

MINUTES OF THE MARCH 15, 2005, ROY CITY COUNCIL MEETING

1. Approval of Minutes of March 1, 2005
2. Resolution No. 847 recognizing Roy High Cheerleaders in a national competition
3. Public comments on justice assistance grant proposal and process
4. Council approval of contract for auditor services
5. Public hearing to consider vacating Lot Nos. 5 and 6 of the Brown-Donaldson Subdivision and public easements located at approximately 3200 West 4800 South (do not need to hold public hearing because didn't receive any written protests)
 - a. Consideration of Ordinance No. 936 vacating Brown-Donaldson Subdivision Lot Nos. 5 and 6 along with all easements and rights-of-way
6. Public hearing to consider an amendment to RCC Title 11, Subdivision Regulations (11-902-4(a & b)), pertaining to minor terminal streets
 - a. Consideration of Ordinance No. 937 amending RCC Title 11 - Subdivision Regulations pertaining to minor terminal streets
7. Final acceptance of subdivision improvements for:
 - a. Herefordshire Square Subdivision located at approximately 4450 South 1900 West
 - b. Royal View Center Condominiums located at approximately 5145 South Airport Road
 - c. Sacco Commercial located at approximately 6020 South 1900 West
 - d. Turner Condominiums located at approximately 5678 South 1900 West
 - e. Yoshimura Subdivision located at approximately 3100 West 5600 South
8. Consideration of a Conditional Use Permit for a pet grooming business located at approximately 3570 West 5600 South, Suite B, Kent's Commercial Center
9. Consideration of a Conditional Use Permit for a college located at approximately 1843 West 4000 South, Iomega Business Park
10. Consideration of a Conditional Use Permit for a restaurant located at approximately 1912 West 5600 South
11. Consideration of Ordinance No. 938 amending Roy City Alcoholic Beverage Ordinance to include a new section providing for administrative renewal of alcoholic beverage licenses by the Community & Economic Development Director

12. City Manager's report
13. Mayor and Council reports

Minutes of the Roy City Council Meeting held March 15, 2005, 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
Councilman Larry Peterson

City Manager Chris Davis
City Attorney Andrew Blackburn
Secretary Char Wolverton

Also present were: Tony Reynolds, Community Development Services Director; Mark Larson, Planner; Cathy Spencer, Management Services Director; Greg Whinham, Police Chief; Rick Martin; Tina Martin; Blake Heiner; Yvonne R. Day; Dawna and Peter Loderhose.

Moment of Silence: Councilman Tanner

Pledge of Allegiance: Councilman Tanner

1. APPROVAL OF MARCH 1, 2005 MINUTES

Councilman Smith moved to approve the minutes of March 1, 2005, as written. Councilwoman Becraft seconded the motion. Council members Smith, Tafoya, Becraft, Tanner, and Peterson voted “aye.” The motion carried.

2. RESOLUTION NO. 847 RECOGNIZING ROY HIGH CHEERLEADERS IN A NATIONAL COMPETITION

Mayor Burnett stated that Resolution No. 847 is to honor the Roy High School Cheerleaders on their Western National Championship. The Roy High School Cheerleaders recently competed at the Western National Championship and received first place in Medium Varsity Stunt Routine and third place in Varsity Pom Routine.

Councilwoman Becraft moved to approve Resolution No. 847 recognizing Roy High Cheerleaders in a national competition. Councilman Tanner seconded the motion. A roll call vote was taken. Council members Smith, Tafoya, Becraft, Tanner, and Peterson voted “aye.” The motion carried. (Copy filed for record.)

3. PUBLIC COMMENTS ON JUSTICE ASSISTANCE GRANT PROPOSAL AND PROCESS

Greg Whinham stated that Block Grants and Burn Grants, which Roy City has received in the past, have been abolished. The Burn Grant previously funded 13 Narcotic Strike Forces in the State of Utah and two Gang Units. The Roy City Police Department participates with both the Gang Unit and Strike Force both of which are multi-agency in Weber County. The Justice Assistance Grant (JAG) has replaced the above-mentioned grants. The JAG is funded at about half of the dollars previously used for the above programs. In the past block grants have helped fund the inkless finger print (Identix) system, install computers in police cars, enhance technology, etc. Last year, in the way of Block Grants, Roy City received nothing. About thirty days ago, Roy City was notified by providers of the JAG that Roy City, along with Weber County and Ogden City were again going to be funded with grant money in the amount of approximately \$142,000. No direction was given as to how the money would be divided; hence, it was left to the discretion of the involved entities how the money would best serve law enforcement. Meetings have occurred and a program established. The Gang Unit and Strike Force will be funded through the JAG program at 50 percent. These programs are supplemented by the cities involved. Four personnel, three from Ogden City and one from Weber County support those programs. The proposal includes taking the first \$75,000 to help continue with the support personnel in those two programs. Last year Roy City's budget included installing printers in police vehicles. Accident investigations and reports are now able to be printed. Ogden City has not yet started the program and Weber County has four test printers. \$49,000 has been set aside for a pilot program to include purchasing some printers for the other agencies. Roy City currently does not have the ability to get reported information from the computer system inside the police car to the Versaterm record system. Those are still being input by clerks. That is also the case in Weber County and Ogden City. The \$49,000 will be set aside to assist with the software, etc. to accomplish that goal.

