

MINUTES OF THE OCTOBER 3, 2006, ROY CITY COUNCIL MEETING

1. Approval of Minutes of August 15, 2006 and September 19, 2006
2. Declaration of current 1992 Pierce fire truck (Engine 32) as surplus property
3. Interlocal Agreement for the Billing and Collection of Fees for Advanced Life Support Services with North Davis Fire District
 - a. Resolution No. 891 approving the Interlocal Agreement for the Billing and Collection of Fees for Advanced Life Support Services with North Davis Fire District
4. Consideration of a preliminary subdivision plan and clarification of the approved Development Agreement for Whispering Meadows Subdivision located at approximately 3100 West 5600 South
5. Public Comments
6. Consideration of a petition to rezone approximately 6.71 acres of property located at approximately 3500 West 6000 South from an RE-20 Zone to a Community Commercial Zone and approximately 21.25 acres from an RE-20 Zone to an R-1-15 Zone
 - a. Consideration of Ordinance No. 973 approving a rezone of property located at approximately 6000 South 3500 West, Roy, Utah from an RE-20 designation to R-1-15 and Community Commercial designations
7. Discussion regarding appropriate densities for undeveloped properties zoned Single-Family Residential
8. City Manager's report
9. Mayor and Council reports

Minutes of the Roy City Council Meeting held October 3, 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; Vic Arnold; Hannah Tueller; Michael T. Tueller; Naomi Gonzalez; Dolores Gonzalez; Nathan Cragun; Ron Cragun; Richard Montag; Miranda Montag; Jayce Gaddis; Oscar Deleon; Sheri Gaddis; Candace & Tyler Tatton; Tiffany Russell; Charles & Valerie Robertson; RuthAnn & Bradey Schow; Ashleigh Howell; Don & Jeanie Howell

Moment of Silence: Councilman Peterson

Pledge of Allegiance: Councilman Peterson

1. APPROVAL OF MINUTES OF AUGUST 15, 2006 AND SEPTEMBER 19, 2006

Mayor Ritchie said there had been a request that approval of the September 19, 2006 minutes be postponed until the next City Council Meeting.

Councilwoman Becraft moved to approve the minutes of August 15, 2006, as written. Councilman Peterson seconded the motion. Council members Smith, Tafoya, Becraft, Stokes, and Peterson voted “aye.” The motion carried.

2. DECLARATION OF CURRENT 1992 PIERCE FIRE TRUCK (ENGINE 32) AS SURPLUS PROPERTY

Chris Davis stated that the 1992 Pierce Fire Truck has been replaced. Firetrucks Plus has a buyer and it is anticipated that the fire truck will sell for approximately \$40,000.00.

Councilman Smith moved to approve the declaration of current 1992 Pierce fire truck (Engine 32) as surplus property. Councilwoman Becraft seconded the

motion. Council members Smith, Tafoya, Becraft, Stokes, and Peterson voted “aye.” The motion carried.

3. INTERLOCAL AGREEMENT FOR THE BILLING AND COLLECTION OF FEES FOR ADVANCED LIFE SUPPORT SERVICES WITH NORTH DAVIS FIRE DISTRICT

Chris Davis said that this is an administrative issue. West Point and Clearfield combined and the name was changed; hence, the need for a new Interlocal Agreement. Mayor Ritchie added that the billing rates are set by the State of Utah.

3A. RESOLUTION NO. 891 APPROVING THE INTERLOCAL AGREEMENT FOR THE BILLING AND COLLECTION OF FEES FOR ADVANCED LIFE SUPPORT SERVICES WITH NORTH DAVIS FIRE DISTRICT

Councilman Peterson moved to adopt Resolution No. 891 approving the Interlocal Agreement for the Billing and Collection of Fees for Advanced Life Support Services with North Davis Fire District. Councilman Stokes seconded the motion. A roll call vote was taken. Council Members Becraft, Smith, Tafoya, Peterson and Stokes voted “aye.” The motion carried.

