

MINUTES OF THE MAY 2, 2006, ROY CITY COUNCIL MEETING

1. Approval of Minutes of April 18, 2006
2. Presentation of the proposed FY 2007 Budget
3. Adjourn City Council Meeting and convene a Redevelopment Agency Meeting
4. Reconvene City Council Meeting
5. Public hearing to consider a \$500 donation to Roy High School's graduation night activities
6. Consideration of a conditional use permit for a barber shop located at approximately 3588 West 5600 South Suite C
7. Consideration of a conditional use permit for a plumbing supply store located at approximately 4456 South 1900 West
8. Public hearing to consider vacating a portion of the right-of-way in the Hal Vern Addition Subdivision located adjacent to the Union Pacific Railroad right-of-way and running from approximately 3650 South 2000 West to approximately 3925 South 2300 West
 - a. Consideration of Ordinance No. 964 vacating a portion of the right-of-way in the Hal Vern Addition Subdivision located adjacent to the Union Pacific Railroad right-of-way and running from approximately 3650 South 2000 West to approximately 3925 South 2300 West
9. Public comments
10. Consideration of a petition to rezone approximately 4.89 acres located at approximately 2968 West 6000 South from an RE-20 designation to an R-1-8 designation
 - a. Consideration of Ordinance No. 965 rezoning approximately 4.89 acres located at approximately 2968 West 6000 South from an RE-20 designation to an R-1-8 designation
11. Consideration of a request to amend the Future Land Use Map of the Roy City General Plan
 - a. Consideration of Ordinance No. 966 amending the Future Land Use Map of the City of Roy General Plan 2002
12. Consideration of an amendment to the Roy City Zoning Ordinance to add Chapter 18

regarding development standards

- a. Consideration of Ordinance No. 967 amending the Roy City Zoning Code by adding Chapter 18 - Development Agreements
13. City Manager's report
14. Mayor and Council reports
15. Adjourn

Agenda

Redevelopment Agency Meeting

1. Presentation of the proposed FY 2007 Budget
2. Approval of Minutes of April 4, 2006

Minutes of the Roy City Council Meeting held May 2, 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; Mark Miller, City Engineer; Eric Yarbrough; Larry Howden; Beccy Fabiszak; Dennis F; Kameron Wight; Bryan Delgado; Steve Hansen; Elizabeth Anderson; Cindy Reinhart; Laura Homer; Sandra J. Miller; Cloy & Jewelene Child; Pam Harrison; Kathy & Elden Welchman; Becky Cardwell; Robert W. Miller; Sterling & Barbara Morris; Kit Johnston; Sherm Bingham; Cheryl Howe; Jerry Crowquist; Steve Fabiszak; Marty Clements

Moment of Silence: Councilman Smith

Pledge of Allegiance: Councilman Smith

1. APPROVAL OF APRIL 18, 2006 MINUTES

Councilwoman Becraft moved to approve the minutes of April 18, 2006, as corrected. Councilman Peterson seconded the motion. Council members Smith, Tafoya, Becraft, Stokes, and Peterson voted “aye.” The motion carried.

2. PRESENTATION OF THE PROPOSED FY 2007 BUDGET

Cathy Spencer reported that in relation to the FY 2007 budget, the items requested by the departments were funded. She stated that there were no significant changes from the prior year. She stated that funding for additional employees was included in the budget along with a 2.1% cost of living raise. She asked that a public hearing be set for June 6th and that a work session also be scheduled for May 9th.

Councilman Stokes stated that on page 13 of the budget there was a list of capital assets. He asked if research had been done on each of those items. Ms. Spencer stated that if approved, each of those items would have to go through the purchasing process. Councilman Stokes noted, for example, that \$4,000 was budgeted for a cash register which sounded like a lot of money for a

cash register. Ms. Spencer stated that it's actually a computer for the recreation building with the needed software. Councilman Stokes asked if such items were necessary. Ms. Spencer said that the current register does not keep records or generate reports and it is felt that those things are needful. Councilman Stokes stated that he would appreciate information such as model number, the name of the software, and vendor information. Ms. Spencer stated that when those details are available, a bidding and purchasing process will take place. Councilman Stokes stated, in relation to the recent raise in taxes, that he would prefer to see the money spent on things such as infrastructure.