Chief Whinham stated that as he spoke with the sheriff's representative and Chief Greiner, he shared with them two programs that he has great passion about. These programs were initiated several years ago. One of them, originally called Cops and Shops, was focused on helping identify those who may be supplying alcohol to minors and also the interdiction of usage of alcohol by minors in the community. That program has continued without any grant assistance. The second program Chief Whinham referred to was the Bike Patrol which was also started with grant funds. The bikes are used in parks, neighborhoods in the evenings, etc. The Sheriff's representative and Chief Greiner agreed to put \$8,000 toward the alcohol suppression program and \$8,000 toward the bike patrol shifts. Chief Whinham stated that the money would provide 400 to 500 hours of additional coverage used during critical times in critical areas for special enforcement projects within the City.

Councilman Smith asked if the \$8,000 would be used for all three entities. Chief Whinham said that money, actually \$16,000 for both programs, would be used just for Roy City. Councilman Smith asked if the finger printing program would be continued. Chief Whinham said that all programs started and supplies purchased previously with grant money are maintained, serviced and kept within the budget.

Councilman Tafoya asked if Chief Whinham anticipates these types of “shared” grants in the future. Chief Whinham said the JAG has already been cut from next year’s budget. He anticipates not receiving this type of grant in the future. He felt the JAG would be the most substantial contribution, outside of general funds money, to the Police Department. The Police Department is almost 100 percent funded by Roy City tax dollars. The JAG grant will be submitted April 1st and will start July 1st. It can carry over up to two additional years. Chief Whinham said that Ogden City will apply for the grant and then an interlocal agreement will be drafted.

Mayor Burnett asked if there was any public comment. There was none.

4. COUNCIL APPROVAL OF CONTRACT FOR AUDITOR SERVICES

Cathy Spencer stated that Roy City received bids from six accounting firms to perform the FY2005 audit as well as the subsequent three years audits. The bids ranged from \$40,000 to \$59,900. The Audit Committee met and reviewed the proposals. A firm was selected based on technical experience, size and structure of firm, qualifications of staff, geographic location, fee, etc. The Audit Committee selected the accounting firm Schmitt, Griffiths, Smith & Co. to perform the audit. The proposed fee for the FY2005 audit is \$9,500. Audit fees for the three succeeding years will be \$10,000, \$10,500, and \$11,000 respectively.

Councilwoman Becraft asked if that is the firm that currently performs Roy City audits. Ms. Spencer said that it is.

Councilman Smith moved to approve the contract with Schmitt, Griffiths, Smith, & Co. for auditor services. Councilman Peterson seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

5. PUBLIC HEARING TO CONSIDER VACATING LOT NOS. 5 AND 6 OF THE BROWN-DONALDSON SUBDIVISION AND PUBLIC EASEMENTS LOCATED AT APPROXIMATELY 3200 WEST 4800 SOUTH

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

Tony Reynolds stated that Apple Blossom Estates has received preliminary approval and the subdivision includes Lot Nos. 5 and 6 of Brown-Donaldson Subdivision and public easements located at 3200 West 4800 South. Mr. Reynolds stated that notices were sent out to property owners within 300 feet of the proposed vacations and no protests received.

Councilman Smith moved to close the public hearing at 6:34 p.m. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

5A. CONSIDERATION OF ORDINANCE NO. 936 VACATING BROWN-DONALDSON SUBDIVISION LOT NOS. 5 AND 6 ALONG WITH ALL EASEMENTS AND RIGHTS-OF-WAY

Councilman Peterson moved to approve Ordinance No. 936 vacating Brown-Donaldson Subdivision Lot Nos. 5 and 6 along with all easements and rights-of-way. Councilman Tanner seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

6. PUBLIC HEARING TO CONSIDER AN AMENDMENT TO RCC TITLE 11, SUBDIVISION REGULATIONS (11-902-4(A & B)), PERTAINING TO MINOR TERMINAL STREETS

Councilman Tanner moved to open a public hearing at 6:35 p.m. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

Tony Reynolds stated that some minor changes have been made to Title 11 of the Roy City Code Subdivision Regulations pertaining to minor terminal streets (11-902-4). He said these are housekeeping issues.

Mayor Burnett asked if there was any public comment. There was none.