4. CONSIDERATION OF A PRELIMINARY SUBDIVISION PLAN AND CLARIFICATION OF THE APPROVED DEVELOPMENT AGREEMENT FOR WHISPERING MEADOWS SUBDIVISION LOCATED AT APPROXIMATELY 3100 WEST 5600 SOUTH

Tony Reynolds explained that this item was previously on the agenda; however, only one of the two items needing approval was addressed in the motion. The Development Agreement was approved but the preliminary subdivision plan was not. Mr. Reynolds included the completed Development Agreement for review and clarification.

Councilman Stokes moved to grant approval of the preliminary subdivision plan and clarification of the approved Development Agreement for Whispering Meadows Subdivision located at approximately 3100 West 5600 South. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, Stokes and Peterson voted “aye.” The motion carried.

5. PUBLIC COMMENTS

Councilwoman Becraft recognized her students who were present at the City Council Meeting and added that they are currently studying government.

There were no other public comments.

6. CONSIDERATION OF A PETITION TO REZONE APPROXIMATELY 6.71 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3500 WEST 6000 SOUTH FROM AN RE-20 ZONE TO A COMMUNITY COMMERCIAL ZONE AND APPROXIMATELY 21.25 ACRES FROM AN RE-20 ZONE TO AN R-1-15 ZONE

Tony Reynolds stated that the proponents of H&B Development are requesting a rezone for approximately 30.71 acres located on the south side of 6000 South between 3100 to 3500 West. The property is currently zoned RE-20 which is a single family residential estate zone with some agricultural rights. The request is to change the western 7 acres of the parcel to Community Commercial and the remaining 23.71 acres to single-family residential (R-1-15). Staff has reviewed the request. The Planning Commission recommended that the request for rezone of the 23.71 acres from RE-20 to R-1-15 be granted and that the request for the 7 acre parcel to Community Commercial be granted with a Development Agreement.

Mayor Ritchie stated that he recommended a Development Agreement also in order to have some control over the type of commercial that will occupy the site.

Howard Kent, 261 E. 300 S. Ste. 350 Salt Lake City, stated that he and Mr. Nelson are acquiring 190 acres from the LDS Church. Part of the property is in Clinton City. Clinton granted the request to zone part of the property commercial and part of the property R-1-15. Mr. Kent stated that zoning the part of the property that is in Roy R-1-15 allows for the matching of streets on the Clinton side. He added that the Planning Commission held a public hearing and the public was concerned about a gas station going in on the corner. Mr. Kent said that at the moment, he has no tenant. He said that he would hate to restrict the 7 acre parcel in Roy which could potentially bring tax revenue to the City. He said that a gas station could be a nice development. He added that a gas station would be a conditional use on that site. He suggested that the Council not limit the use and just see what tenants show interest.

Mayor Ritchie expressed concern about the 7 acres being sold to another developer resulting in the City losing control.

Councilman Stokes asked the Council how restrictive they would like to be. He said that he's not excited about idea of a gas station either; however, it is hard to predict all possibilities and it's hard to define desirable versus undesirable.

Andy Blackburn stated that the City Council can't restrict further than the Zoning

Ordinance and added that an effective tool would be a Development Agreement.

Councilman Tafoya stated that he feels that the Council has a duty to decide what looks good and what doesn't. Councilman Stokes stated that he felt those things were outlined in the Zoning Ordinance.

Brent Nelson, H&B Development, stated that if he were on the Council, he would have some of the same concerns. He said he would be concerned about the economical aspects as well as pleasing the citizens. He said that eliminating gas stations on that property would limit a great deal of retail possibilities. He said that he has no idea what type of business will be interested and stated that it's hard to know what the public defines as attractive. He said that as the Council changes, he would also expect the desires and opinions to change. He said that he would like to work with the Council yet not limit the use. He said that he feels it is a very important corner and would like to see the whole piece develop together.

Mayor Ritchie stated again that he feels the need for the Council to have some control over what kind of tenant occupies the property. Mr. Nelson stated that he thinks both the Council and H&B Development are trying to reach the same goal.

Mr. Blackburn stated that staff could meet with the developers in an attempt to work out the differences and put together a Development Agreement; however, staff would need to know what the Council wants and doesn't want.