Councilman Tafoya stated that he received an e-mail reporting that the State of Utah was reducing city sales tax from 1.2 to .8 percent.

Councilman Smith asked if the salary survey was selective or across the board and asked if the results of the salary survey would be reviewed by the Council. Ms. Spencer stated that the data has been collected but not completely reviewed. Chris Davis said the salary survey included all full-time employees. He added that the salary survey would be discussed in an upcoming work session and then would come before the Council.

Councilman Peterson moved to approve the tentative FY 2007 budget, set a public hearing for June 6th and schedule a work session for May 9th at the recreation office at 6:00 p.m. Councilman Smith seconded the motion. Council members Smith, Tafoya, Becraft, Stokes, and Peterson voted "aye." The motion carried.

Councilman Stokes asked if the public would be notified of the work session. Mr. Davis said that a notice will be posted.

3. ADJOURN CITY COUNCIL MEETING AND CONVENE A REDEVELOPMENT AGENCY MEETING

Councilwoman Becraft made a motion to adjourn City Council Meeting and convene a Redevelopment Agency Meeting at 6:14 p.m. Councilman Smith second the motion. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted "aye." The motion carried.

4. RECONVENE CITY COUNCIL MEETING

Board Member Smith made a motion to adjourn RDA Meeting and reconvene City Council Meeting at 6:16 p.m. Board Member Peterson seconded the motion. Board Members Becraft, Smith, Tafoya, Tanner, and Peterson voted "aye." The motion carried.

5. PUBLIC HEARING TO CONSIDER A \$500 DONATION TO ROY HIGH SCHOOL'S

GRADUATION NIGHT ACTIVITIES

Councilman Smith moved to open a public hearing at 6:16 p.m. Councilwoman Becraft seconded the motion. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted “aye.” The motion carried.

Chris Davis stated that Mrs. Erickson, teacher at Roy High School representing the senior class, had asked for a \$500 donation to help fund the graduation party. They also asked for pool passes to be handed out at the party. Mr. Davis reported that last year, Roy City donated 100 to 200 one-time pool passes.

Andy Blackburn stated that he completed a study which provided sufficient evidence to approve the donation. The findings of the study were that the donation will enhance the well being of the citizens and provide intangible benefits to the public.

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

Councilwoman Becraft moved to close the public hearing at 6:20 p.m. Councilman Smith seconded the motion. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted “aye.” The motion carried.

Councilman Smith moved to approve the \$500 donation to Roy High School for the graduation party in addition to 200 one-time pool passes according to the findings and recommendations of the study. Councilman Stokes seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Stokes, and Peterson voted “aye.” The motion carried.

Councilman Smith stated that he felt a need for the Council to be consistent with the next graduating class. Mr. Davis stated that the donation just approved was consistent with the donation last year.

6. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A BARBER SHOP LOCATED AT APPROXIMATELY 3588 WEST 5600 SOUTH SUITE C

Tony Reynolds stated that the City has received a request for a Conditional Use Permit to operate a barber shop in Suite C of Kent's Commercial Center. He asked if there were any questions. There were none.

Councilman Tafoya moved to grant approval of a Conditional Use Permit for a barber shop located at approximately 3588 West 5600 South Suite C. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, Stokes and Peterson voted “aye.”

The motion carried.

7. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A PLUMBING SUPPLY STORE LOCATED AT APPROXIMATELY 4456 SOUTH 1900 WEST

Tony Reynolds stated that the proponents have requested a Conditional Use Permit for Standard Plumbing Supply located in Herefordshire Square. Standard Plumbing will occupy the building currently occupied by Sparrow's Furniture and Sparrow's will move into the building to the north. The current site plan and proposed site plan were compared. The proposed site plan include changes to the loading dock, improved access along 1900 West which included one access rather than two, added landscaping, and repair of the asphalt. It was recommended in the staff report that the current storm drain in the northeast corner of the site be restored to improve drainage. The Planning Commission recommended a change in the fencing to include a 7 to 8 foot stone-finish precast concrete wall along the east property line. The lighting on the back of the building will be directed downward to prevent glare from going beyond the block wall.

Councilman Tafoya asked why one access along 1900 West was eliminated. Mr. Reynolds stated that the one access eliminates conflict and improves the access. Mr. Reynolds stated that UDOT would prefer the one access over two.

