

MINUTES OF THE APRIL 6, 2004, ROY CITY COUNCIL MEETING

1. Approval of March 16, 2004 minutes
2. Recognition of Employee of the Month
3. Recognition of Orlen Karras for service to the Roy Fire Department
4. Consent Agenda
 - a. Request for approval for the renewal license of alcoholic beverage for Excel III Convenience Store
5. Update by Hill Air Force Base on the plume
6. Discussion of Roy City participation in UTOPIA
 - a. Consideration of Resolution No. 821 pledging certain of Roy City's sales and use tax revenues pursuant to a pledge agreement between Roy City and UTOPIA
7. Declaration of 1994 National Ambulance as surplus property
8. Consideration of Interlocal Automatic Aid Fire Agreement between Roy City, Riverdale City, and Clinton City
9. Consideration of Ordinance No. 926 amending the criminal code, Title 5, relating to park curfew, prohibiting being at the park during certain hours
10. Consideration of Joint Resolution No. 816 opposing any change to Weber County's zoning ordinances which would allow a demolition debris landfill at 1650 West 3000 South in presently unincorporated Weber County
11. Consideration of Resolution No. 820 supporting Roy City's application for certification as a Quality Growth Community by the Utah Quality Growth Commission
12. City Manager's report
13. Mayor and Council Reports
14. Adjourn

Minutes of the Roy City Council Meeting held April 6, 2004, 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 Larry Peterson

Also present were: Tony Reynolds, Community Development Services Director; Jon Ritchie, Fire Chief; Joan Thomas; Mark Roginske; Charles Freeman; Carl Wheelwright; Skip Waugh; Enid Fife; Scott Wheeler; Bob Elliott; Brent Warren; P. Wayne Hansen; Don Palfreyman; Diana Karras; Nate Karras; Gennie Kirch; Brad Hilton; Scott Dansie; Allen Karras; Mike Clark; Bernie Allen; Barbara Fisher; Dave Harris; Orlen J, Karras; Destiny Fennell; Mark Loucks; Jason Corless; Jerri Lynn Corless; Spencer Harston; Ethan Brown; Alex Evans; R. Mora; Blaine Argyle; Jarrom Brown; Richard Evans; Ron Jensen; Blaine Argyle; Charlotte Shelman & Shelby; Cody White; Keisha Tafoya; Carley Brimley

Moment of Silence: Mayor Burnett

Pledge of Allegiance: Mayor Burnett

1. APPROVAL OF MARCH 16, 2004 MINUTES

Councilwoman Becraft moved to approve the minutes of March 16, 2004, as written. Councilman Smith seconded the motion. Council members Smith, Tafoya, Becraft, and Tanner voted “aye.” The motion carried.

2. RECOGNITION OF EMPLOYEE OF THE MONTH

Chief Jon Ritchie nominated Von Draheim for Employee of the Month for the month of March. Captain Draheim is currently assigned at station 32. Captain Draheim has been very instrumental in the implementation of the Department’s new “911 information packet” designed for senior citizens. The packet has personal medical information that is very valuable during any medical emergency that is responded to. Captain Draheim developed the packet and has volunteered much of his own time and talents during the startup of this program. He recently educated some of the senior citizens during a luncheon at the Hillside Senior Center. Captain Draheim also met with some local Boy Scouts who helped distribute these packets and assisted

the recipients in filling them out properly. Surrounding Departments have also visited with Captain Draheim regarding the implementation of the same program in their areas.

Captain Draheim has also been very involved with the design and construction of the new Hazardous Material van which the department recently acquired through a grant from Weber County and the Department of Homeland Security.

Councilman Tafoya moved to approve Captain Von Draheim as Employee of the Month for March 2004. Councilman Tanner seconded the motion. Council members Smith, Tafoya, Becraft, and Tanner, voted “aye.” The motion carried.

Mayor Burnett presented Captain Draheim with a plaque.

Mayor Burnett invited Officer Don Ponton to introduce the newest K9 member of the Police Department. Officer Ponton introduced Neero, a 2 y/o K9 who has been in the process of training to help apprehend suspects. Officer Ponton stated that Neero is very playful and social and demonstrated this to the audience and Council.

