

MINUTES OF THE AUGUST 20, 2002, ROY CITY COUNCIL MEETING

1. Glen Combe - Presentation of new Council Room audio and visual equipment
2. Special service recognition presentation to the Police Department by the Governor of Boys State, Aaron Johns
3. Approval of August 6, 2002, minutes
4. Consent Agenda:
 - a. Final approval of Olympia Park Subdivision No. 2 located at approximately 4125 West 5900 South
 - b. Final approval of Southfork Meadows Subdivision No. 4 located at approximately 3850 West 6000 South
 - c. Final approval of Day Spring Subdivision located at approximately 3200 West 6000 South
 - d. Preliminary and final approval of Daugherty Estates Subdivision located at approximately 2325 West 6000 South
5. Public hearing to consider an amendment to the Larry Daley Subdivision located at approximately 4182 West 6000 South
 - a. Consideration of Ordinance No. 900 vacating 10-foot drainage easements on Lot Nos. 2,7 and 8 of Larry Daley Subdivision
6. Request for approval of a Class "A" beer license for Huntington Sinclair at 5608 South 1900 West
7. Request for approval of a Class "C" beer license for Rowdy's at 5301 South 1900 West
8. Consideration of a petition from UDOT and Merlin G. Calver to rezone approximately 0.29 acres of property located at approximately 5635 South 2700 West from an RE-20 Zone to an R-3 Zone
 - a. Consideration of Ordinance No. 898 approving a rezone of property located at approximately 5635 South 2700 West, Roy, Utah from an RE-20 designation to an R-3 designation
9. Consideration of a conditional use permit for Crockett & Koehler for a multi-family development located at approximately 5095 South 1750 West (Airport Road)
10. Discussion on Aquatic Center
11. Discussion regarding provision of sewer wheeling for Hooper subdivisions

12. Discussion on Justice Court Judge position
13. City Manager's report
14. Mayor and Council Reports
15. Adjourn to Redevelopment Agency

Minutes of the Roy City Council Meeting held August 20, 2002, 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 were in attendance:

Mayor Roger Burnett
Councilwoman Marge Becraft
Councilman Tommy Smith
Councilman Dave Tafoya
Councilman John Cordova
Councilman Dan Tanner

City Manager Chris Davis
City Attorney Andrew Blackburn
Secretary Char Wolverton

Also present were: Chris Zimmerman, Development Services Director; Mark Larson, Planner; Cathy Spencer, Management Services Director; Greg Whinham, Police Chief; Lorna Hammons; Tim Westman; Michael Rowley; Scott Pippin; Julie Arthur; Brittni Strickland; Terry Strickland; Tillman Richardson; Lila Hurst; Joby Field; Judy Daugherty; Ryan Daugherty; Alvaro Aguayo.

Prayer: Councilman Tanner

Pledge of Allegiance: Councilman Tanner

1. GLEN COMBE - PRESENTATION OF NEW COUNCIL ROOM AUDIO AND VISUAL EQUIPMENT

Glen Combe demonstrated the new council room audio and visual equipment which allows connection to a lap-top computer, DVD player, video cassette player, cable television and the Internet. He also demonstrated how one could show a document or other item to the entire council room from the front pulpit via a document camera. He also explained that the Roy City web site is up and running and can be accessed at www.royutah.org.

2. SPECIAL SERVICE RECOGNITION PRESENTATION TO THE POLICE DEPARTMENT BY THE GOVERNOR OF BOYS STATE, AARON JOHNS

Ken Hoyle, Director of Utah Boys State explained the program and the values that reflect on citizenship and teaching the youth the values of liberty and opportunity in our country. The Class of 2002 requested the opportunity to attend City Council Meeting to pay special tribute to the Roy City Police Department. Governor of Utah Boys State for 2002, Aaron Johns, presented a plaque to Chief Whinham and former Police Chief Chris Zimmerman who have supported Utah Boys State and have dedicated honorable service to the citizens of Utah and United States of America. Mr. Johns explained that local law enforcement help provide counselors and numerous other services to the community. Because of them, young men and future leaders of our country are able to gather together in organizations such as Boys State.

3. APPROVAL OF AUGUST 6, 2002, MINUTES

Councilwoman Becraft made a correction to page 8, third paragraph in connection with the reservoir project. The reservoir is on 4000 South, not 2000 West.

