

MINUTES OF THE SEPTEMBER 21, 2004, ROY CITY COUNCIL MEETING

1. Approval of September 7, 2004 minutes
2. Consideration of request for waiver of utility fees for Army Reserve Unit
3. Request for approval of alcoholic beverage license for Phillips 66 Roy, LLC
4. Consideration of a final development plan and a conditional use permit for a restaurant and a professional office on Pad F of Kent's Commercial Subdivision located at approximately 3518 West 5600 South
5. Revised department head salary ranges
6. City Manager's report
7. Public hearing to consider a preliminary development plan for a planned commercial development located at approximately 4000 South Midland Drive
8. Resolution No. 838 regarding Weber County Ramp Tax
9. Mayor and Council Reports
10. Adjourn

Minutes of the Roy City Council Meeting held September 21, 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 Pro-Tem Marge Becraft  
Councilman Tommy Smith  
Councilman Dave Tafoya  
Councilman Dan Tanner  
Councilman Larry Peterson

City Manager Chris Davis  
Secretary Char Wolverton

Excused: Mayor Roger Burnett and City Attorney Andrew Blackburn

Also present were: Tony Reynolds, Community Development Services Director; Cathy Spencer, Management Services Director; Cynthia B. Owen; Steve Hawes; Jeff Christensen; Dave Whitaker; Jeff Johansen; Eldon Haacke; Scott Brubaker; Ben Brubaker, Richard Jarman

Moment of Silence: Councilman Tanner

Pledge of Allegiance: Combined Boy Scout Group

1. APPROVAL OF SEPTEMBER 7, 2004 MINUTES

**Councilman Tafoya moved to approve the minutes of September 7, 2004, as written. Councilman Tanner seconded the motion. Council members Smith, Tafoya, Becraft, Tanner, and Peterson voted “aye.” The motion carried.**

2. CONSIDERATION OF REQUEST FOR WAIVER OF UTILITY FEES FOR ARMY RESERVE UNIT

Chris Davis stated that the City received a letter from Major Ronald McLean from the 91<sup>st</sup> Division of the Army Reserve Unit requesting that the utility fees for members of the Army Reserves residing in Roy City be waived. Duane Gutierrez is the only member of that division residing in Roy at this time.

**Councilman Smith moved to waive the utility fees for Army Reservists of the 91<sup>st</sup> Division to be effective for the current billing period. Councilman Tanner seconded the motion. Council members Smith, Tafoya, Becraft, Tanner, and Peterson voted “aye.” The motion carried.**

3. REQUEST FOR APPROVAL OF ALCOHOLIC BEVERAGE LICENSE FOR PHILLIPS 66 ROY, LLC

Chris Davis reported that there has been a transfer of ownership at the above location; hence, approval of an alcoholic beverage license is required.

**Councilman Peterson moved to approve a Class A alcoholic beverage license for Phillips 66 Roy, LLC. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, Tanner, and Peterson voted "aye." The motion carried.**

4. CONSIDERATION OF A FINAL DEVELOPMENT PLAN AND A CONDITIONAL USE PERMIT FOR A RESTAURANT AND A PROFESSIONAL OFFICE ON PAD F OF KENT'S COMMERCIAL SUBDIVISION LOCATED AT APPROXIMATELY 3518 WEST 5600 SOUTH

Tony Reynolds explained that the proponents are requesting a final development site plan Approval for the pad site and two conditional use permits; one for Gondolpho's Restaurant and one for professional offices for all spaces available on Pad "F." He stated that the Planning Commission reviewed the request and had three concerns; 1) a light which has been relocated, 2) the location of a handicap access ramp in relation to the doorway, which has been moved and 3) parking lot depth which is typically 9 x 20 feet, was originally 9 x 18 feet and is now 9 x 19 feet with 24 feet between the two parking rows.

**Councilman Tafoya moved to approve consideration of a final development plan and a conditional use permit for a restaurant and a professional office on Pad F of Kent's Commercial Subdivision located at approximately 3518 West 5600 South. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted "aye." The motion carried.**

5. REVISED DEPARTMENT HEAD SALARY RANGES

Chris Davis stated that the City has offered the position of Recreation Director to Virgil Howe and he has accepted. Mr. Howe has a Bachelors and Masters Degree in recreation. Mr. Davis reported that two departments have been combined; Parks and Recreation, and the Complex and Aquatic Center and the consolidation should create a cost savings. The salary range for Parks & Recreation and the Complex & Aquatic Center Directors has been \$58,884 - \$58,964. The proposed salary range for all five department heads is \$62,325 - \$92,123.

Councilman Tafoya asked if the department heads were at will. Mr. Davis said that the department heads are at will; however, Mr. Howe would prefer to remain a merit employee. Councilman Smith recommended that if the two departments are combined, that the position be classified and the duties outlined. Mr. Davis said that when Mr. Howe retires, the position will change to an at will position.

