

MINUTES OF THE DECEMBER 17, 2002, ROY CITY COUNCIL MEETING

1. Approval of November 19, 2002 and December 4, 2002 minutes
2. Recognition of Employees of the Month for September, October, November and December
3. Award of certificates to holiday lighting contest winners
4. Award of certificates to holiday city street banner winners
5. Consent Agenda:
  - a. Set a public hearing to consider a petition from Mattson, L.C. to rezone approximately 2.92 acres located at approximately 5991 South 3500 West from RE-20 to CP-2 (suggested date - January 7, 2003, at 6:30 p.m.)
  - b. Conditional and final acceptance of subdivision improvements for CKS Auto Subdivision located at approximately 5950 South 1900 West
  - c. Conditional and final acceptance of subdivision improvements for Five Star Plaza Subdivision located at approximately 5672 South 1900 West
  - d. Conditional and final acceptance of subdivision improvements for McKay Dee Credit Union Condominiums located at approximately 4835 South 3500 West
  - e. Conditional and final acceptance of subdivision improvements for Roy Crossroads Plaza Subdivision located at approximately 5600 South 3500 West
  - f. Conditional and final acceptance of subdivision improvements for Royalwood Condominiums located at approximately 5251 South 2775 West
  - g. Conditional and final acceptance of subdivision improvements for Sacco Commercial Subdivision located at approximately 6050 South 1900 West
  - h. Conditional and final acceptance of subdivision improvements for Turner Condominiums located at approximately 5680 South 1900 West
  - i. Final acceptance of subdivision improvements for Summers Pointe Subdivision Nos. 1 and 2 located at approximately 2675 West 4000 South
  - j. Consideration of a Conditional Use Permit and site plan for McDonald's Restaurant located at 4763 South 3500 West
  - k. Preliminary and final approval of Midland Commercial Subdivision located at approximately 4800 South 3500 West
6. Consideration of Resolution No. 785 accepting a petition from Brad C. Newey, Tina Martin, Sherry A. Newey, Roy G. and Helen V. Braegger, and Weber Basin Water Conservancy District to consider annexation of approximately 57.09 acres of certain real properties into Roy City and directing that a public hearing be set for February 18, 2003, at 6:30 p.m.
7. Public hearing to amend the Fiscal Year 2003 budget including implementation of the Salary Survey
  - a. Resolution No. 786 adopting Fiscal Year 2003 budget amendments

8. Discussion of Public Safety Dispatch Special Service District creation
9. City Manager's report
10. Mayor and Council Reports
11. Adjourn to a Redevelopment Agency Meeting
12. Summary of Actions Charged

Minutes of the Roy City Council Meeting held December 17, 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 Dan Tanner

City Manager Chris Davis  
City Attorney Andrew Blackburn  
Secretary Char Wolverton

Excused: Councilman John Cordova

Also present were: Chris Zimmerman, Development Services Director; Mark Larson, Planner; Greg Whinham, Police Chief; Cathy Spencer, Management Services Director; Allen Watson, McDonald's Corporation; Bob Ekstrom; Jeff DeMoss;. There was a large audience; however, only two attendees signed in.

Prayer: Councilwoman Becraft

Pledge of Allegiance: Councilwoman Becraft

1. APPROVAL OF NOVEMBER 19, 2002 AND DECEMBER 4, 2002 MINUTES

From the November 19, 2002 minutes on item #5, in the motion to deny the Class C beer license, Andy Blackburn asked that the motion read: Councilman Tafoya moved to deny a Class "C" beer license for Shauna's Bar and Grill located in the rear of 5301 South 1900 West based on the fact that her most recent license was held briefly and insufficient detail given on staffing issues and on how business would be handled.

Also on the November 19, 2002 minutes, item #12, Chris Davis asked that it be clarified that all department directors were involved in creating the pay scale.

**Councilman Smith moved to approve the November 19, 2002 minutes as amended and the December 4, 2002 minutes as written. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, and Tanner voted "aye." The motion carried.**

2. RECOGNITION OF EMPLOYEES OF THE MONTH FOR SEPTEMBER, OCTOBER, NOVEMBER AND DECEMBER

Dean Fackrell and Ross Oliver nominated Kurt Given, Steve Fulton, and Zach Vandyke who volunteered to help with the Christmas lighting display.

