

MINUTES OF THE JULY 17, 2007, ROY CITY COUNCIL MEETING

1. Approval of June 19, 2007, minutes
2. Recognition of Employees of the Month
3. Consideration of Resolution No. 910 authorizing the issuance and sale of not more than \$1,000,000 aggregate principal amount of sales tax revenue bonds, series 2007, or Roy City, Utah (the "issuer") for the purpose of financing all or a portion of those costs of the renovation, remodeling and expansion of the Roy City Municipal Building and related improvements
4. Consideration of Resolution No. 911 approving ambulance transportation rates and charges
5. Final acceptance of subdivision improvements for Hidden Cove Subdivision No. 1 located at approximately 5400 South 3275 West
6. Final acceptance of subdivision improvements for Bridal Veil Estates Subdivision Nos. 2, 3, and 4 located at approximately 5400 South 4200 West
7. Award of contract for final well development at 5175 South CWF
8. Consideration of a conditional use permit for multi-family dwellings and approval of a preliminary subdivision plan for Eagle Point Townhomes located at approximately 5633 South 2700 West
9. Ratification of appointment of architect for Hope Community Center and authorization to proceed with contract with architect
10. Consideration of Ordinance No. 990 approving a rezone of property located at approximately 3880 South Midland Drive, Roy, Utah from an R-3 designation to a Community Commercial designation
11. Public comments
12. Preliminary approval of the Roy Homestead Subdivision located at approximately 6000 South 3100 West
13. Consideration of a conditional use permit for a contractor's office located at approximately 1916 West 3350 South, Bingham Industrial Park Lot No. 7
14. Approval of combined precincts and polling places for 2007 election(s)
15. Appointment of Council members to the Employees Appeals Board
16. Ratification of Mayor's appointments to the Planning Commission
17. Approval of voluntary recycling program with Waste Management
18. Consideration of Resolution No. 909 establishing Council meeting schedule of FY2008
19. City Manager's report
20. Mayor and Council reports
21. Adjourn City Council Meeting and convene a Redevelopment Agency Meeting
22. Summary of actions charged

Minutes of the Roy City Council Meeting held July 17, 2007, 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	City Manager Chris Davis
Councilwoman Marge Becraft	Secretary Michelle Drago
Councilman Tommy Smith	
Councilman Michael Stokes	
Councilman Dave Tafoya	

Excused: Councilman Larry Peterson

Also present were: Jon Ritchie, Fire Chief; Greg Whinham, Police Chief; Tony Reynolds, Community Services Director; Mark Miller, City Engineer; Mark Larson, Planner; Cathy Spencer, Management Services Director; Scott Berry; Mark Becraft; Cyndi Becraft; Ryan Becraft; Courtney Warren; Jerry Becraft; Josie Becraft; Tony Allman; Lori Nakayu; Denis Thurgood; Brent Nelson; Kevin Ciampini; Mike Hansen; Rachel Foster; Bill Salerno; William Hunter; Dave Miner; and Robert Ekstrom.

Moment of Silence: Tommy Smith

Pledge of Allegiance: Tommy Smith

1. APPROVAL OF JUNE 19, 2007, MINUTES

Councilman Tafoya moved to approve the minutes of June 19, 2007, as written. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Stokes, and Tafoya voted "aye." The motion carried.

2. RECOGNITION OF EMPLOYEES OF THE MONTH

Police Chief Greg Whinham introduced Canine Officers Kevin Smith and Brian Seward with Axel and Halen. Chief Whinham wanted to recognize Officer Kevin Smith as the May 2007 Employee of the Month. Officer Smith had earned the nomination by his conduct throughout his career at Roy City. The department's canine program suffered a significant setback a few years ago. Officer Smith had been the constant as the department struggled to rebuild the program. He pursued \$10,000 in grant funding for a second canine. As a result the Roy Police Department now had a second canine for

Officer Seward. The canine program was working because of Officer Smith. He was loyal, dedicated, and tenacious.

Councilman Smith moved to recognize Officer Kevin Smith as the May 2007 Employee of the Month. Councilman Tafoya seconded the motion. Council members Becraft, Smith, Stokes, and Tafoya voted "aye." The motion carried.

Mayor Ritchie presented Kevin Smith with a check and a recognition plaque.

Fire Chief Jon Ritchie nominated Jerry Becraft as the June 2007 Employee of the Month. Jerry worked as a firefighter for 28 years. After he retired, he came back to work for the Roy Fire Department as a part-time fire inspector. Jerry had great skill in dealing with the public and volatile situations.