Councilman Cordova also made a correction to page 8 seventh paragraph. He clarified that his question was in regard to different types of decorative lights other than cobra heads, not street lights.

Councilman Smith moved to approve the minutes of August 6, 2002 as corrected. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted “aye.” The motion carried.

4. APPROVAL OF CONSENT AGENDA

Councilman Tafoya asked to have item A removed from the consent agenda.

Councilwoman Becraft moved to approve items B, C, & D of the consent agenda consisting of; final approval of Southfork Meadows Subdivision No. 4 located at approximately 3850 West 6000 South; final approval of Day Spring Subdivision located at approximately 3200 West 6000 South; preliminary and final approval of Daugherty Estates Subdivision located at approximately 2325 West 6000 South. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted “aye.” The motion carried.

4A. FINAL APPROVAL OF OLYMPIA PARK SUBDIVISION NO. 2 LOCATED AT APPROXIMATELY 4125 WEST 5900 SOUTH

Councilman Tafoya asked about the discrepancy from the Planning Commission minutes on who is responsible for the size of pipe for the drainage at Olympia Park. Chris Zimmerman explained that was just completed. Tim Butler had Greg Anderson draw up a new plan for an additional storm water pipe that would meet the engineers requirements as far as storm water run-off. Tim is going to pay for all of the pipe. Larry Daley is going to pay for all of the back-fill, compaction, and labor. The city is going to lay the asphalt. All parties have agreed.

Councilman Tafoya moved to approve item A on the consent agenda consisting of; final approval of Olympia Park Subdivision No. 2 located at approximately 4125 West 5900 South, Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted “aye.” The motion carried.

5. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE LARRY DALEY SUBDIVISION LOCATED AT APPROXIMATELY 4182 WEST 6000 SOUTH

Councilman Smith moved to open the public hearing at 6:25 p.m. Councilman Cordova seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted “aye.” The motion carried.

Chris Zimmerman stated that state law requires a public hearing any time an easement is vacated. A protest period was given and none received. This was originally a drainage ditch but was recorded as an easement. The property owners were contacted and there is no reason for this easement as the water runs through irrigation lines currently. Mayor Burnett asked for clarification that this was not a flood zone. Mr. Zimmerman confirmed that it is not.

Councilwoman Becraft moved to close the public hearing at 6:30 p.m. Councilman Tafoya seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted “aye.” The motion carried.

5A. CONSIDERATION OF ORDINANCE NO. 900 VACATING 10-FOOT DRAINAGE EASEMENTS ON LOT NOS. 2, 7, 8, 9 AND 10 OF LARRY DALEY SUBDIVISION

Councilman Cordova moved to adopt Ordinance 900 vacating 10-foot drainage easements on Lot Nos. 2,7, 8, 9 and 10 of Larry Daley Subdivision. Councilman Tanner seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted “aye.” The motion carried.

6. REQUEST FOR APPROVAL OF A CLASS “A” BEER LICENSE FOR HUNTINGTON SINCLAIR AT 5608 SOUTH 1900 WEST

Councilman Cordova asked if the Class A beer license was being requested because the building had a new owner. Mayor Burnett confirmed this.

Councilman Cordova moved to approve a Class “A” beer license for Huntington Sinclair at 5608 South 1900 West. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted “aye.” The motion carried.

7. REQUEST FOR APPROVAL OF A CLASS “C” BEER LICENSE FOR ROWDY’S AT 5301 SOUTH 1900 WEST

Councilman Smith asked for clarification that a Class C beer license is for a tavern. Chris Zimmerman confirmed this. Mr. Zimmerman explained that Michael Rowley was negotiating with Lou Monico to purchase the building that used to be Rudie’s and open a tavern. Mr. Rowley currently owns a tavern in West Haven. Mr. Rowley explained that he has been the

owner of Rowdy's, a bar in West Haven, for the past two years. He would like to move his tavern to Roy. He acknowledged the history behind Rudie's and felt he could create a new image.