Councilman Peterson stated that Sparrow's currently uses the south area of their building for storage. He asked what that area will be used for when Standard Plumbing occupies the building. Mr. Reynolds introduced Larry Howden, Architect for Standard Plumbing Supply. Mr. Howden stated that Standard Plumbing will continue to use that area for storage. Mr. Howden added that all dumpsters will be properly enclosed.

Councilman Smith moved to grant approval of a Conditional Use Permit for a plumbing supply store located at approximately 4456 South 1900 West subject to the Planning Commission recommendations. Councilwoman Becraft seconded the motion. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted "aye." The motion carried.

8. PUBLIC HEARING TO CONSIDER VACATING A PORTION OF THE RIGHT-OF-WAY IN THE HAL VERN ADDITION SUBDIVISION LOCATED ADJACENT TO THE UNION PACIFIC RAILROAD RIGHT-OF-WAY AND RUNNING FROM APPROXIMATELY 3650 SOUTH 2000 WEST TO APPROXIMATELY 3925 SOUTH 2300 WEST

Councilman Peterson moved to open a public hearing at 6:34 p.m. Councilman Smith seconded the motion. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted "aye." The motion carried.

Tony Reynolds stated that a public hearing was held last week in relation to this item. In 1952 the 33-foot right-of-way to the west of Hal Vern Subdivision was dedicated to Roy City. UTA is looking to acquire part of the right-of-way in order to obtain enough width for the commuter rail tracks. A vacation process is required if UTA is to obtain the property needed. UTA is requesting approximately 2,950 linear feet of property along the right-of-way varying from 1 to 8 feet in width. Mr. Reynolds added that UTA will install a fence along the right-of-way.

Councilwoman Becraft said that she has received questions from citizens about the fence. Steve Meyer, UTA, said that state law requires that a fence be built along the tracks and that will be done. Mr. Meyer added that UTA is asking for the minimum amount of property needed to accommodate commuter rail. Mr. Meyer acknowledged that several of the property owners are concerned about access to the back of their property. Several of them have horse trailers that they need to get in and out through the back of their property. He hoped there was some flexibility as to the parking of their trailers. He added again that UTA will not take more property than is necessary.

Mayor Ritchie asked if there were any questions.

Councilman Stokes asked if the property was essential to complete the commuter rail project. Mr. Meyer said that it is essential; if the property was not obtained, a compromise in standards would be the option. Councilman Stokes asked what would happen if the City refused to sell the property. Mr. Meyer said UTA would work with the property owners as much as they could and if necessary would use the power of condemnation through the City and/or through UDOT. Councilman Stokes added that he felt it was necessary to address the concerns of the residents. Mr. Meyer said that UTA is willing to help the residents as much as possible.

Councilman Peterson asked about the median on 4000 South. Mr. Myer said that it was going to be 60 to 100 feet long and will keep traffic from cutting around the crossing arms. The raised island stops at the intersection of the right-of-way and 4000 South Street. The median will help qualify that location for a quiet zone.

Mayor Ritchie invited the public to speak.

Cloy Child, 3883 S. 2275 W. stated that he accepted the vacation process, knew it was coming and is willing to accept it. He stated that with the Wal-Mart opening soon, traffic on 4000 South will only increase. He said it is already unreal. Mr. Child runs farm equipment and states that the traffic already refuses to yield to him and he "about gets run over." Mr. Child stated that 4200 South is a 90-foot road and asked why it couldn't extend to the station. He felt that would solve a lot of traffic problems. Mr. Reynolds said that idea has already been contemplated and is currently in the plans in order to provide access to and from the station.

Pam Harrison, 3672 S. 2025 W. stated that the last pasture before 1900 West is hers. She is at the dead-end. She expressed concern that there is no turn-around. She stated that years ago the construction on 4800 South caused an abundance of traffic on 4000 South. In an attempt to avoid the traffic, vehicles would end up at her place unable to turn around. She felt that the station would put more pressure on 4000 South. She added that she didn't feel property was available to alleviate the turn-around problem and is actually currently under eminent domain by UDOT. Mr. Davis stated that the property is under eminent domain by UDOT in relation to the extension of Hinckley Drive. Councilwoman Becraft asked if there was something more the City could do other than install a dead-end sign. It was suggested that a "no turn-around" sign be installed also. Mr. Davis said that adding signage would be no problem.