Councilwoman Becraft moved to recognize Jerry Becraft as the June 2007 Employee of the Month. Councilman Stokes seconded the motion. Council members Becraft, Smith, Stokes, and Tafoya voted "aye." The motion carried.

Mayor Ritchie presented Jerry Becraft with a check and recognition plaque.

3. CONSIDERATION OF RESOLUTION NO. 910 AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$1,000,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2007, OF ROY CITY, UTAH (THE "ISSUER") FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THOSE COSTS OF THE RENOVATION, REMODELING AND EXPANSION OF THE ROY CITY MUNICIPAL BUILDING AND RELATED IMPROVEMENTS

Mayor Ritchie introduced Dave Miner the City's bond financial advisor.

Dave Miner outlined the steps necessary for the City to issue a bond. Approval of Resolution No. 910 authorized the publication of notice of intent to issue the bonds. That would allow time for protests to be filed. The City staff and financial advisor would then prepare a bid package. The bid package would be distributed to investors. The Council would hold a final public hearing to consider a final bond resolution authorizing the issuance and sale of the bonds.

Councilman Tafoya moved to approve Resolution No. 910 authorizing the issuance and sale of not more than \$1,000,000 aggregate principal amount of sales tax revenue bonds, Series 2007, of Roy City, Utah (the "issuer") for the purpose of financing all or a portion of those costs of the renovation, remodeling and expansion of the Roy City Municipal Building and related improvements. Councilman Smith seconded the motion. A roll call vote was taken: Council members Tafoya, Stokes, Becraft, and Smith voted "aye." The motion carried. (Copy filed for record).

4. CONSIDERATION OF RESOLUTION NO. 911 APPROVING AMBULANCE TRANSPORTATION RATES AND CHARGES

Fire Chief Jon Ritchie stated that the Bureau of Emergency Medical Services had set new ambulance transportation rates. Chief Ritchie recommended that the new rates be adopted to help offset some of the cost for providing emergency medical services. There weren't any increases recommended for the emergency-to-scene and non-transport fees because they were handled a few months ago. Chief Ritchie said Medicare remains the same.

Councilmen Smith and Tafoya applauded the City's efforts to care for its senior citizens.

Councilwoman Becraft moved to approve Resolution No. 911 approving ambulance transportation rates and charges. Councilman Smith seconded the motion. A roll call vote was taken: Council members Smith, Becraft, Stokes, and Tafoya voted "aye." The motion carried. (Copy filed for record).

5. FINAL ACCEPTANCE OF SUBDIVISION IMPROVEMENTS FOR HIDDEN COVE SUBDIVISION NO. 1 LOCATED AT APPROXIMATELY 5400 SOUTH 3275 WEST

Councilwoman Becraft asked if the sidewalk had been replaced. Mark Miller said there were three sections that needed to be replaced. The developer had been asked to escrow \$108.00 to cover the replacement costs.

Councilman Smith moved to grant final acceptance of the subdivision improvements for Hidden Cove Subdivision No. 1 located at approximately 5400 South 3275 West subject to the conditions recommended by the City Engineer. Councilman Tafoya seconded the

motion. Council members Becraft, Smith, Stokes, and Tafoya voted "aye." The motion carried.

6. FINAL ACCEPTANCE OF SUBDIVISION IMPROVEMENTS FOR BRIDAL VEIL ESTATES SUBDIVISION NOS. 2, 3, AND 4 LOCATED AT APPROXIMATELY 5400 SOUTH 4200 WEST

Councilman Stokes moved to grant final acceptance of subdivision improvements for Bridal Veil Estates Subdivision Nos. 2, 3, and 4. Councilman Smith seconded the motion. Council members Becraft, Smith, Stokes, and Tafoya voted "aye." The motion carried.

7. AWARD OF CONTRACT FOR FINAL WELL DEVELOPMENT AT 5175 SOUTH CWF

Chris Davis stated that drilling on 5175 South replacement well was finished. However, the new well continued to produce an unacceptable amount of sand. The well could not be used to capacity because of silt and sediment. Several alternatives for eliminating the sand had been considered. The City Engineer and Public Works Director recommended additional development of the well with a cable tool drilling rig. The driller that appeared to be most qualified was Dewey Petersen with Petersen Brothers Drilling Company. Mr. Petersen prepared a detailed proposal outlining the steps to complete the well. The total estimated cost was \$76,050. The staff recommended that the Council award the contract to complete the 5175 South well to Peterson Brothers Drilling Company for \$75,050 and authorize the Mayor to sign the Notice of Award and Contract.