Councilman Smith asked Mr. Rowley how he planned to eliminate future problems as the building he is looking to purchase has a history that the City is not proud of. Mr. Rowley stated that he is a hands-on tavern owner and that he would always be there to take care of any problems that might arise. He stated that in two years he's had no problems with his current tavern and believes that's because he takes care of all problems himself. Councilman Tafoya asked if he would continue to run both taverns or move his current tavern to Roy. Mr. Rowley stated that he was undecided at this point. Councilman Tafoya also asked if he intends to come back to the Council asking for a liquor license if the beer license is granted. Mr. Rowley stated that he would eventually want a liquor license. Councilman Tafoya asked if he currently possessed both licenses. Mr. Rowley stated he currently has a beer license only. Councilman Smith asked Mr. Rowley how many employees he plans to have. Mr. Rowley stated he would have six. Councilman Smith also asked what Mr. Rowley's procedure would be if one left his business intoxicated. Mr. Rowley stated that he has been through state training on how to recognize an intoxicated person. Mr. Rowley stated that he is very against drunk driving and he is not opposed to taking keys and calling cabs and tow trucks. Councilman Cordova pointed out that the size of Rudie's is 2 to 3 times that of Rowdy's. He asked what the capacity of Rowdy's is. Mr. Rowley stated that the capacity is 100 persons. The capacity of Rudie's is 150. Councilman Cordova stated that the concern of the Council is the serious incident in May of 2002 where police officers were assaulted and the crowd was uncontrollable. Mr. Rowley stated that he felt the crowd at Rudie's was a younger crowd which created many problems and his target customer is more the middle-aged working man and couples. Chris Davis asked if there would be six employees total or six employees at all times. Mr. Rowley explained that there would be six total and they would be staggered. He stated that at the slow times, there would be just one bartender. He stated that the maximum number of employees at any given time would be four, consisting of a bouncer, waitress, and two bar tenders. Councilman Tafoya stated that the building does have a bad history and the City is looking to improve 1900 which would include that location. He felt that not allowing a bar to inhabit that building would be wise for the City. Councilman Smith stated that he found it difficult to repeat past mistakes by allowing a beer license in that building. Mr. Rowley stated that he appreciates the Council's concern and felt that the history is not directly connected to the building. He felt that he could control what goes on inside the building and desires to run a legitimate business.

Mayor Burnett asked Chris Zimmerman if he knew of any history behind Rowdy's. He stated that he was unable to find information on the history of Rowdy's.

Tim Westman, 5971 South 3375 West, stated that he has been a karaoke disc jockey for 9 years. His feeling was that the past problems at Rudie's were owner-related, not location-related. Mr. Westman stated that he refused to provide service at Rudie's because of the crowd it catered to.

He explained that there is no comparison between Rudie's and Rowdy's. He explained that Mr. Rowley is in control of his tavern and has had no problems in the past. He stated that he supports Mr. Rowley's desire to purchase the building that used to be Rudie's.

Lorna Hammons, 5220 South 2300 West, stated that she and her husband frequented Norma's which was then sold to Mr. Rowley. She stated that has not changed since the bar has become Rowdy's. She stated that the average patron age is late 40's, early 50's. She reinforced that Mr. Rowley does call cabs and even pay for them if necessary and keeps the place calm.

Dave Hammons, 5220 South 2300 West, also confirmed that Mr. Rowley has high values, is a good businessman and the crowd that follows him reflects that. He recommended that Mr. Rowley be given a chance to create a new reputation for the location.

Councilman Cordova asked Mr. Blackburn if a license was granted by the Council, could it be pulled or suspended. Mr. Blackburn confirmed that it could. Chris Zimmerman stated that all bars are conditional use but the issue at hand was the beer license. Councilman Cordova asked Mr. Rowley if he had already leased the building. He stated it was dependent upon obtaining a beer license.

Councilman Cordova moved to grant a Class "C" beer license for Rowdy's at 5301 South 1900 West. Motion died for lack of a second.

8. CONSIDERATION OF A PETITION FROM UDOT AND MERLIN G. CALVER TO REZONE APPROXIMATELY 0.29 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 5635 SOUTH 2700 WEST FROM AN RE-20 ZONE TO AN R-3 ZONE
 1. CONSIDERATION OF ORDINANCE NO. 898 APPROVING A REZONE OF PROPERTY LOCATED AT APPROXIMATELY 5635 SOUTH 2700 WEST, ROY, UTAH FROM AN RE-20 DESIGNATION TO AN R-3 DESIGNATION