3. RECOGNITION OF ORLEN KARRAS FOR SERVICE TO THE ROY FIRE DEPARTMENT

Chief Ritchie introduced Orlen Karras and thanked him for his service to the Roy City Fire Dept. Mr. Karras is 90 years old and has been with the department since 1955 when Roy City first started the Fire Department. Mr. Karras was the Fire Marshall for 10 years which Chief Ritchie reported is a non-paying job. Mr. Karras was also one of the original clowns used to educate the public about fire safety. He has donated many hours and many dollars to the City. Chief Ritchie reported that it is an honor and a pleasure to present Mr. Karras with an honorary fire chief badge for his time, service, and dedication to the Roy City Fire Department.

4. CONSENT AGENDA

Councilman Tafoya moved to approve the Consent Agenda consisting of; request for approval for the renewal license of alcoholic beverage for Excel III Convenience Store. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, and Tanner voted “aye.” The motion carried.

5. UPDATE BY HILL AIR FORCE BASE ON THE PLUME

Mark Loucks introduced Mark Roginske who will be a new contact for Roy City regarding the plume. Mr. Loucks stated that he would like to update the Council on the progress of the clean-up efforts in regards to the plume. He then explained what the plume is to the audience. Mr. Loucks stated that a clean-up system is in place at the base boundary with three operating wells.

Currently, 8.2 million gallons of contaminated groundwater have been removed, approximately 6 pounds of contamination have been removed, and the system is operating better than expected. More than 210 homes in Roy City have been tested for TCE contamination and 25 homes at the west end of the plume have tested positive for TCE in concentrations of 18 ppbv. Remedial measures were recommended in 22 of these homes. Another clean-up system has been proposed at the east edge of the tracks just north of 6000 South. The clean-up system consists of a permeable reactive barrier (PRB) which is a trench 650 feet long, 1.5 feet wide, and 30 feet deep containing a sand-iron mixture. It is not certain how long the PRB will last before being rejuvenated; however, this time is estimated at over 20 years. Thus far, with this system, the tests show very favorable results. The cost of constructing a PRB is approximately \$1.3 million; however, this system is low maintenance and easy to operate. With this type of barrier, the TCE reacts with the iron and is broken down to harmless components. Mr. Loucks explained that the plume is still growing; however, the clean-up system has slowed the expansion and helps to reduce TCE concentrations. The Engineering Evaluation and Cost Analysis Schedule is as follows: Public comment period - April 19 to May 19, 2004; Public Meeting (info fair) - April 29, 2004; Contracting - April to May 2004; Design Phase - May to August 2004; Construction - September to October 2004; and Property Acquisition - Jan to July 2004. Mr. Loucks explained that the Base is working with UTA to acquire the property to install the clean-up system and they have been very cooperative. They are also working on obtaining an easement from two citizens to allow the system to be constructed.

Councilwoman Becraft asked if the clean-up effort will continue if Hill Air Force Base is closed. Mr. Loucks stated that the clean-up would continue. Carl Wheelwright asked when citizen input would be taken. Mr. Loucks said that the information fair will be held on April 29th at Roy Junior High School where citizen input will be taken and responded to. He also stated that any citizen is welcome to call with questions or concerns at any time.

6. DISCUSSION OF ROY CITY PARTICIPATION IN UTOPIA

Chris Davis stated that Roy City has until April 15th to make a decision whether they would like to remain a UTOPIA city, pledge, or opt out. He reminded the Council that one option would be to stay a member of UTOPIA and not make a pledge which would include no further financial obligation. He explained that if a pledge were to be made, that would involve a large amount of money. Councilman Tanner asked if the Council decides to remain a UTOPIA city but not pledge, would they be asked to pledge in the future. Mr. Davis said that the statute prevents that from happening and the City wouldn't even have an opportunity to pledge again until three years from now. Councilman Tanner asked if Roy City would be put at the end of the build-out if they do not pledge. Mr. Davis said that was his understanding.

Mayor Burnett asked if there was any public input.

Skip Waugh, 5948 S. 3650 W., asked what is UTOPIA? Mayor Burnett explained UTOPIA to

Mr. Waugh.

Carl Wheelwright, 5959 S. 3650 W., asked what it means to stay a member of UTOPIA but not make a pledge and is there a financial obligation. Mr. Davis stated that the studies have already been done and there will be no further financial obligation to Roy City if they do not make a pledge. He explained that each city who is a member of UTOPIA has a representative on the UTOPIA Board and that would not change. Roy City would still have a voting member; however, there would be no financial obligation.

Councilwoman Becraft motioned that Roy City remain a member of UTOPIA as a non-pledging City. Councilman Tanner seconded the motion. Council members Becraft, and Tanner voted “aye.” Councilman Tafoya and Smith voted “nay.” Mayor Burnett stated that in this situation, he would be the deciding vote. He stated that his feeling is that the City has nothing to lose by deciding to be a non-pledging member of UTOPIA. Mayor Burnett voted “aye.” The motion carried.