**Councilman Tanner moved to accept Kurt Given, Steve Fulton, and Zach Vandyke as Employee of the Month for October, November, and December. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Tafoya, and Tanner voted “aye.” The motion carried.**

Police Chief, Greg Whinham, nominated Luke Call as Employee of the Month for September. Officer Call has been a patrol officer for one year. Officer Call has been recognized by the Recreation Department for his efforts to calm an injured youth during a sporting event. He was first on scene and first to render comfort to victims of an automobile accident where a vehicle crashed into Lee’s Fish and Rice in which serious injuries were sustained. He has also worked hard in the apprehension efforts of recent business burglary cases by keeping up with intelligence information, providing good patrol to the business area and following police procedure in following through with a road side arrest of the suspects of the burglaries. This arrest resulted in the resolution of over 70 felony cases in Weber County, Ogden City, and Officer Call was presented with a “Good Work” award for his effort that helped them solve 40 of their cases.

**Councilman Tafoya moved to accept Officer Luke Call as Employee of the Month for September. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, and Tanner voted “aye.” The motion carried.**

### 3. AWARD OF CERTIFICATES TO HOLIDAY LIGHTING CONTEST WINNERS

Stephanie Benion, chairperson of the holiday lighting contest, announced the winners. Fourth place was awarded to Tammy and Barry Mosher. Third place was awarded to Pam Brown. Second place went to LaShay Openshaw and Larry and Jean Bybee took first place. Fifth through eighth place winners were also recognized. These included Rich Howes, Austin and Cindy Argyle, Robert and Karen Gotschall, and Marona Supan. Gift certificates were given to each winner.

### 4. AWARD OF CERTIFICATES TO HOLIDAY CITY STREET BANNER WINNERS

Stephanie Benion also announced the winners of the holiday city street banner contest. Third place winners included; Greg Bean from Roy High, Jessica Stockwell from Roy Jr., and Kylee Fowers from Sandridge Jr. Second place winners included; Stephanie Dunn from Sandridge Jr., Colten Hicken from Roy Jr., and Jurell Hall from Roy High. First place was awarded to; Landon Staley from Sandridge Jr., Shae Larsen from Roy Jr., and Chantelle Webster from Roy High. Ms. Benion stated that many entrees were received, all were appreciated, and an attempt will be made to hang more banners in subsequent years.

Mayor Burnett thanked all citizens who have participated in the various holiday celebrations.

5. CONSENT AGENDA

Chris Davis asked that item J be pulled from the Consent Agenda to be discussed individually.

**Councilwoman Becraft moved to approve the Consent Agenda with the exception of item J consisting of; Set a public hearing to consider a petition from Mattson, L.C. to rezone approximately 2.92 acres located at approximately 5991 South 3500 West from RE-20 to CP-2 (suggested date - January 7, 2003, at 6:30 p.m.); Conditional and final acceptance of subdivision improvements for CKS Auto Subdivision located at approximately 5950 South 1900 West; Conditional and final acceptance of subdivision improvements for Five Star Plaza Subdivision located at approximately 5672 South 1900 West; Conditional and final acceptance of subdivision improvements for McKay Dee Credit Union Condominiums located at approximately 4835 South 3500 West; Conditional and final acceptance of subdivision improvements for Roy Crossroads Plaza Subdivision located at approximately 5600 South 3500 West; Conditional and final acceptance of subdivision improvements for Royalwood Condominiums located at approximately 5251 South 2775 West; Conditional and final acceptance of subdivision improvements for Sacco Commercial Subdivision located at approximately 6050 South 1900 West; Conditional and final acceptance of subdivision improvements for Turner Condominiums located at approximately 5680 South 1900 West; Final acceptance of subdivision improvements for Summers Pointe Subdivision Nos. 1 and 2 located at approximately 2675 West 4000 South; and Preliminary and final approval of Midland Commercial Subdivision located at approximately 4800 South 3500 West. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, and Tanner voted “aye.” The motion carried.**

Item J is consideration of a Conditional Use Permit and site plan for McDonald's Restaurant located at 4763 South 3500 West. Chris Zimmerman explained that this item needs to be discussed because of signing issues. McDonald's generally prefers a corner lot; however, this is not a corner lot. According to Ordinance, signage is allowed based on frontage of the business. Because this is not a corner lot, McDonald's only has 40 feet of frontage giving 160 ft of sign area. McDonald's is proposing 300 feet of sign area. Possibilities include amending the ordinance or sticking with the 160 feet of sign area which isn't acceptable by McDonald's. McDonald's has also requested an off-premises sign on 4800 West which is against Roy City Ordinance. An off-premises sign, based on a conditional use, would be allowed only if all of Mr. Crouch's lots together create a shopping center. An informational sign would be allowed somewhere on the plaza for the entire shopping center; however, currently each business has its own sign. Councilman Tafoya preferred the idea of an off premises sign based on a conditional use. Mr. Zimmerman explained that he and Andy Blackburn would work on altering the Ordinance to allow an off-premises sign. Allen Watson, owner of the McDonald's franchise, stated that he was willing to work with the Council in any way to work out these issues.

