

MINUTES OF THE MARCH 21, 2006, ROY CITY COUNCIL MEETING

1. Weber Pathways Presentation
2. Hill Air Force Base enhanced use lease project
3. Declaration of a 1995 ambulance as surplus property
4. Hill Air Force Base environmental program update
5. Public Comments
6. Approval of a final development plan for Rock Run Phase No. 3 and consideration of a conditional use permit for a drive through window located at approximately 5997 South 3500 West
7. Consideration of a conditional use permit for a day care center located at approximately 3588 West 4800 South, Suite C
8. Consideration of a conditional use permit for batting cages located at approximately 5160 South 1900 West and approval of facade changes
9. Consideration of a petition to rezone approximately 3.96 acres located at approximately 5836 South 4300 West from an R-1-15 Zone to an R-1-10 Zone
 - a. Consideration of Ordinance No. 962 approving a rezone of property located at approximately 5836 South 4300 West, Roy, Utah from an R-1-15 designation to an R-1-10 designation
10. Consideration of a petition to rezone approximately 3.81 acres located at approximately 3116 West 5600 South from an RE-20 Zone to an R-1-8 Zone and approximately 11.26 acres located at approximately 3151 West 5600 South from an R-1-10 Zone to an R-1-8 Zone
 - a. Consideration of Ordinance No. 963 approving a rezone of property located at approximately 3115 West 5600 South, Roy, Utah from an RE-20 designation to an R-1-10 designation
11. City Manager's report
12. Mayor and Council Reports
13. Adjourn City Council Meeting

Minutes of the Roy City Council Meeting held March 21, 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 Larry Peterson

City Manager Chris Davis
City Attorney Andrew Blackburn
Secretary Char Wolverton

Excused: Councilman Michael Stokes

Also present were: Tony Reynolds, Community Development Services Director; Mark Loucks; Cassi Ricks; Barbara Fisher; Monty Vorwaller; Kim Vorwaller; Evelyn Vorwaller; Robert Vorwaller; Lon Reed; Mark Roginski; Dale Searcy; Carl Stegen; Benigno G. Martinez; Katie Ellis; Brenda Draper; Charles and Valerie Robertson; Vicki Van der Haye; Tony Baros; Reva Black; Marcell Westergard

Moment of Silence: Councilman Tafoya

Pledge of Allegiance: Councilman Tafoya

1. WEBER PATHWAYS PRESENTATION

Elaine Leadman, Executive Director of Weber Pathways, stated that the organization works with municipalities to encourage non-motorized pathways within the cities. She congratulated Roy City for their support of Weber Pathways and presented a framed map of the pathways in Weber County. Ms. Leadman asked that Roy City provide her with the total amount of money spent on trails within the City in the last five years and also requested that the City partner with Weber Pathways to incorporate trails into the Master Plan. Ms. Leadman introduced the director of Junior Trails and stated that the focus of that program is to improve the health of women and children.

Mayor Ritchie thanked Ms. Leadman for her presentation.

2. HILL AIR FORCE BASE ENHANCED USE LEASE PROJECT

Mayor Ritchie stated that this agenda item will be postponed.

3. DECLARATION OF A 1995 AMBULANCE AS SURPLUS PROPERTY

Jon Ritchie stated that the Roy City Fire Department has had an ambulance in reserve for the past three years. The ambulance does not run. A buyer has offered \$5,000 for the ambulance. Chief Ritchie asked that the Council declare the ambulance surplus so that it can be sold.

Councilman Tafoya moved to declare the 1995 ambulance as surplus property and approve the sale. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, and Peterson voted “aye.” The motion carried.

4. HILL AIR FORCE BASE ENVIRONMENTAL PROGRAM UPDATE

Mayor Ritchie turned the time over to Mark Roginski, representative from HAFB, for an environmental restoration update. Mr. Roginski provided information regarding the progress of the clean-up efforts. He reviewed the Roy City area of Trichloroethene (TCE) contamination in the groundwater. There are currently two treatment systems in place and three extraction wells which were designed to keep the highest concentrations of TCE from leaving the Base. These systems have proven successful. Mr. Roginski stated that the plan is to continue operation of the existing systems along with the addition of four extraction wells. It is predicted that the clean-up effort will last 30 to 40 years.