7. DECLARATION OF 1994 NATIONAL AMBULANCE AS SURPLUS PROPERTY

Chief Jon Ritchie stated that the Fire Department has a 1994 ambulance that is no longer in service and recommended that it be deemed surplus property as he would like to send it to the auction. Mayor Burnett asked how much Chief Ritchie felt would be gained by selling the ambulance. Chief Ritchie stated that they would get approximately \$3,000 at the auction as it is not in great shape.

Councilman Tafoya moved to declare the 1994 National Ambulance as surplus property. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, and Tanner, voted “aye.” The motion carried.

8. CONSIDERATION OF INTERLOCAL AUTOMATIC AID FIRE AGREEMENT BETWEEN ROY CITY, RIVERDALE CITY, AND CLINTON CITY

Chief Jon Ritchie explained that the Interlocal Automatic Aid Fire Agreement between Roy City, Riverdale City and Clinton City will automatically dispatch the Riverdale Fire Department to Roy in the event of an emergency situation. He said this will provide better protection for Roy City.

Councilman Tafoya stated that Davis County has talked in the past about consolidation and asked what would happen if Clinton City is involved with the consolidation. Chief Ritchie said Clinton City would then request discontinuing the Interlocal Agreement; however, he doubted that would happen.

8A. RESOLUTION NO. 819 APPROVING AN INTERLOCAL AUTOMATIC AID FIRE

AGREEMENT BETWEEN ROY, RIVERDALE AND CLINTON CITIES.

Councilman Smith moved to approve Resolution No. 819 approving an Interlocal Automatic Aid Fire Agreement between Roy City, Riverdale City, and Clinton City. Councilman Tanner seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, and Tanner, voted “aye.” The motion carried. (Copy filed for record)

9. CONSIDERATION OF ORDINANCE NO. 926 AMENDING THE CRIMINAL CODE, TITLE 5, RELATING TO PARK CURFEW, PROHIBITING BEING AT THE PARK DURING CERTAIN HOURS

Andy Blackburn explained that it was brought to his attention by a police officer that this Ordinance was left out of the recodification. He explained that it was put in the recodification word-for-word and was not changed.

Councilman Tanner moved to approve Ordinance No. 926 amending the criminal code, Title 5, relating to park curfew, prohibiting being at the park during certain hours. Councilwoman Becraft seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, and Tanner voted “aye.” The motion carried.

10. CONSIDERATION OF JOINT RESOLUTION NO. 816 OPPOSING ANY CHANGE TO WEBER COUNTY’S ZONING ORDINANCES WHICH WOULD ALLOW A DEMOLITION DEBRIS LANDFILL AT 1650 WEST 3000 SOUTH IN PRESENTLY UNINCORPORATED WEBER COUNTY

Chris Davis explained that the proposed location of the landfill is just northeast of the intersection of Hinckley Drive and 1900 West. He stated that the staff is concerned about debris that might result from the landfill and the neighbors are concerned about the impact it would have on their property. Mark Miller, City Engineer, issued a memo expressing concern about possible contamination to the 4000 South Well. His recommendation was that Roy City seek the cooperation of Weber County and the State of Utah Division of Solid and Hazardous Waste in either preventing the construction of a landfill at this location or requiring physical barriers that are adequate to protect groundwater quality. Mr. Davis stated that the staff recommends supporting the Resolution; however, he invited Greg Montgomery, City Planner for Ogden City, and the landowners to give their point of view.

Greg Montgomery stated that Ogden City passed the Resolution opposing change to the zoning ordinance which would allow a demolition debris landfill. He explained that the property is an unincorporated island in Weber County and the concern is that changing the zone may take away future uses for the property. Some of his concerns include the visible impact of having that type of facility at the entrance to Roy City/Ogden City. He also expressed concern about the impact

on future economic growth.