Jewelene Child, 3883 S. 2275 W., stated that she heard Roy City was going to receive money for the property and then heard on the radio something about the citizens being taxed. She said that the radio report was in relation to Salt Lake citizens and asked what the case was with Weber County. Mr. Davis stated that there is a difference between Trax and Commuter Rail and that's probably where the confusion lies.

Becky Fabiszak, 3909 S. 2275 West, expressed concern about her property and adjacent properties being rezoned in the future. She stated that her property is now zoned to allow two large animals and wants it to remain that way. Mayor Ritchie stated that he didn't see that as a potential problem. Ms. Fabiszak felt that her property had more value because of the current zone and would like it to stay that way. Councilman Peterson stated that the City doesn't generally propose a rezone of property unless requested by the owners.

Steve Hansen, realstate manager for UTA, stated that last week in the Planning Commission, he stated that the design engineers for UTA were very meticulous in their design, only taking the property necessary to complete the project. He said that since then, he has met with the engineers again and confirmed that fact.

Kit Johnson, 3753 S. 2100 W., said that he is aware of a storm drain along the right-of-way. He said there is often 1 foot of water above the drains. He asked what will be done to remedy that. Mr. Meyer said the intent is to catch that water in the storm drain.

Mark Miller, City Engineer, said there is an existing storm drain that captures flow from the subdivision; however, in the past during heavy storms it overflows. The 4000 South water project will alleviate some of that problem. Mr. Miller said he hasn't seen the UTA plans so he's not sure what the effect will be.

Eric Yarbrough, 3973 S. 2275 W., expressed concern about the type of fence that will be installed along the UTA property. He said at the intersection it's very difficult to see cars coming until they are on the track. He is concerned about the bad visibility. Mr. Meyer said the fence would

be an open chain-link fence 5 to 6 feet tall.

Mayor Ritchie thanked the public for their comments and for their support. He added that the Commuter Rail Project is an exciting one and it needs to be done right.

Councilman Stokes asked for clarification whether the property will be vacated or sold. He asked if money will actually be changing hands. Mr. Reynolds said there would be a sale but not until after the vacation process is completed. Mr. Davis added that the property being sold is less than 4/10 of an acre and will likely result in less than \$100,000.

Cloy Child added that he felt the intersection at 4000 South needs to be built up to the level of the tracks to improve visibility.

Sterling Morris, 3943 S. 2275 W. said that with the 900-car parking lot for the station, the traffic on 2275 West is going to get worse. He said it's already impossible to get out on that road and would like that issue addressed.

Councilwoman Becraft made a motion to close the public hearing at 7:17 p.m. Councilman Smith seconded the motion. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted "aye." The motion carried.

8A. CONSIDERATION OF ORDINANCE NO. 964 VACATING A PORTION OF THE RIGHT-OF-WAY IN THE HAL VERN ADDITION SUBDIVISION LOCATED ADJACENT TO THE UNION PACIFIC RAILROAD RIGHT-OF-WAY AND RUNNING FROM APPROXIMATELY 3650 SOUTH 2000 WEST TO APPROXIMATELY 3925 SOUTH 2300 WEST

Councilman Peterson moved to approve Ordinance No. 964 vacating a portion of the right-of-way in the Hal Vern Addition Subdivision located adjacent to the Union Pacific Railroad right-of-way and running from approximately 3650 South 2000 West to approximately 3925 South 2300 West. Councilman Smith seconded the motion. A roll call vote was taken. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted "aye." The motion carried.

Councilman Stokes concluded that the vacation is inevitable but recommended that the concerns of the citizens be addressed. Mayor Ritchie stated that he felt that was a universal feeling among the Council.

9. PUBLIC COMMENTS

There was no public comment.