Councilman Tafoya stated that Roy City already has several gas stations in that area and he feels there are enough. He said that it's a very nice neighborhood and would like to keep it that way. He said that he didn't feel it was unreasonable to exclude one type of tenant.

Mayor Ritchie suggested the possibility of approving the residential and tabling approval of the commercial. Mr. Kent stated that he would like to see the residential approved as a minimum and suggested that the request for approval of the commercial be dropped until a tenant expresses interest.

Mayor Ritchie expressed a desire to keep communication open between staff and the developers.

Councilman Smith stated that the Council Members have a vision and expressed a desire to come up with a compatible plan.

Councilman Peterson suggested that a Council Member attend the meetings with staff

and the developer.

Councilman Stokes suggested that when an agreement is reached, that it be fairly generic to allow review capability rather than excluding certain possibilities. He stated that a gas station in association with a Cosco for example could be desirable. He added that the property is currently zoned RE-20 and if left that way, the developers could come up with a request for a subdivision and that would have to be granted.

6A. CONSIDERATION OF ORDINANCE NO. 973 APPROVING A REZONE OF PROPERTY LOCATED AT APPROXIMATELY 6000 SOUTH 3500 WEST, ROY, UTAH FROM AN RE-20 DESIGNATION TO R-1-15 AND COMMUNITY COMMERCIAL DESIGNATIONS

Councilman Smith moved to approve consideration of Ordinance No. 973 approving a rezone of 23 acres of property located at approximately 6000 South 3500 West, Roy, Utah from an RE-20 designation to R-1-15 and tabling the request for the 7 acre parcel to be zoned from RE-20 to Community Commercial. Councilman Smith seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, and Stokes voted "aye." The motion carried.

7. DISCUSSION REGARDING APPROPRIATE DENSITIES FOR UNDEVELOPED PROPERTIES ZONED SINGLE-FAMILY RESIDENTIAL

Mayor Ritchie stated that in a previous City Council Meeting, Councilman Stokes suggested that the Council make a direction to the Planning Commission regarding their preference for R-1-10 zoning rather than R-1-8 zoning in relation to the significant pieces of property in Roy that are currently undeveloped.

Councilman Peterson stated that Councilman Stokes also talked about common sense recommendations. He said that R-1-10 is more desirable than R-1-8; however, that sometimes prevents roads from lining up, etc. He added that he would also like to promote larger lots, hence larger homes which will hopefully result in long-time residency for families.

Councilman Smith moved to direct staff and the Planning Commission to assess the undeveloped properties in Roy City and assign zones with appropriate densities. Councilwoman Becraft 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 the annual Fire Prevention Open House will be held October 9th from 6:30 to 9:30.

October 28th is the annual Scarecrow Extravaganza for the Boys and Girls Club. That will be held at the Timbermine at 7:00.

9. MAYOR AND COUNCIL REPORTS

Mayor Ritchie stated that there are three vacancies on the Board of Adjustments and he is looking for nominations. That will be addressed on the next City Council agenda.

Councilman Peterson stated that he attended the Route 108 open house that UDOT held. He said that the plan is to make a four lane highway with a center turn lane; however, there is some debate regarding the layout. He said that several scenarios have been presented and the engineers are recommending a raised median in the intersections to avoid left turns. Construction is still several years away and temporary options are being considered. He invited anyone with input to get with him and he will take the ideas back to the next meeting.

Councilman Stokes stated that he would like to address the donation policy and recommended that a workshop be held for that purpose. He added that he feels that donation requests are becoming a burden for the City Attorney. He felt that an application could be helpful and stated that he would be willing to help draft such a document. Mayor Ritchie stated that he felt that would be a good workshop item.

Councilman Smith stated that he would get the Chamber Meeting Minutes to Chris Davis.

10. ADJOURN

Councilwoman Becraft moved to adjourn City Council Meeting at 7:03 p.m.

Joe H. Ritchie

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Mayor

Attest:

Char Wolverton
Secretary

dc:Oct0306