Bernie Allen, C&D Landfill, stated that he felt the Resolution is based on misleading and purposely flawed information. He reminded the Council that they are not voting for or against a landfill but are voting to change the zoning. He said that C&D accepts manufacturing products, not garbage. He stated that concern has been expressed over the landfill attracting seagulls and blowing garbage. He said it's not that type of landfill. He stated that the County is looking at changing the zone to a manufacturing zone which does not automatically approve the landfill, just the possibility of a landfill. He stated that such a landfill would save developers money by eliminating transfer fees. Mr. Allen stated that all of the material that would be accepted is solid; hence, no chance for contaminating water sources. He explained the process stating that one cell at a time would be open to accept construction waste materials and when filled that cell would be covered and landscaped. He explained that money would be reserved in a government entity to rehabilitate the land as it is filled. He stated that currently the property is an open dirt pit which is no more attractive than a landfill. He said that Mr. Warren is a good developer and has every reason to do a good job and protect his property which is adjacent to the proposed landfill site. He explained that a Conditional Use Permit would still be required even if the zone change is approved.

Councilwoman Becraft asked for a time line on the project. Mr. Allen estimated 15 to 20 years from start to finish at which time it would be landscaped and be an asset to the community.

Wayne Hansen, 3673 S. 1900 W., said that the developers are focused on big money. He said that he felt the job of the City Council was to represent the people. He asked what benefit would come from such a project. He expressed concern about the dust and contamination that would come from a landfill. Mr. Hansen said he was not impressed with Mr. Warren's prior projects and stated that he is a businessman who will sell the property in the first five years.

Mr. Allen stated that the benefit would come in the way of a \$300 decrease in construction costs of each home built in Roy City due to lack of transfer fees for dumping construction materials.

Councilman Tafoya stated that he disagreed with Mr. Allen's perception that the Resolution is incorrect and misleading. He stated that he doesn't want to see a landfill at the proposed location and feels it's not a good location for such a project. He stated that he was not in favor of the rezone and felt there are better business prospects for the site.

Councilwoman Becraft stated that she felt that location would be the next entrance to the City and doesn't want to see a mound of dirt there for the next 20 years.

Councilman Tanner acknowledged the cell development plan; however, he felt the appearance would be a problem. He felt a landfill is contrary to the plan for the area and it doesn't make sense to rezone the area to allow for the landfill.

Councilman Smith stated that the rezone may be approved regardless; however, Roy City does oppose the rezone. He felt that it's important to look at the whole picture and not just the rezone.

Andy Blackburn stated that he strongly supports the Resolution and feels that it is accurate.

Councilman Smith moved to approve the Joint Resolution No. 816 opposing any change to Weber County's zoning ordinances which would allow a demolition debris landfill at 1650 West 3000 South in presently unincorporated Weber County. Councilman Tafoya seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, and Tanner voted "aye." The motion carried. (Copy filed for records).

11. CONSIDERATION OF RESOLUTION NO. 820 SUPPORTING ROY CITY'S APPLICATION FOR CERTIFICATION AS A QUALITY GROWTH COMMUNITY BY THE UTAH QUALITY GROWTH COMMISSION

Tony Reynolds introduced the Quality Growth Program which is a new program that provides access to state funds for Quality Growth Communities. Mr. Reynolds recommended that the paperwork be completed to certify for the program.

Councilwoman Becraft asked if there is a cost to be involved with the Quality Growth Program. Mr. Reynolds said there is no cost to qualifying cities.

Councilman Tanner moved to approve Resolution No. 820 supporting Roy City's application for certification as a Quality Growth Community by the Utah Quality Growth Commission. Councilwoman Becraft seconded the motion. A roll call vote was taken. Council members Becraft, Smith, and Tafoya, and Tanner voted "aye." The motion carried. (Copy filed for record)

12. CITY MANAGER'S REPORT

Chris Davis stated that the Carnival operators asked if it would be possible to move Roy Days to July 15th through the 17th rather than the first week of August with an incentive of \$7,000. The Council agreed that the money isn't the issue and would prefer keeping Roy Days the first weekend of August.

May 14th and 15th is the Council Workshop Retreat.

The Police Awards Banquet is Thursday, 4/8/04 at the Timbermine beginning at 6:30 p.m.

13. MAYOR AND COUNCIL REPORTS

Councilwoman Becraft stated that she spent some time at West Park and watched people park in the red zone. She reported that when a police officer would come by, they would move and then return to the red zone to watch the ball games. She asked what could be done about this problem. Andy Blackburn said the City could make the police aware of the problem. Chris Davis said he would talk with Greg Whinham about the issue.

Councilman Smith asked for an update on code enforcement that has been discussed in the recent past. Mr. Reynolds said that is in progress.

14. ADJOURN

Councilman Tanner moved to adjourn City Council Meeting at 8:13 p.m. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Tafoya, and Tanner voted "aye." The motion carried.

Roger Phil Burnett
Mayor

Attest:

Char Wolverton
Secretary

dc:apr0604