

## MINUTES OF THE MARCH 7, 2006, ROY CITY COUNCIL MEETING

1. Approval of Minutes of February 21, 2006
2. Consideration of a Conditional Use Permit for a restaurant and a drive-through window located at approximately 5519 South 3500 West
3. Award of contract for the Layton Canal Siphon Extension Project
4. Public comments
5. Interlocal agreement with the Second District Juvenile Court for graffiti removal
  - a. Resolution No. 873 approving the interlocal agreement
6. Resolution No. 874 designating Mayor, City Manager, City Attorney, Management Services Director or their designees to inspect and receive confidential tax information and discuss tax issues
7. Consideration of decision to refer to Planning Commission a proposed vacation of a strip of property running north and south along westernmost street in the Halvern Subdivision for subsequent purchase by UTA
8. City Manager's report
9. Mayor and Council reports

Minutes of the Roy City Council Meeting held March 7, 2006, 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 Joe H. Ritchie  
Councilwoman Marge Becraft  
Councilman Tommy Smith  
Councilman Dave Tafoya  
Councilman Michael Stokes  
Councilman Larry Peterson

City Manager Chris Davis  
City Attorney Andrew Blackburn  
Secretary Char Wolverton

Also present were: Tony Reynolds, Community Development Services Director; Cathy Spencer, Management Services Director; Seth Jensen; Craig Boyer; Troop 470; Troop 195

Moment of Silence: Councilman Stokes

Pledge of Allegiance: Troop 470

1. APPROVAL OF FEBRUARY 21, 2006 MINUTES

Mayor Ritchie stated that approval of the February 21, 2006 minutes would be postponed pending review of the submitted changes.

2. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A RESTAURANT AND A DRIVE-THROUGH WINDOW LOCATED AT APPROXIMATELY 5519 SOUTH 3500 WEST

Tony Reynolds stated that a site plan has been submitted for a Warren's restaurant with a drive through located at 5519 South 3500 West adjacent to Kent's Commercial Center. Mr. Reynolds explained that there will be no new access along 3500 West; that Warren's would have common access with Kent's Commercial on 3500 West and would also have shared access to the north. Mr. Reynolds stated that a restaurant and drive through requires a Conditional Use Permit. Mr. Reynolds showed the building elevations. The Planning Commission has reviewed the request and has recommended approval subject to the recommendations in the staff report.

Councilman Peterson stated that the nice thing about Kent's Commercial Center is the specialty lighting along the walkways. Mr. Reynolds stated that the only lighting he is aware of is the lighting on the building.

**Councilman Tafoya moved to approve a Conditional Use Permit for a restaurant and a drive-through window located at approximately 5519 South 3500 West subject to staff recommendations. Councilman Smith seconded the motion. Council members Smith, Tafoya, Becraft, Stokes, and Peterson voted “aye.” The motion carried.**

3. AWARD OF CONTRACT FOR THE LAYTON CANAL SIPHON EXTENSION PROJECT

Mayor Ritchie said that this item will not be addressed as the bids came in over budget. The project will be re-bid and will appear on a future agenda.

4. PUBLIC COMMENTS

There were no public comments.

5. INTERLOCAL AGREEMENT WITH THE SECOND DISTRICT JUVENILE COURT FOR GRAFFITI REMOVAL

Chris Davis stated that this is an annual agreement with the Second District Juvenile Court for graffiti removal. Andy Blackburn has reviewed the agreement and is comfortable with it.

Councilwoman Becraft asked about the cost associated with this agreement. Mr. Davis clarified that the cost to Roy City is \$1000.00 per year; however, the City received \$1585.00 in services last year.

5A. RESOLUTION NO. 873 APPROVING THE INTERLOCAL AGREEMENT

**Councilwoman Becraft moved to approve Resolution No. 873 approving the interlocal agreement with the Second District Juvenile Court for graffiti removal. Councilman Smith seconded the motion. A roll call vote was taken. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted “aye.” The motion carried. (Copy filed for record)**

6. A RESOLUTION NO. 874 DESIGNATING MAYOR, CITY MANAGER, CITY ATTORNEY, MANAGEMENT SERVICES DIRECTOR OR THEIR DESIGNEES TO INSPECT AND RECEIVE CONFIDENTIAL TAX INFORMATION AND DISCUSS TAX ISSUES

Andy Blackburn explained that this is a formality requested by the IRS. Roy City is currently undergoing an audit and the IRS has requested that they speak with persons who have authority to act on behalf of and speak for the City.

Councilman Tafoya asked if Roy City had been audited before. Mr. Blackburn said that the City has not been audited by the IRS before to his knowledge. Cathy Spencer stated that in the 10 years she has worked for Roy City, she is not aware of an IRS audit.

Councilman Stokes asked what kinds of things the IRS is looking for. Ms. Spencer stated that they are looking for anything personnel related.

**Councilman Smith moved to approve Resolution No. 874 designating Mayor, City Manager, City Attorney, Management Services Director or their designees to inspect and receive confidential tax information and discuss tax issues. Councilman Stokes seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, and Stokes voted "aye." The motion carried. (Copy filed for record)**

7. CONSIDERATION OF DECISION TO REFER TO PLANNING COMMISSION A PROPOSED VACATION OF A STRIP OF PROPERTY RUNNING NORTH AND SOUTH ALONG WESTERNMOST STREET IN THE HALVERN SUBDIVISION FOR SUBSEQUENT PURCHASE BY UTA

Andy Blackburn stated that in order to construct the commuter rail, UTA has offered to purchase a strip of property adjacent to the Halvern Subdivision. UTA would like to purchase a strip of property for a right-of-way varying from 1.5 to 8 feet wide of what is currently a 33-foot dirt road. The property was previously dedicated to Roy City. In order to begin the process, vacation of the strip of property in question would be required. If the City Council recommends approval of the vacation, the issue would then go before the Planning Commission who would make a recommendation back to the City Council. UTA has offered approximately \$29,000.00 for the property.