Mr. Roginski reviewed the Air Sampling Program which includes sampling indoor air for chemicals found in the groundwater. The chemical has been detected in homes over the plume. When vapors are detected that are above the action level, vapor mitigation systems are installed to remove the chemical from the air. The homes are continually sampled to assure efficiency. As of August 2005, 270 homes were sampled, 25 homes were found to have TCE above the action level, 14 homes were found to have TCE below the action level, and 231 homes showed no detection. Hill AFB officials have installed 17 vapor mitigation systems and are in the process of installing 2 more. Mr. Roginski clarified that vapor mitigation systems are installed in homes where detection is below the action level if requested.

The 2006 Indoor Air Sampling Program is currently in progress; 459 residences have been contacted for air sampling and 109 of those have agreed to sampling. Mayor Ritchie asked why residents would not want the air in their homes sampled. Mr. Roginski said he wasn't sure but thought the low response might be due to inconvenience associated with air sampling.

Councilman Tafoya asked how long the vapor mitigation systems would be left in place. Mr. Roginski said they would remain in the homes until the groundwater is cleaned up. He added that the systems will be maintained and replaced as needed.

Mr. Roginski updated the Council on future activities. In June or July of 2006, there will be an

Operable Unit Tour for Mayors and City Council Members at which time the cleaning systems will be looked at. He said that when the dates are finalized, he will send out notices. An open house will be held in August or September of 2006 in which affected residents will be invited and allowed to ask questions about the clean-up progress.

Mayor Ritchie stated that he is impressed with the process and the way it has been handled and appreciates the professionalism. Councilman Peterson asked if it would be possible to put the information in the upcoming newsletter. Mr. Roginski said he would be happy to put together an article for that purpose. He also expressed appreciation for Roy City and the support the staff has given. Mr. Roginski noted the presence of Dale Searcy, representative from Roy City, who is a member of the Restoration Advisory Board and expressed appreciation for his input.

5. PUBLIC COMMENTS

There were no public comments.

6. APPROVAL OF A FINAL DEVELOPMENT PLAN FOR ROCK RUN PHASE NO. 3 AND CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A DRIVE THROUGH WINDOW LOCATED AT APPROXIMATELY 5997 SOUTH 3500 WEST

Tony Reynolds stated that the proponents are requesting approval of the final development plan and a conditional use permit for a financial institution with a drive through window. He asked if there were any questions. There were none.

Councilman Tafoya moved to approve the final development plan for Rock Run Phase No. 3 and consideration of a conditional use permit for a drive through window located at approximately 5997 South 3500 West. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Peterson, and Tafoya, voted "aye." The motion carried.

7. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A DAY CARE CENTER LOCATED AT APPROXIMATELY 3588 WEST 4800 SOUTH, SUITE C

Tony Reynolds stated that Jamie Strain has been operating a day care in her home and wants to expand. The new facility will allow a maximum of 30 children.

Councilman Peterson asked the ages of the children and how many employees she would have. Ms. Strain said that the children will be ages 0-8 and the State Child Care Office regulates number of employees according to the ages and number of children.

Mr. Reynolds added that State Certification is required before a business license can be obtained.

Councilman Smith moved to approve a conditional use permit for a day care center located at approximately 3588 West 4800 South, Suite C. Councilman Peterson seconded the motion. Council members Becraft, Smith, Tafoya, and Peterson voted “aye.” The motion carried.

8. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR BATTING CAGES LOCATED AT APPROXIMATELY 5160 SOUTH 1900 WEST AND APPROVAL OF FACADE CHANGES

Mayor Ritchie asked if the Council had any questions regarding the batting cages. Councilman Peterson noted that in the Planning Commission minutes there was mention of activity at the batting cages ceasing at 10:00 p.m.; however, that was not in their motion. Mr. Reynolds stated that if the City Council would like that stipulation made, it could be part of the motion.

Councilman Peterson moved to approve a conditional use permit for batting cages located at approximately 5160 South 1900 West and approval of facade changes providing that activity at the batting cages cease at 10:00 p.m. Councilwoman Becraft seconded the motion. Council Members Becraft, Smith, Tafoya, and Peterson voted “aye.” The motion carried.