**Councilman Tafoya moved to approve a Conditional Use Permit and site plan for**

**McDonald's Restaurant pending staff recommendations on the Sign Ordinance amendment. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Tafoya and Tanner voted "aye." The motion carried.**

6. CONSIDERATION OF RESOLUTION NO. 785 ACCEPTING A PETITION FROM BRAD C. NEWAY, TINA MARTIN, SHERRY A. NEWAY, ROY G. AND HELEN V. BRAEGGER, AND WEBER BASIN WATER CONSERVANCY DISTRICT TO CONSIDER ANNEXATION OF APPROXIMATELY 57.09 ACRES OF CERTAIN REAL PROPERTIES INTO ROY CITY AND DIRECTING THAT A PUBLIC HEARING BE SET FOR FEBRUARY 18, 2003, AT 6:30 P.M.

**Councilman Tafoya moved to amend Resolution No. 785 setting the public hearing for February 18, 2003 rather than February 4, 2003. Councilman Tafoya then moved to approve Resolution No. 785 accepting a petition from Brad C. Neway, Tina Martin, Sherry A. Neway, Roy G. and Helen V. Braegger, and Weber Basin Water Conservancy District to consider annexation of approximately 57.09 acres of certain real properties into Roy City and directing that a public hearing be set for February 18, 2003, at 6:30 p.m. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, and Tanner voted "aye." The motion carried.**

7. PUBLIC HEARING TO AMEND THE FISCAL YEAR 2003 BUDGET INCLUDING IMPLEMENTATION OF THE SALARY SURVEY

**Councilman Smith moved to open a Public Hearing at 6:58 p.m. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya and Tanner voted "aye." The motion carried.**

Cathy Spencer explained the proposed budget adjustments necessary to implement the salary survey. Ms. Spencer proposed that the salary survey be implemented effective January 4, 2003 to coincide with the first full pay period in 2003. She explained that the salary survey includes; adjusting starting salaries; adjusting start to end wage to a 46% spread; reducing the length of time to reach the maximum wage to 12 years; and adjusting annual merits to 3.5% to achieve a 46% salary range in 12 years. Ms. Spencer presented several examples of how the salary survey would affect different employees and departments. Chief Whinham explained the levels of officers and how these levels are achieved. Councilman Tafoya felt that 12 years was too long a period to reach maximum wage and proposed that it be changed to 10 years. Chief Whinham stated that he was comfortable with a 10 year maximum but felt that a 12 year maximum is better than the current which is 15 years. Chief Whinham explained that it's possible to reach higher levels taking into consideration years of experience, education, and service in the department. Councilman Smith felt there is need for incentive to become educated; hence, a 12 year maximum is reasonable. Chief Whinham stated that his goal is to have officers who are an asset to the community and who also are able to support their families.

Councilwoman Becraft felt that the canine officer's salary was high and asked for more information on the position. Chief Whinham explained that the canine officer is in a supervisory position which is handled with one full-time and one part time employee. He stated that a canine officer is always on call, is called out often, and many persons are unwilling or unable to fill the position because of the demand. The current canine officer is topped out as far as his salary goes. Chris Davis stated that the salary for the canine officer is compatible with the market. Councilman Tafoya asked how one gets a raise after he is topped out. Ms. Spencer stated that cost of living is the only raise an employee at that level would receive.

Chief Ritchie thanked the staff, Mayor and Council, and Ms. Spencer for all of their hard work on the salary survey.

**Councilman Tafoya moved to close the public hearing at 7:40 p.m. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, and Tanner voted "aye." The motion carried.**

7A. RESOLUTION NO. 786 ADOPTING FISCAL YEAR 2003 BUDGET AMENDMENTS

**Councilman Tanner moved to approve Resolution No. 786 adopting Fiscal Year 2003 budget amendments implementing the Salary Survey to become effective January 4, 2003. Councilman Tafoya seconded the motion. Council members Becraft, Smith, Tafoya and Tanner voted "aye." The motion carried.**

8. DISCUSSION OF PUBLIC SAFETY DISPATCH SPECIAL SERVICE DISTRICT CREATION

Chris Davis explained that a letter was received from Weber County asking the Mayor and Council to approve of the creation of a Special Service District to operate consolidated dispatch services within Weber County. Mr. Davis felt that the staff was in support of this Special Service District. He explained that when the legislation was first presented, the potential existed that a City would have to have the tax levy lowered by the amount the City contributed. This is estimated at \$300,000 for Roy City. When the statute was approved, the requirement to lower the levy was not included. This District is scheduled to be created in approximately 2005. Mr. Davis recommended that the Council authorize Mayor Burnett to write a letter to the County Commissioner in support of the Special Service District. Councilman Tanner asked if this would create an additional tax to the residents of Roy City. Mr. Davis confirmed that this would be an additional tax paid to the County. Councilman Tanner expressed concern over the additional cost to the citizens.

