cruise and Assoc. gave the Council a presentation on Public Infrastructure Policies. Mr. Keller did not request a motion from the Council and said that his purpose for the presentation was to get a feel for if the Council was interested in exploring a PID an option for a development agreement.

h. Radio Purchase Approval

Lieutenant Allan Tucker requested that the Council approve the purchase of new 800 MHz radios for the Police Department. Lt. Tucker explained that for the last 10 years Utah Public Safety has wanted us to move over to 800 MHz radios. Because of the requirement by the state, and discounts available, the City will only be paying a small percent of the cost to get new radios. We are coming before council since the expenditure is over \$10,000. Lt. Tucker added that the Police Department also has the opportunity to get portable radios on the same deal and that alcohol money can be used for both expenditures. Finance Director, Rhonda Goodrich explained to the Council that what they would need to authorize would be the expenditure of anticipated funds from the next fiscal year's budget. Councilman White motioned to approve the expenditure and was seconded by Councilman Cloward. The motion passed unanimously.

i. Fiscal Year 2024 Tentative Budget Approval

Finance Director, Rhonda Goodrich presented a breakdown of the tentative fiscal year 2024 budget. This included a breakdown of the general fund, water and, capital projects. Mrs. Goodrich requested that they schedule a work session on June 6, 2023 to work on a final version of the budget. Councilman White motioned to approve the tentative budget and was seconded by Councilman Aland. The motion passed unanimously.

j. ~~Council Assignment~~

This item was tabled for a future meeting.

## 11. Discussion Items

### a. PIO Policy Update

Deputy Recorder / PIO, Sunshine Bellon talked to the Council about the Dissemination of Public Information Policy, specifically the “moratorium on public dialogue”. Ms. Bellon asked for feedback on the necessity of this section and indicated that she felt it could potentially get in the way of productive use of social media. Councilman Baird said that she should bring this question back before the Council when the Mayor was present and requested that she bring examples of how responding to comments could be guided or regulated rather than prohibited.

## 12. Purchase Orders & Financial Review

## 13. City Manager Report

City manager, Joshua Bake took a moment to recognize Danny Madsen for the roll he has played in helping to construct the Nature Park trail system. Mr. Bake also informed the council that Assistant City Manager, Ryan Clayburn, was now in charge of Special Projects and Capital Projects within the City. Mr. Bake explained that Mr. Clayburn has already been instrumental in the Nature Park and other projects for the City and has assisted in acquiring approximately 20-million dollars in funding for the City over the last two years.

## 14. Committee Reports

Councilman Cloward acknowledged the Golf Course Committee for securing the funds and getting together to paint the restroom at the golf course saying, “it’s nice to see committees out there doing service work.”

## 15. Items for Future Discussion

BP contract is being worked on and there should be a recommendation for the next council meeting.

## 16. Closed Session as for the purposes listed in Utah Code 52-4-205(1)(d)

Councilman Aland motioned to enter a closed session and was seconded by Councilman Cloward. The vote was unanimous as follows:

White- aye.

Baird- aye.

Aland- aye.

Councilman White motioned to return to regular session and was seconded by Councilman Cloward. The motion passed unanimously, and the Council returned to regular session.

## 17. Adjourn

At 7:45 p.m. Councilman White motioned to adjourn and was seconded by Councilman Aland. The motion passed unanimously, and Council was adjourned.