9. CONSIDERATION OF A PETITION TO REZONE APPROXIMATELY 3.96 ACRES LOCATED AT APPROXIMATELY 5836 SOUTH 4300 WEST FROM AN R-1-15 ZONE TO AN R-1-10 ZONE

Tony Reynolds stated that Property Financial is requested the rezone from R-1-15 to R-1-10. The properties to the east, west, and south are all zoned R-1-10.

Councilwoman Becraft asked what would be done with the remnant parcel that is shown on the site plan. Mr. Reynolds stated that the developer will either quit claim that property to Roy City or it will become a part of the road.

9A. CONSIDERATION OF ORDINANCE NO. 962 APPROVING A REZONE OF PROPERTY LOCATED AT APPROXIMATELY 5836 SOUTH 4300 WEST, ROY, UTAH FROM AN R-1-15 DESIGNATION TO AN R-1-10 DESIGNATION

Councilwoman Becraft moved to approve Ordinance No. 962 approving a rezone of property located at approximately 5836 South 4300 West, Roy, Utah from an R-1-15 designation to an R-1-10 designation. Councilman Peterson seconded the motion. A roll call vote was taken. Council Members Becraft, Smith, Tafoya, and Peterson voted “aye.” The motion carried.

10. CONSIDERATION OF A PETITION TO REZONE APPROXIMATELY 3.81 ACRES LOCATED AT APPROXIMATELY 3116 WEST 5600 SOUTH FROM AN RE-20 ZONE TO AN R-1-8 ZONE AND APPROXIMATELY 11.26 ACRES LOCATED AT APPROXIMATELY 3151 WEST 5600 SOUTH FROM AN R-1-10 ZONE TO AN R-1-8 ZONE

Tony Reynolds stated that the above rezone is being requested by the Robertson family. The request now is that the 3.81 acre parcel be rezoned to R-1-10. Staff has recommended approval of the rezone with an accompanying development agreement. Two subdivision layouts were presented; one zoned R-1-8 and as second zoned R-1-10. Mr. Reynolds showed the proposed subdivision if zoned R-1-10. This would allow for 35 lots. The proponents have suggested that the subdivision be zoned R-1-10 with some R-1-8 features; hence, the requirement of a development agreement. The perimeter lots would conform with an R-1-10 zone; however, the space is limited on the interior lots under the power lines and the subdivision layout shows minimum lot sizes of 8,000 square feet. Overall lot size averages 11,683 square feet.

Councilman Tafoya asked what would happen if the developers didn't agree with the development agreement. Mr. Reynolds stated that if they don't agree, the regulations of the R-1-10 zone would apply.

Mayor Ritchie stated that he liked the subdivision with the larger lots on the perimeter creating a buffer for the existing residential developments.

Councilwoman Becraft expressed concern about adding more traffic to 3100 West. Mr. Reynolds stated that adding more traffic may warrant a semaphore.

Mr. Reynolds stated that the recommendation from staff is that the City Council approve rezoning the property to R-1-10 with a development agreement to work around the lots under the power corridors in addition to any necessary amendments to the Zoning Ordinance.

- 10A. CONSIDERATION OF ORDINANCE NO. 963 APPROVING A REZONE OF PROPERTY LOCATED AT APPROXIMATELY 3115 WEST 5600 SOUTH, ROY, UTAH FROM AN RE-20 DESIGNATION TO AN R-1-10 DESIGNATION

Councilman Tafoya moved to approve Ordinance No. 963 approving the rezone of property located at approximately 3115 West 5600 South, Roy, Utah from an RE-20 designation to an R-1-10 designation with a development agreement to work around the lots under the power corridors in addition to any necessary amendments to the Zoning Ordinance. A roll call vote was taken. Council Members Becraft, Smith, Tafoya, and Peterson voted "aye." The motion carried.

11. CITY MANAGER'S REPORT

Chris Davis stated that the Police Awards Banquet will be held April 21st. Also, approximately 30 days ago Chief Greg Whinham was nominated by the State Chief of Police Association as

Roy City Council Minutes
March 21, 2006
Page 6

Police Chief of the year. Chief Whinham was chosen and will receive that award March 22nd in St. George.

12. MAYOR AND COUNCIL REPORTS

There were no mayor or council reports.

10. ADJOURN

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

Joe H. Ritchie
Mayor

Attest:

Char Wolverton
Secretary