Councilwoman Becraft asked if there would still be a right-of-way for the residents to access the road. Mr. Blackburn indicated that there would be.

Councilman Tafoya asked if the City planned on leaving it as a dirt road or if the plan was to pave it in the future. Mr. Blackburn indicated that this would be up to the Council.

Councilman Peterson explained that due to the steep nature of the properties in this location and the tradition in those days of accessing properties from the rear of the lot, this road was constructed to give this access when the subdivision was built. Today, however, the tradition is to access properties from the front of the lot.

Councilman Stokes asked if any structures would occupy this strip of property. Mr. Davis said that he thought UTA would construct a retaining wall in the property.

**Councilman Tafoya moved to begin the process of vacating a strip of property running north and south along the westernmost street in the Halvern Subdivision for subsequent purchase by UTA by referring the vacation to the Planning Commission for their recommendation. Councilman Peterson seconded the motion. Council members Becraft, Smith, Tafoya, Peterson and Stokes voted “aye.” The motion carried.**

8. CITY MANAGER’S REPORT

Chris Davis stated that there have been some problems with the City’s e-mail system. He confirmed which Council Members would or would not be attending the Utah League of Cities and Towns Conference.

Mr. Davis updated the Council on the latest legislative session.

Mr. Davis stated that he, Mayor Ritchie, and Tony Reynolds attended a meeting with UTA on the commuter rail progress. A deadline of March 31<sup>st</sup> was given to Roy City regarding the Art portion of the platform. The City Council determines whether they want any art in relation to the platform or upgrades to the station. Mr. Davis said that he needed input from the City Council and asked if they would like to do this during a City Council Meeting or in a work session. They can also choose who they want involved in the decision process.

Councilman Tafoya asked if it was UTA’s architect who would be doing the design. Mr. Davis said that they would; however, Roy City has some options regarding canopy upgrades. Mr. Reynolds stated that it was his understanding that the Council and/or staff is being asked for input regarding items such as lighting, fencing, canopy design, and number of canopies.

Councilman Tafoya said that he felt a work session would be the best setting to discuss those issues. Mayor Ritchie stated that it may be worthwhile to invite member of the Planning Commission also.

Councilman Stokes asked what is driving the urgency behind this.

Mr. Reynolds stated that a contractor is in place and while that contractor is in the corridor, he has requested that he put in the platforms while he’s there. This would save time and money.

Councilman Tafoya recommended that a work session be held Tuesday, March 14<sup>th</sup> at 7:00 p.m. to discuss the options regarding the commuter rail platform. The issue will then be brought before the City Council for a final decision at the March 21<sup>st</sup> City Council Meeting.

## 9. MAYOR AND COUNCIL REPORTS

Mayor Ritchie stated that at the last City Council Meeting he mentioned that Alan Nakayu was serving on the Mosquito Abatement Board; however, he would like an elected official to serve on that Board. Since then, he has contacted the Mosquito Abatement Board and learned that Mr. Nakayu cannot be replaced until his term expires or he resigns. Mr. Nakayu is working hard on that Board and is currently serving as the secretary. Mayor Ritchie recommended that Mr. Nakayu continue serving on that Board and that he give a report to the City Council twice a year.

Mayor Ritchie stated that in checking with staff and the City Council Members, he has found that Roy City has no mission statement. He asked if the Council would be interested in formulating a mission statement with the help of the staff members and employees.

Councilman Smith stated that he felt a mission statement creates vision and would be valuable for the City. Councilman Peterson stated that he also felt it would be a good idea to create a mission statement. Mayor Ritchie asked if the Council would like to move forward toward such a goal. The Council agreed to do so.

Mayor Ritchie said that some of the Council Members may have heard the term Enhanced Use Leasing in regards to Hill Air Force Base. A representative from Hill AFB will make a presentation at the next City Council Meeting to explain more about this.

Councilman Stokes stated that he will be unable to attend the next City Council Meeting as he will be out of town.

Councilwoman Becraft expressed appreciation to all of the City employees and members of the Council who read with the students. Mayor Ritchie stated that he very much enjoyed the experience.

Councilman Tafoya stated that he and Chris Davis recently attended a Sewer Board Meeting and asked Mr. Davis to update the Council on the discussion that was held. Mr. Davis stated that Kevin Cowan, Director of the North Davis Sewer District, expressed concern about altering the discharge location of the existing pressure sewer main. Currently, Roy City maintains a single pressurized sewer main from the lift station that serves approximately 40% of the City. The main cannot be shut down or accessed for routine or emergency maintenance. There was discussion about constructing a redundant parallel line; however, Mr. Cowan expressed some concerns about doing so. Engineers on both sides have met with Michael Mansfield and Lon Hansen and it was decided that it was possible to create a parallel line which would negate the need for obtaining an easement. Mr. Davis stated that in the next 60 days the City Council will see information about constructing a redundant line which would allow the main line to be shut down and inspected. Mr. Davis thanked Councilman Tafoya for his involvement in the Sewer

Board.

Mayor Ritchie expressed appreciation to the City Council Members who serve on committees that affect the City.

10. ADJOURN

**Councilwoman Becraft moved to adjourn City Council Meeting at 6:52 p.m.**

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Joe H. Ritchie  
Mayor

Attest:

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Char Wolverton  
Secretary

dc:may0706