Chris Zimmerman stated that Merlin G. Calver wished to rezone approximately 0.29 acres of property from RE-20 to R-3. He stated there was no new information since the last Council meeting. He stated that a developer's agreement could be written to assure that buffers be put in place as has been stated. Mayor Burnett asked what the set-back requirements are for an R-3 zone. Mark Larson stated that depends on the height of the building, however, generally there is a 6-foot and 10-foot sideyard setback, a 25-foot front setback, and a 30-foot rear setback. He confirmed that the 25-foot front setback would be off 2700. Councilman Cordova asked Mr. Sandoval about concerns Mr. Nathan Stoddard expressed in the last meeting regarding car lights in his windows. Mr. Sandoval stated that there would be at least a 20 to 30 foot buffer between his house and the driveway. He stated that Mr. Stoddard has no sideyard as his house sits on the property line. Mr. Sandoval stated that they would "create" a sideyard for Mr. Stoddard in the

way of a landscaped lot.

Councilman Tanner asked how far the north driveway would be from the intersection. Mr. Sandoval stated that it would be approximately 160 feet. There was concern about the lights of the cars sweeping Mr. Stoddard's home as they entered and exited the complex. Chris Zimmerman stated that a fence requirement would apply requiring a solid 6 foot fence that would block most the lights. Mr. Sandoval stated that this would be an investment property for him; he would manage and maintain the property. Councilwoman Becraft asked if the outgress would be in the center of the lot. Mr. Sandoval stated that the goal is to have a parking strip in the middle; one facing west, one facing east, and one facing south with the back being against 5600. The actual outgress will be to the south. Councilman Tafoya asked if anyone ever checked to make sure the previous owner was given first chance to purchase the property. Mr. Zimmerman stated that the owner of the property is not involved, the next door neighbor is. Mr. Sandoval stated that the original owners were contacted but were unwilling to pay what UDOT was asking for the property.

Councilman Cordova moved to approve Ordinance No. 898 approving a rezone of property located at approximately 5635 South 2700 West, Roy, Utah from an RE-20 designation to an R-3 designation. Councilman Smith seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Cordova and Tanner voted "aye." Councilman Tafoya voted "nay." The motion carried.

9. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR CROCKETT & KOEHLER FOR A MULTI-FAMILY DEVELOPMENT LOCATED AT APPROXIMATELY 5095 SOUTH 1750 WEST (AIRPORT ROAD)

Chris Zimmerman stated that this property is known as the Voorhees Property and has been a nursery for several years. Mr. Voorhees has expressed interest in selling the property. It is zoned R-4, the property to the north, west, and south is also zoned R-4, the area to the east is Riverdale City and is an MP-1 zone. Crockett and Koehler is seeking a conditional use and site plan for 88 living units on 7.8 acres. The first plan was submitted to the staff for the development of this property in October of 2000 as Sheffield Commons Phases 2 and 3. Once phase 1 was finished, the owners decided they didn't want to be part of a bigger complex so they elected to discontinue the process. The developers reconfigured the plan and submitted it in December of 2001 which included 100 multi-family living units. There were problems with the buildings taking up too much space, and three-story buildings over looking single family homes. There were also problems with the utilities. A third and fourth plan were submitted to the City staff for review and a plan was finally accepted that met the minimum codes and standards of the City to present to the Planning Commission. The City met with neighboring homeowners, Mr. Bird, and the developer who came to an agreement. Three years later, a new plan is in place. The issues the City addressed with Crockett and Koheler are as follows: 1) Findings a safe route for the children to get to and from school. 2) The type of fence material, type and gate locations.