10. CONSIDERATION OF A PETITION TO REZONE APPROXIMATELY 4.89 ACRES LOCATED AT APPROXIMATELY 2968 WEST 6000 SOUTH FROM AN RE-20 DESIGNATION TO AN R-1-8 DESIGNATION

Tony Reynolds stated that LaVern Johnson and Phyllis Austin have requested that approximately 4.89 acres of property be rezoned from RE-20 to R-1-8. A public hearing was held at the last Planning Commission meeting. Mr. Reynolds showed a map of the property to be rezoned and the surrounding property. The Future Land Use Map shows this property to be medium density single-family residential. Adjacent properties are zoned R-1-8 and R-1-6 and RE-20.. Mr. Reynold showed a possible subdivision plat although an official subdivision plat has not yet been submitted. Mr. Reynolds compared an R-1-8 zone to an R-1-10 zone stating that R-1-8 lots would be required to be at least 8,000 square feet with 65 feet of frontage. An R-1-10 zone would require 10,000 square foot lots with at least 80 feet of frontage and an addition 5-foot front setback.

Councilman Peterson expressed concern about the subdivision dumping onto smaller streets with no main access. He felt an additional access to the subdivision would be helpful. Mr. Reynold said those types of details would be determined at the time of site plan approval; however, the intent was to avoid offset roads at 6000 South.

Mayor Ritchie asked Elizabeth Anderson to come forward. She showed up to the original public hearing which had been canceled and then was out of town for the scheduled public hearing. Ms. Anderson said that she is opposed to the subdivision being zoned R-1-8. She said that she did some research and concluded that homes with larger properties within Roy City sold faster and for more money than smaller properties. She felt that there is a greater demand for larger properties. She said that in her opinion, there are enough small starter homes in Roy City and felt that there is a need to target buyers of larger homes. She felt that would attract people with larger incomes which would help to revitalize Roy City. She asked that the property either be left horse property or rezoned for a bigger lot size. Ms. Anderson added that she is a horse breeder and feels the need for the City to protect horses and the people who own them.

Mayor Ritchie stated that it's unfortunate that Ms. Anderson wasn't able to attend the public hearing as the Planning Commission had already made a recommendation to approve the rezone.

10A. CONSIDERATION OF ORDINANCE NO. 965 REZONING APPROXIMATELY 4.89 ACRES LOCATED AT APPROXIMATELY 2968 WEST 6000 SOUTH FROM AN RE-20 DESIGNATION TO AN R-1-8 DESIGNATION

Councilman Tafoya made a motion to approve Ordinance No. 965 rezoning approximately 4.89 acres located at approximately 2968 West 6000 South from an RE-20 designation to an R-1-8 designation.

Councilman Stokes expressed concern about property values. He said that he felt that was a big issue for the City. He said that staff keeps using the logic that surrounding properties are zoned R-1-8; hence, justifying the R-1-8 zone.

Councilman Peterson asked how many lots there would be if zoned R-1-8. Mr. Reynolds said there would be about 15. Councilman Peterson said people are always willing to say; "it would be better if . . .;" however, the staff, Planning Commission and City Council are only working with what was proposed. He felt that economic forces work that way when a property owner is approached by a developer. He added that if zoned R-1-10 that would obviously cut down the number of lots but may produce bigger homes. He said that the Planning Commission seems to be more in favor of the R-1-10 zone; however, there is always a reason why that doesn't work.

Councilman Stokes said that he is familiar with development and understands that more lots mean more money; however, larger lots usually mean more desirable homes. He added that people don't usually stay in starter homes for very long; they move to a larger home and turn the starter home into a rental. He felt that an R-1-10 zone should be required.

Councilman Tafoya stated the he agreed with the R-1-10 zone; however, he has seen exceptions made for developers in the past. He said that if the designation is for an R-1-10 zone, the City needs to commit to the regulations that apply.

Councilman Tafoya withdrew his motion.

Councilman Smith stated that years ago he was on the Planning Commission. He agreed with the requirement of an R-1-10 zone which would produce larger lots. He compared Roy City to surrounding communities and recognized that there is an economic difference. He also recommended looking at requiring larger lots; however, stated that he recognized that there is a land-lock problem within the City. He expressed concern that families start out in Roy City and then move to another City when their family grows.

Councilman Smith made a motion to approve Consideration of Ordinance No. 965 rezoning approximately 4.89 acres located at approximately 2968 West 6000 South with the consideration that future growth be considered.

Councilman Tafoya asked what zone he was moving to approve. Councilman Smith said that he didn't specify a zone.

Mayor Ritchie stated that the Council could reject the request or send back for further review.

Councilman Smith stated that since the Planning Commission recommended approval, he didn't want to reject the request and create a political issue.