**Councilman Smith moved to approve the revised department head salary ranges and rectify the classification system. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.**

Mr. Davis clarified with Councilman Smith that by classification he was referring to the Recreation Director position in the future being an at will, non-merit position. Mr. Smith stated that was correct.

#### 6. CITY MANAGER’S REPORT

Chris Davis reported that in the last state legislative session and Utah League of Cities and Towns, the subdivision ordinances were revised.

Arrangements have been made to attend the 2<sup>nd</sup> annual Scarecrow Extravaganza for the Boy’s and Girl’s Club and a pool reservation will be auctioned off.

Mr. Davis spoke with Paul Hatch, an attorney the City has contracted with to help with federal funding, about some upcoming projects.

Mayor Burnett and City Attorney Andy Blackburn are excused from the meeting tonight to attend the meeting regarding the landfill.

The Roy Town Reunion Dinner will be held October 8<sup>th</sup> at 6:00 at Roy Elementary School. There will be entertainment and a gift shop.

#### 7. PUBLIC HEARING TO CONSIDER A PRELIMINARY DEVELOPMENT PLAN FOR A PLANNED COMMERCIAL DEVELOPMENT LOCATED AT APPROXIMATELY 4000 SOUTH MIDLAND DRIVE

**Councilman Smith moved to open a public hearing at 6:32 p.m. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, and Tanner voted “aye.” The motion carried.**

Tony Reynolds explained that Smith, Brubaker, and Haacke are requesting approval of a preliminary development for a commercial development located at 4000 South Midland Drive. The property was previously owned by the Jackson Family and was annexed into Roy City in 2003. The adjacent properties owned by the Jarman and Griffin families have not yet been annexed into Roy City. The overall project, including the Jarman and Griffin properties, is approximately 16 acres. The recommendation from staff and Planning Commission is to approve the preliminary plan. There is a 40-acre development across the street in West Haven that Mr. Reynolds reports compliments and competes with the project.

Councilwoman Becraft asked if the Lilly Jackson property is part of this project. Mr. Reynolds stated that it is not but could be in the future.

Mr. Reynolds showed the landscaping plan and stated that staff is pleased with the plan and the integration with surrounding residential areas. A solid 6-foot vinyl fence will create a buffer along the south and east sides of the development. Mr. Reynolds turned the time over to the developers.

Scott Brubaker reported that the project has been called Midland Market Place. He said he has met with UDOT on drive accesses and plans for the drive access on Midland Drive to line up with the drive access across the street in the West Haven development to create a safe intersection. The main structure will also be suppressed approximately 6 to 9 feet below the residential development and will be shorter than a 1-story building. Mr. Brubaker stated there will be varied elevations with a common theme to create a “softer, friendlier look.” He reported that he and his colleagues look forward to working with Roy City to complete the project.

Councilman Peterson asked if they had an anchor tenant in mind. Mr. Brubaker stated that the most likely tenant of the largest building would be a grocer.

Mayor Pro-Tem Becraft asked if there was any public comment.

Richard Jarman, 2805 S. 4000 S., asked if the project doesn't go through, will he be forced to complete the annexation process. Mr. Reynolds reported that the Council, in a previous meeting, agreed that he would not be forced to annex his property into Roy if the project does not go through as planned.

Councilman Smith asked the proponents if they have looked at any other sites in downtown Roy. Mr. Brubaker stated that they have looked at two other areas but they didn't work out. Eldon Haacke stated that they also developed the Albertsons in Clinton and said they were one of the first to realize the detriment to being on 1900 West and preferred to be down among the residential areas where the growth is.

**Councilman Tafoya moved to close the public hearing at 6:52 p.m. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.**

**Councilman Tafoya moved to approve the preliminary development plan for a planned commercial development located at approximately 4000 South Midland Drive. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.**

Mr. Brubaker stated that he looks forward to working with Roy City and reminded the Council

that the site plan is preliminary and they may adjust the square footage of the buildings.

8. RESOLUTION NO. 838 REGARDING WEBER COUNTY RAMP TAX

Chris Davis suggested that this item be tabled as there was not a representative from the RAMP tax present.

9. MAYOR AND COUNCIL REPORTS

Councilman Smith stated that he got a letter from a student at Heritage High School asking for a donation from the City to sponsor the school basketball team for the 2005 school year. The money would pay for uniforms. Councilman Smith said he made a personal donation and was asked by the student to approach the City Council for a donation also. Chris Davis stated that he felt a donation of \$100 to \$150 was reasonable and has been done in the past for similar organizations. He said he would take care of that and the money would come from the Council Contingency Fund.

10. ADJOURN

**Councilman Tanner moved to adjourn City Council Meeting at 7:00 p.m. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, Peterson and Tanner voted "aye." The motion carried.**

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Roger Phil Burnett  
Mayor

Attest:

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Char Wolverton  
Secretary