3) The open spaces being used as play grounds, the type of play ground equipment planned and the ability of that equipment to be used in the detention basin. Sky Properties is willing to deed property to Crockett and Koehler to create an accessible walk way creating a safe school route also serving two adjoining developments. Mayor Burnett asked if a traffic study has been done. Mr. Zimmerman stated that a traffic study has been done and the count was the same as the count on 2700 West. Traffic, however, will increase if the apartment complex is approved. Mike Mansfield is planning to request budget to improve and widen the road to help handle the flow. Councilman Smith expressed concern over saturating the area with apartment buildings. He is also concerned about traffic increase and lack of green space. Mr. Zimmerman acknowledged that this has been a concern with the Planning Commission and neighbors. Mr. Larson stated that 55% of the acreage considered is planned green space within the development. Councilman Smith still felt that the area is saturated with apartment buildings. Mr. Larson explained that Berwick Village and Sheffield are condos which are owned outright, not rented as apartments. Councilman Smith stated that congestion is still a problem and access roads are limited. Councilman Tafoya asked what the definition of R-4 is. Andy Blackburn explained that R-4 is defined as multi-family units which includes single family homes as permitted use. Chris Davis explained that single family duplexes, condos, town homes or apartments are permitted in an R-4 zone if the Council wishes to allow that. Councilman Tafoya felt that it makes sense to require single homes or duplexes in that area rather than apartments. Councilman Tanner pointed out that 88 units would bring approximately 176 vehicles and he felt that was a lot of cars for one driveway and a road that doesn't handle traffic very well currently. Councilman Cordova stated that 5 years ago when Orchard Cove was up for approval, the Council agreed that would be the last of the apartment buildings in the area. When Sheffield Estates was presented to the Council, it was approved because they were condos, not apartments. Chris Zimmerman explained that the plan for apartments fits all of the requirements for an R-4 zone. There was a meeting with the neighbors, architects, developers and it is now the staff's job to bring the plan before the Council to decide if a conditional use will be issued. Councilman Cordova asked Mr. Koehler why the plan went from condos to apartments. Mr. Koehler explained that he is seeking a plan that will fit the development. He explained apartments are more his focus and there is a great demand for them in Roy City. Councilman Cordova felt that apartments can't be kept as nice as condos or multi-family units that are owned. Councilman Smith stated that regardless of Mr. Koehler's intention to keep an apartment complex nice, the City is saturated with apartments. Councilman Tanner commended Mark Larson and staff for their efforts and a great job planning, however, due to concerns over saturation, traffic congestion, safety and security he felt it reasonable to deny the request for conditional use permit.

Councilman Tanner moved to deny the request for a conditional use permit for Crockett & Koehler for a multi-family development located at approximately 5095 South 1750 West (Airport Road). Councilman Tafoya seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted "aye." The motion carried.

The Council took a break from 7:50 to 8:00.

10. DISCUSSION ON AQUATIC CENTER

Chris Davis, Barbara from R&O Construction and other staff members met today to discuss the Aquatic Center. Approximately twenty hours worth of meetings have been held within the past two weeks in an attempt to resolve budget issues. The bids came in 20 to 30 percent higher than budgeted. The staff is attempting to put together information, work with R&O, the low bidder, and come up with a resolution. The staff still desires to install a Myrtha pool. Kevin McGrath, a Myrtha representative, came to Roy along with the architects in an attempt to resolve issues with the pool. The staff has no specific recommendations for the Council, however, a work session is set for 6:00 on Tuesday, August 27 to further discuss the Aquatic Center. The staff is looking at bonding or putting off other projects such as SouthWest park to fund the Aquatic Center. Other pools in the area have been contacted who are "breaking even" financially. Other considerations have been made such as having as much work as possible done internally to maximize cost. The architects have looked into value engineering and have considered cutting \$360,000, however, this would include cutting items such as shade structures. Based on lack of information, Mr. Davis was not prepared to make a recommendation at this time.

As far as the site goes, some of the neighbors have been patient, some have not. The water truck has been utilized daily and the berm along the parking lot will be started tomorrow which will create a natural barrier.

Councilman Smith asked what the fund balance is in the Park Development Fund. Mr. Davis stated that it's approximately \$1 million, not including SouthWest park development. SouthWest park is not budgeted in the current year, however, some costs have been used for work thus far on SouthWest Park. Councilman Smith also asked how much money has been set aside for the Aquatic Center. Cathy Spencer stated that \$3.1 million has been set aside for the pool. Chris Davis stated that \$3.35 million will be required for the Myrtha pool not including several associated costs such as land, equipment, architectural fees, parking lot costs, and fill material. The total cost of the pool, if left as planned, is \$5.2 million. Councilman Smith asked what budget options are possible. Cathy Spencer stated that some possibilities include taking money from SouthWest Park or looking at bonding. Councilman Cordova stated that the City has been planning the Aquatic Center for several years and wants it to be nice. The Council is aware that this will be a costly project and maybe bonding is a reasonable option. Chris Davis stated that he plans on presenting options next Tuesday at the workshop. When comparing the Myrtha and Gunite pools, the Myrtha pool is more expensive, however, carries a 15 year warrantee and the Gunite pool carries a one year warrantee. Mayor Burnett asked Barbara, from R&O Construction, if they bid the pool high due to uncertain costs. She was unsure, however, Mr. Davis explained that R&O is not a pool contractor, that they have hired a subcontractor who has Myrtha experience, hence, the bid should be quite accurate. Mr. Davis stated that he would have more information next week.