Councilman Stokes stated that it was his feeling that this wasn't political at all. He stated that he would like to see homes built that will increase in value. He said rather than look at future growth, he felt the Council should focus on the current growth.

Councilman Smith moved to approve Consideration of Ordinance No. 965 rezoning approximately 4.89 acres located at approximately 2968 West 6000 South from an RE-20 designation to an R-1-10 designation.

Councilman Tafoya asked if the proponents were present. They were. Councilman Tafoya asked if they were okay with an R-1-10 zone. They said it didn't sound like they had a lot of say in the matter.

Councilman Tafoya seconded the motion.

Sherm Bingham, hopeful developer, stated that because of the road issue, an R-1-8 was requested. He stated that even if the property was zoned R-1-8 the average lot size would be closer to the requirements of an R-1-10 designation. He added that he's just looking for the best return on his investment and made an attempt to mesh with the surrounding neighborhoods. Mayor Ritchie asked what an R-1-10 zone would do to him. Mr. Bingham said it would eliminate lots. He added again that the lot sizes are narrow but are fairly good sized even with an R-1-8 zone.

Councilman Smith recommended that an R-1-10 zone be approved as an example for future development.

Jim Quarles, 3074 West 6000 South, stated that Hill AFB has one of the wells on the back of the Johnson property and asked what would become of that. Andy Blackburn said that it would be designated as such on the deed.

Laura Homer, 3056 West 6000 South, said that she felt Roy City is not being fair to the citizens. She said that she has lived in Roy for 50 years and would like to stay; however, there are no patio homes to retire in. She said that she has many friends who have left Roy City to find patio homes. She noted that Clinton had a development of patio homes which were sold before they were built. She recommended patio homes in such a development.

Andy Blackburn asked if the Council would like to amend Ordinance No. 965 rezoning the property from an RE-20 designation to an R-1-10 designation. He said that a basis for the motion had to be stated such as concern for decreased value to surrounding properties. The Council agreed.

Councilman Smith made an amended motion to approve Consideration of Ordinance No.

965 rezoning approximately 4.89 acres located at approximately 2968 West 6000 South from an RE-20 designation to an R-1-10 designation on the basis of concern for decreased value to surrounding properties. Councilman Tafoya seconded the motion. A roll call vote was taken. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted “aye.” The motion carried.

11. CONSIDERATION OF A REQUEST TO AMEND THE FUTURE LAND USE MAP OF THE ROY CITY GENERAL PLAN

Tony Reynolds stated that the Seifert Family Trust has submitted a petition to have the Future Land Use Map of the General Plan amended. They own 2.49 acres located on the northwest corner of 2500 West 5600 South. They have asked that the use be changed from Schools/Government/Churches to Very High Density/Multi-Family Residential. Mr. Reynolds stated that the property contains two zones; R-1-8 and R-3 and in such a case, the more restrictive zone, or R-1-8 zone, applies.

Councilman Stokes stated that he feels the same issue arises as applied to the last agenda item.

Councilman Peterson said he lives close to this property and feels that this is a different situation. The parcel on the west side of 2500 West has the overpass along the back and would not be as desirable for higher priced homes. He felt this would be much better suited for multi-family homes. Councilman Stokes stated that he felt it wouldn't be suitable for an R-1-10 zone but an R-1-8 zone would work. Councilman Tafoya added that currently it's empty space and is not serving any valuable purpose.

11A. CONSIDERATION OF ORDINANCE NO. 966 AMENDING THE FUTURE LAND USE MAP OF THE CITY OF ROY GENERAL PLAN 2002

Councilman Peterson moved to grant approval of Ordinance No. 966 amending the Future Land Use Map of the City of Roy General Plan 2002. Councilwoman Becraft seconded the motion. A roll call vote was taken. Council Members Becraft, Smith, and Peterson and voted “aye.” Council Members Tafoya and Stokes voted “nay.” The motion carried.

12. CONSIDERATION OF AN AMENDMENT TO THE ROY CITY ZONING ORDINANCE TO ADD CHAPTER 18 REGARDING DEVELOPMENT STANDARDS

Mr. Reynolds stated that the purpose of this Chapter is to more fully implement the General Plan and the purposes of all Land Use Ordinances. Mr. Reynolds stated that currently there are no provisions for development agreements. This amendment would serve as a document to guide the Council and provide additional control and flexibility in the approval of development projects by tailoring development standards and requirements to a specific site.