Councilman Tanner moved to close the public hearing at 6:38 p.m. Councilman Peterson seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

6A. CONSIDERATION OF ORDINANCE NO. 937 AMENDING RCC TITLE 11 - SUBDIVISION REGULATIONS PERTAINING TO MINOR TERMINAL STREETS

Councilman Peterson moved to approve Ordinance No. 937 amending RCC Title 11 - Subdivision Regulations pertaining to minor terminal streets. Councilman Smith seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

7. FINAL ACCEPTANCE OF SUBDIVISION IMPROVEMENTS FOR:
A. HEREFORDSHIRE SQUARE SUBDIVISION LOCATED AT APPROXIMATELY 4450 SOUTH 1900 WEST

- B. ROYAL VIEW CENTER CONDOMINIUMS LOCATED AT APPROXIMATELY 5145 SOUTH AIRPORT ROAD
- C. SACCO COMMERCIAL LOCATED AT APPROXIMATELY 6020 SOUTH 1900 WEST
- D. TURNER CONDOMINIUMS LOCATED AT APPROXIMATELY 5678 SOUTH 1900 WEST
- E. YOSHIMURA SUBDIVISION LOCATED AT APPROXIMATELY 3100 WEST 5600 SOUTH

Tony Reynolds stated that Mark Miller, City Engineer, submitted memos recommending that final acceptance be presented to the Council for approval on each of the above subdivisions.

Councilman Tanner moved to grant final acceptance of subdivision improvements for: Herefordshire Square Subdivision located at approximately 4450 South 1900 West; Royal View Center Condominiums located at approximately 5145 South Airport Road; Sacco Commercial located at approximately 6020 South 1900 West; Turner Condominiums located at approximately 5678 South 1900 West; Yoshimura Subdivision located at approximately 3100 West 5600 South. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, and Tanner voted “aye.” The motion carried.

- 8. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A PET GROOMING BUSINESS LOCATED AT APPROXIMATELY 3570 WEST 5600 SOUTH, SUITE B, KENT’S COMMERCIAL CENTER
- 9. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A COLLEGE LOCATED AT APPROXIMATELY 1843 WEST 4000 SOUTH, IOMEGA BUSINESS PARK
- 10. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A RESTAURANT LOCATED AT APPROXIMATELY 1912 WEST 5600 SOUTH

Mayor Burnett stated that item Nos. 8, 9, and 10 are requests for conditional use permits. He stated there is nothing controversial about them that he is aware of.

Councilman Tafoya moved to approve Conditional Use Permits for a pet grooming business located at approximately 3570 West 5600 South, Suite B, Kent’s Commercial Center; for a college located at approximately 1843 West 4000 South, Iomega Business Park; and for a restaurant located at approximately 1912 West 5600 South. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

- 11. CONSIDERATION OF ORDINANCE NO. 938 AMENDING ROY CITY ALCOHOLIC

BEVERAGE ORDINANCE TO INCLUDE A NEW SECTION PROVIDING FOR
ADMINISTRATIVE RENEWAL OF ALCOHOLIC BEVERAGE LICENSES BY THE
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

Andy Blackburn stated that the purpose of Ordinance No. 938 is to make it possible for alcoholic beverage licenses to be renewed administratively rather than having the City Council approve them. He stated that the same requirements and investigations will exist and the same appeal process will exist.

Mayor Burnett asked if there is an option for these to come before the Council if administration denies renewal for some reason. Mr. Blackburn said that if the Community & Economic Development Director denies renewal of an alcoholic beverage license, the proponent would be able to appeal to the City Council.

Councilman Smith moved to approve Ordinance No. 938 amending Roy City Alcoholic Beverage Ordinance to include a new section providing for administrative renewal of alcoholic beverage licenses by the Community & Economic Development Director. Councilman Tafoya seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Tanner and Peterson voted “aye.” The motion carried.

12. CITY MANAGER’S REPORT

Chris Davis stated that the Planning Commission Dinner will be held 3/29/05 at Ruby River at 6:00 p.m.

On 4/7/05 the Police Awards Banquet will be held at the Timbermine at 6:00 p.m.

Starting May 31st, summer hours will again be initiated for the Roy City Municipal Offices. This will be in effect through Labor Day.

13. MAYOR AND COUNCIL REPORTS

Councilman Smith reported that he received an e-mail regarding a meeting that will be held 3/16/05 at the Gateway Center at the Ogden Airport regarding a new business that will occupy the Gateway Center. The meeting is at 9:00 a.m. It was decided that Councilman Tanner would attend.

Mayor Burnett reported that Roy Days will be held the first week of August.

Councilman Tafoya stated that the Roy City Easter Egg Hunt will be held at Sandridge Park on March 26th at 9:00 a.m.

Councilman Peterson stated that he has received questions from Roy City citizens that he has referred to the City Manager and staff. He thanked those individuals for their assistance and customer service.

14. ADJOURN

Councilman Smith moved to adjourn City Council Meeting at 6:57 p.m. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, Peterson and Tanner voted "aye." The motion carried.

Roger Phil Burnett
Mayor

Attest:

Char Wolverton
Secretary

dc:Mar1505