11. DISCUSSION REGARDING PROVISION OF SEWER WHEELING FOR HOOPER SUBDIVISIONS

Chris Davis reported that Reed Richards from Hooper has asked for an Interlocal Agreement for the wheeling of sewage. He asked the Council if they would like the staff to enter into negotiations in this regard. Councilman Smith asked what the wheeling fee would be. Cathy Spencer indicated that the impact fee would be \$5.32/month and a fee would also be paid to North Davis Sewer. Councilman Smith asked how many homes would be involved. Chris Zimmerman stated that 400 to 500 homes would be involved and that a \$500 impact fee plus \$5.32/mo would help to pay for the lift station. Mayor Burnett asked if impact fees are part of the discussion. Chris Davis stated that it could be, however, that depends upon the types of services requested. Councilman Smith felt that the Council needs to look at the best interest of the City. Cathy Spencer stated that there would be no additional expense to Roy City and that it would help the water and sewer fund if approved. Councilwoman Becraft asked how long the service would be requested. Mr. Davis stated that has not yet been determined, however, if the Council is interested, additional information will be requested. Councilman Smith asked if the Council could get an estimated number of homes involved. Mr. Davis said that 400 homes times a \$500 impact fee would be \$200,000 and \$2,000/month as long as the agreement exists.

12. DISCUSSION ON JUSTICE COURT JUDGE POSITION

City Attorney, Andy Blackburn discussed the status and progress of the Justice Court. He stated that training required for the judge will begin September 23. Applications for the judge position will close at the end of the month. He explained that there would be an interview process and invited any Council members who desired, to be present on the interview panel along with Mr. Blackburn and Mr. Davis. Councilman Smith asked what the beginning salary would be. Mr. Blackburn felt it would be \$40 to \$50 K per year depending on the number of hours involved. He explained that part of the salary will depend on whether the court processes small claims. Mr. Blackburn plans to try avoiding small claims as part of the justice court. There are concerns whether small claims bring a profit. If small claims are handled, an additional clerk would be hired. Mr. Blackburn met with George Berkley, administrator of the Second Judicial Court, looking at equipment and the transfer of that. All of the equipment is in place, however, it needs to be determined how much the City will have to pay for that equipment. Mr. Berkley suggested that the City look through the equipment, decide what they want, and come up with a fair price. Another meeting will be held in two weeks to see if they accept the offer. Councilman Cordova asked if the equipment would be moved and the two courts combined. Mr. Blackburn stated that is not the plan currently, however, that is something the staff is looking at. Chris Davis reported that funds are not budgeted to remodel currently, however, in the future, that would be an option. The Council chambers are used as a courtroom in several surrounding cities. The court is scheduled to begin January 1. The Second Judicial Court, however, is not wanting to send cases filed before January 1. If that is the case, there will be arraignments only for the first few months. Mr. Blackburn is attempting to come to an agreement with the Second Judicial Court in

Ogden on that issue.

13. CITY MANAGER'S REPORT

Chris Davis reported that Roy Days went well. The employee recognition party is Wednesday, August 21 at Sandridge Park. The food will be served beginning at 5:30. Councilwoman Becraft reported that she has noticed that the counter that goes across 4800 South has been pulled off the road. Mr. Davis will check on it.

14) MAYOR AND COUNCIL REPORTS

Mayor Burnett congratulated staff and all volunteer groups for a successful Roy Days. He asked how this compared to last year. Chris Davis reported that the Carnival said Friday was better than last year, Saturday was not as good. Overall, they did not do quite as well. Councilman Tanner felt that the problem was due to competition with Davis County Fair as many of the vendors who usually participate in Roy Days were at the Davis County Fair. He felt that if the Carnival would move Roy Days back to the first Saturday in August, it would be more successful. Chris Davis reported that the City may need to look for a new Carnival because the one currently being used is booked out several years.

Councilwoman Becraft reported that since riding with Chief Whinham, she has been working with Al. On the right-of-way below her residence, there were approximately 50 abandoned vehicles. Al has delivered to every home a letter notifying the residents of the ordinance regarding abandoned vehicles. The residents were notified that the Kidney Foundation and other organizations are willing to tow unwanted vehicles. Councilman Tanner asked if Al is responsible for enforcing the code of keeping bushes off the City sidewalks. He has discussed with scout masters in the area the possibility of having scouts do a service project to cut back bushes overhanging the sidewalks. Andy Blackburn said he would talk to Al about enforcing the ordinance.