In section 1807, the Planning Commission recommended that the first line wording be changed to; The Zoning Administrator shall review a Development Agreement *at least every twelve months*. Mr. Reynolds stated that this would apply to any type of development.

Councilman Tafoya asked if this type of document gives developers a way out of the requirements. He stated that he felt if the zone is R-1-10, those requirements should apply. Mr. Reynolds referred to Section 1801 stating the purpose of the document..

Mr. Reynolds recommended that the Council incorporate this document into the Zoning Ordinance. He added that they certainly would not want to reduce the standards of the Zoning Ordinance.

Chris Davis used Clay Thomas' homes as an example. He stated that he built \$500,000 homes in an R-1-8 zone; hence an R-1-10 zone doesn't necessarily mean bigger or more expensive homes. He added that this agreement would allow flexibility with possibilities including; nicer homes on smaller lots, more brick requirements, etc. He said that the Council could make those types of determinations under such an agreement.

Mayor Ritchie asked if this would shift responsibility from the Ordinance to the City Council. Chris Davis said that it would not. He added that development agreements have been used for a long time; however, a recent Senate Bill codified them.

Councilman Stokes stated that he can see the value if it allows more constraints to be placed but asked if it could work opposite that, allowing lower standards. Andy Blackburn stated that this is not a way around the Ordinance, it's just a helpful tool.

Councilman Tafoya expressed concern that in the past restrictive covenants have not been reinforced. Mr. Reynolds stated that restrictive covenants aren't enforceable by the City; however, development agreements are. Councilman Peterson clarified that restrictive covenants are enforceable by civil law by those who entered the agreement. In the case of a development agreement, the City would be party to the agreement.

12A. CONSIDERATION OF ORDINANCE NO. 967 AMENDING THE ROY CITY
ZONING CODE BY ADDING CHAPTER 18 - DEVELOPMENT AGREEMENTS

Councilman Stokes moved to approve Ordinance No. 967 amending the Roy City Zoning Code by adding Chapter 18 - Development Agreements. Councilwoman Becraft seconded the motion. A roll call vote was taken. Council Members Becraft, Smith, Peterson and Stokes voted "aye." Council Member Tafoya voted "nay." The motion carried.

13. CITY MANAGER'S REPORT

Chris Davis asked Councilwoman Becraft about the elementary students using the Aquatic Center. Councilwoman Becraft reviewed the times and dates that the elementary schools would be using the Aquatic Center.

The City Employee Party is scheduled for July 20th.

On May 10th Mayor Barrows and Mayor Ritchie will be hosting a meeting at Freedom Elementary at 7:30 p.m. regarding firming up the boundaries of Roy and Hooper. Councilwoman Becraft asked what would happen to the properties that were annexed into Roy City but are on the Hooper side. Mr. Davis said they would be in Hooper but will pay services to Roy City. Mayor Ritchie said he wasn't aware that he was hosting that meeting.

On May 12th there will be a Sister City Function hosted by Marie Wilcox. This is in relation to the Ghana effort. The City is purchasing a table for \$150.00 for a luncheon. Mr. Davis added that there will be no trip back to Ghana until 2007. Ms. Jene Robinson reported in the last City Council Meeting that they would be going back this fall.

In relation to the Carnival for Roy Days, Mr. Davis said that he spoke with Midway West who is booked in Heber for the weekend of Roy Days. The carnival operators said they would try to help get another carnival; however, at this point it looked as though there will be no carnival this year.

Councilman Smith asked if Mr. Blackburn would still do the study in relation to a donation for the Ghana trip. Mr. Blackburn suggested that organizations looking for a donation should submit a request as there seems to be several lately. Councilman Smith stated that he still feels it is important to make a donation. Mr. Davis said that at the moment, there is no organization to receive the funds. Mr. Blackburn recommended that the issue be reconsidered when the trip gets closer. Councilman Peterson recommended that the funds be given to the HOSA Organization. Mr. Davis said that might be a possibility.