Chief Whinham explained that under the current Interlocal Agreement, Roy City pays more than their share based on location of occurrence. He felt that the Special Service District would provide a more equitable solution.

**Councilman Tanner moved to authorize Mayor Burnett to write a letter in support of the creation of a Public Safety Dispatch Special Service District. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya and Tanner voted “aye.” The motion carried.**

9. CITY MANAGER’S REPORT

The Council members are invited to Local Officials Day to be held January 22, 2003 starting at 7:00 a.m. and going through lunch time. A presentation is given during the luncheon and Council members sit with local legislators.

Weber Basin Water Conservancy District has some concerns about the annexation of their property. They are wanting to keep their options open allowing for possibilities such as development for homes, expanding their reservoir or creating a water treatment plant. Without guarantees of these possibilities, they will refuse annexation. When this annexation comes before the Planning Commission and City Council, notices need to be sent to neighbors to notify them that these type of options are being made available to Weber Basin Water Conservancy District.

In relation to Weber County taking control of animal services, they are overburdened and asking for cities using their services to contribute to the cost of building an additional facility. Roy City staff would like to look into building an animal facility within the City and discontinuing Weber County animal services. Chief Whinham explained that Weber County has an existing debt and would like Roy City to contribute \$140,000/year not including the proposed additional building. Within the next few months, the County needs to know if Roy City would like to continue utilizing Weber County animal services.

10. MAYOR AND COUNCIL REPORTS

The Public Works department will be holding a lunch on December 20.

Councilwoman Becraft stated that she has received many positive comments on the Christmas light display.

Councilman Tanner stated that the Boys and Girls Club Breakfast with Santa went well. It was well attended and greatly supported by local businesses; 800 gifts were contributed.

11. ADJOURN TO A REDEVELOPMENT AGENCY MEETING

**Councilman Tanner moved to adjourn to a Redevelopment Agency Meeting. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Tafoya, and Tanner voted “aye.” The motion carried.**

12. SUMMARY OF ACTIONS CHARGED

1. Staff to look into amending Roy City Ordinance to allow an off-premises sign for McDonald's Restaurant located at 4763 South 3500 West.

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Roger Phil Burnett  
Mayor

Attest:

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Char Wolverton  
Secretary

dc:dec1702

Minutes of the Redevelopment Agency Meeting held December 17, 2002, in the City Council Room of the Roy City Municipal Building.

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The following were in attendance:

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

Executive Director Chris Davis  
City Attorney Andy Blackburn

Excused: Board Member John Cordova

Others present were: Cathy Spencer, Management Services Director; Char Wolverton; Chris Zimmerman, Community Services Director; Greg Whinham, Police Chief; and Jon Ritchie, Fire Chief.

## 12. PUBLIC HEARING TO AMEND THE FISCAL YEAR 2003 BUDGET

**Board member Smith moved to open a public hearing at 8:20 p.m. Board member Tanner seconded the motion. Board members Becraft, Smith, Tafoya, and Tanner voted "aye." The motion carried.**

Cathy Spencer explained that the budget needs to be amended for Marketplace Plaza. \$40,000 will have to be budgeted to make up for that reduction in revenue. Also, \$42,000 will need to be re-budgeted for the UTOPIA study. Architecture fees on 1900 West were not as high as originally expected so that will be reduced by \$44,000.

**Board member Smith moved to close the public hearing at 8:22 p.m. Board member Tanner seconded the motion. Board members Becraft, Smith, Tafoya, and Tanner voted "aye." The motion carried.**

- a. Resolution RDA-42 adopting Fiscal Year 2003 budget amendments

**Board member Tanner moved to adopt Resolution RDA-42 adopting Fiscal year 2003 budget amendments. Board member Smith seconded the motion. Board members Becraft, Smith, Tafoya, and Tanner voted "aye." The motion carried.**

13. APPROVAL OF MINUTES OF OCTOBER 29, 2002

**Board member Smith moved to approve the minutes of October 29, 2002, as written. Board member Tanner seconded the motion. Board Members Becraft, Smith, Tafoya, and Tanner voted “aye.” The motion carried.**

14. ADJOURN

**Board member Smith moved to adjourn Redevelopment Agency Meeting at 8:25. Board member Tanner seconded the motion. Board members Becraft, Smith, Tafoya, and Tanner voted “aye.” The motion carried.**

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Roger P. Burnett  
Chairman

Attest:

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Char Wolverton  
Secretary

dc:dec1702