15) ADJOURN TO REDEVELOPMENT AGENCY

Councilwoman Becraft moved to adjourn to a Redevelopment Agency Meeting at 9:11 p.m. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted "aye." The motion carried.

Roger Phil Burnett
Mayor

Attest:

Char Wolverton, Secretary

Minutes of the Redevelopment Agency Meeting held August 20, 2002, 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 were in attendance:

Chairman Roger P. Burnett
Board Member Marge Becraft
Board Member John Cordova
Board Member Tommy Smith
Board Member Dave Tafoya
Board Member Dan Tanner

Executive Director Chris Davis
City Attorney Andy Blackburn

Others present were: Cathy Spencer, Management Services Director; Char Wolverton; Chris Zimmerman, Community Services Director.

1. APPROVAL OF MINUTES OF JULY 16, 2002

Board member Cordova moved to approve the minutes of July 16, 2002, as written. Board member Tanner seconded the motion. Board Members Becraft, Cordova, Smith, Tafoya, and Tanner voted “aye.” The motion carried.

2. RDA TAX INCREMENT ASSISTANCE FOR TENANT IMPROVEMENTS FOR IOMEGA CORPORATION

Chris Davis reported that he met with Dave Correll two weeks ago. Iomega has had an unexpected roofing expense arise. They are asking the City to give assistance to help offset some of the roofing cost. The roofing cost is \$122,000.00. Iomega is asking for \$60,000 in tenant improvements. The budget for tenant improvements is \$25,000, hence, the budget would need to be amended for that to happen. The City has asked if Iomega would be willing to make a donation back to the Boys and Girls Club which they have agreed to. The City has also asked for a donation to pool. They seemed amenable to that. Mr. Davis asked if the Board would be willing to authorize \$60,000 in tenant improvements for Iomega with the understanding that the budget would have to be amended to reflect that. This would impact the budget for the beautification on 1900 West. If all projects in the budget are completed, there will only be about \$400,000 at the end of the year in the RDA budget. Board Member Tafoya asked what happened to the \$900,000 budgeted for Iomega. Cathy Spencer indicated that there was \$900,000 several years ago, however, it has been slowly used up on projects such as the 4400 South detention basin. UTOPIA costs also come out of the Iomega budget. Administrative fees have also been higher this year. Chris Davis recommended that the Board approve the RDA to authorize up to \$60,000 for tenant improvements on Iomega East.

Board Member Cordova asked the age of the RDA. Chris Davis felt it was more than 20 years. Board Member Cordova asked if money had been spent from that RDA. Mr. Davis said money had been spent on sidewalks.

Board Member Cordova moved to authorize up to \$60,000 in RDA Tax Increment Assistance for Tenant Improvements for Iomega Corporation. Board Member Tanner

seconded the motion. Board Members Becraft, Smith, Tafoya, Cordova and Tanner voted "aye." The motion carried.

3. CORRECTION TO MINUTES OF MAY15, 2001 ADDING APPROVAL OF RDA RESOLUTION NO. 36 WHICH WAS INADVERTENTLY LEFT OUT OF MINUTES

Cathy Spencer reported that she listened to the tape from May 15, 2001 and the Resolution No. 36 was voted on and passed but was left out of the minutes.

Board member Smith moved to approve the correction to the minutes of May 15, 2001 adding approval of RDA Resolution No. 36 which was inadvertently left out of the minutes. Board member Cordova seconded the motion. Board Members Becraft, Cordova, Smith, Tafoya, and Tanner voted "aye." The motion carried.

There was some discussion regarding the minutes of the July 18,2000 RDA meeting where blight was declared on Dr. John's. The tape ran out and Michelle had been excused. Ms. Spencer asked the Board members to check their notes from that day to see if there was any record of who made the motion, who seconded the motion, etc.

Board member Tanner moved to adjourn Redevelopment Agency Meeting at 9:30 p.m. Board member Becraft seconded the motion. Board members Becraft, Smith, Tafoya, Cordova and Tanner voted "aye." The motion carried.

Roger P. Burnett
Chairman

Attest:

Char Wolverton
Secretary

dc:aug2002