Councilman Stokes recommended that in relation to donations, the City needs a formal policy where the organization states their request and lists the advantages to Roy City. Mayor Ritchie stated that if that were the case, it may prevent organizations from asking for money. Mr. Blackburn stated that he is concerned about being the advocate for donations and the City Attorney. Councilman Smith expressed concern that he made a motion to donate money and now nothing is going to be done about it. Mr. Blackburn stated that a motion was made to do the study and that no determination has yet been made. He said that once the study is done, a Council vote will be required. Mr. Blackburn stated that he would like direction from the Council how to proceed with this matter as the money isn't needed until 2007. He also asked if the Council expected him to gather the information, do the studies, and process all of these requests.

Mayor Ritchie asked if a blanket form would be reasonable. Mr. Blackburn said they are each so different that a blanket form would be difficult to produce. Mayor Ritchie asked if the money could be given to Roy High School for safe keeping. Mr. Davis said that at this time, no one even knows how many people are going and the information to complete the study is not available as the trip isn't planned yet.

Councilman Smith stated that a year ago money was given for such an effort. He felt that if Roy City citizens participate in such a program, the City benefits. He compared giving money to Roy High School and commented that for some reason, that's no burden. Mr. Blackburn said that it's important to know what the money is going to be used for and at this point, no one knows. Councilman Smith said it was his understanding that \$1000 would go toward the trip. Mr. Blackburn stated that money can't be donated through a motion alone. Mayor Ritchie recommended that a study be done and if approved, the money be put where it can be controlled until the trip.

14. MAYOR AND COUNCIL REPORTS

Mayor Ritchie reported that the Weber School District is holding a bond election. The presentation will be made at Roy High School on Friday, May 5th at 10:00 a.m.

Councilwoman Becraft reported that her son's music group, will be going to California on Friday to compete in the National Championship.

15. ADJOURN

Councilman Peterson moved to adjourn City Council Meeting and reconvene a Redevelopment Agency Meeting at 8:48 p.m. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Tafoya, Peterson and Stokes voted "aye." The motion carried.

Joe H. Ritchie
Mayor

Attest:

Char Wolverton
Secretary

Minutes of the Redevelopment Agency Meeting held May 2, 2006, 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:

Chairman Joe H. Ritchie
Board Member Marge Becraft
Board Member Tommy Smith
Board Member Dave Tafoya
Board Member Dan Stokes
Board Member Larry Peterson

Executive Director Tony Reynolds
City Attorney Andy Blackburn
City Manager Chris Davis
Char Wolverton, Secretary

Others present were: Cathy Spencer, Management Services Director; Eric Yarbrough; Larry Howden; Beccy Fabiszak; Dennis F; Kameron Wight; Bryan Delgado; Steve Hansen; Elizabeth Anderson; Cindy Reinhart; Laura Homer; Sandra J. Miller; Cloy & Jewelene Child; Pam Harrison; Kathy & Elden Welchman; Becky Cardwell; Robert W. Miller; Sterling & Barbara Morris; Kit Johnston; Sherm Bingham; Cheryl Howe; Jerry Crowquist; Steve Fabiszak; Marty Clements

1. PRESENTATION OF THE PROPOSED FY 2007 BUDGET

Cathy Spencer stated reviewed the budget which included all four RDA locations. She stated that the total budget for 2007 is \$820,000.00. She asked that the RDA Board accept the tentative budget and set a public hearing.

Board Member Peterson made a motion to accept the tentative FY 2007 budget and schedule a public hearing for June 6th. Board Member Becraft seconded the motion. Board Members Becraft, Smith, Tafoya, Tanner, and Peterson voted “aye.” The motion carried.

Board Member Smith made a motion to adjourn RDA Meeting and reconvene City Council Meeting at 6:16 p.m. Board Member Peterson seconded the motion. Board Members Becraft, Smith, Tafoya, Tanner, and Peterson voted “aye.” The motion carried.

2. APPROVAL OF MINUTES OF APRIL 4, 2006

Board member Stokes moved to approve the minutes of April 4, 2006, as written. Board member Smith seconded the motion. Board Members Becraft, Peterson, Smith, Tafoya, and Stokes voted “aye.” The motion carried.

Board member Peterson moved to adjourn Redevelopment Agency Meeting at 8:48 p.m.

Redevelopment Agency Minutes
May 2, 2006
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Joe H. Ritchie
Chairman

Attest:

Char Wolverton
Secretary