Councilman Smith asked if the contractor would guarantee the sediments would be removed from the well. Mark Miller said he would not. The contractor would send a camera down the well to determine where the sand was coming from. Then he would send down a patch. Hopefully the sand would be limited to a specific area.

Mayor Ritchie asked how Mr. Petersen had determined his estimate. Mark Miller said some of his work would be satisfying the requirements of the Utah Division of Drinking Water. The rest was based on an hourly rate. The estimate could change, but it was a starting point.

Councilman Tafoya asked what the staff hoped the results would be. Mark Miller said the City hoped to bring the well up from 1,000 gallons per minute to 1,500 gallons per minute.

Councilman Stokes asked what it would cost to pump the well as it was to flush the sand out. Mark Miller said the City had to satisfy the State requirements before it could begin producing water. The City had already ruined one big pump ramping up the well. The City would continue to ruin pumps until the sand was gone. He felt using Peterson Brothers was the best solution in the long run.

Councilman Smith asked that the staff periodically update the Council on the progress of the well.

Councilman Stokes moved to award the contract for final development of that 5175 South CWF to Petersen Brothers Drilling Company for \$76,050 and authorize the Mayor to sign the Notice of Award and Contract. Councilman Smith seconded the motion. A roll call vote was taken: Council members Becraft, Tafoya, Stokes, and Smith voted "aye." The motion carried.

8. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR MULTI-FAMILY DWELLINGS AND APPROVAL OF A PRELIMINARY SUBDIVISION PLAN FOR EAGLE POINT TOWNHOMES LOCATED AT APPROXIMATELY 5633 SOUTH 2700 WEST

Councilman Smith moved to approve a conditional use permit for multi-family dwellings and preliminary approval of the Eagle Point Townhomes both located at approximately 5633 South 2700 West based on the findings of fact and subject to the conditions recommended by the staff and Planning Commission. Councilman Tafoya seconded the motion.

Councilman Smith was concerned that this project might have similar problems to the multi-family dwelling project on 4000 South. Tony Reynolds said the 4000 South project was approved at about 14 units per acre. Since then, the Zoning and Subdivision Ordinances had been changed to cap high density housing at 12 units per acre.

Council members Becraft, Smith, Stokes, and Tafoya voted "aye." The motion carried.

9. RATIFICATION OF APPOINTMENT OF ARCHITECT FOR HOPE COMMUNITY CENTER AND AUTHORIZATION TO PROCEED WITH CONTRACT WITH ARCHITECT

Mayor Ritchie stated that Councilman Smith, Chris Davis, and himself served on a committee representing the Boys and Girls Club and the senior center. The committee interviewed architects and chose Bill Salerno with Salerno and Associates Architects as the architect for the Hope Community Center. He asked the Council to ratify the committee's decision.

Councilman Smith moved to ratify the committee's selection of Bill Salerno with Salerno and Associates Architects as the architect for the Hope Community Center and authorized the Mayor to sign the contract subject to the City Attorney's review. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Smith, Stokes, Tafoya, and Becraft voted "aye." The motion carried.

10. CONSIDERATION OF ORDINANCE NO. 990 APPROVING A REZONE OF PROPERTY LOCATED AT APPROXIMATELY 3880 SOUTH MIDLAND DRIVE, ROY, UTAH FROM AN R-3 DESIGNATION TO A COMMUNITY COMMERCIAL DESIGNATION

Councilman Smith moved to approve Ordinance No. 990 approving a rezone of property located at approximately 3880 South Midland Drive, Roy, Utah from an R-3 designation to a Community Commercial designation. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Stokes, Smith, Tafoya, and Becraft voted "aye." The motion carried. (Copy filed for record).

11. PUBLIC COMMENTS

William Hunter, 2096 West 5650 South, stated that he and his neighbors had spoken with various people at Roy City regarding the inner block sidewalk that extended from 5600 South to 5700 South at approximately 2075 West. The sidewalk was full of weeds, trash, and was buckled from tree roots. They would like to see the sidewalk closed or at least repaired. A petition had been signed and given to the Mayor who passed it on to the school district.

Mayor Ritchie asked what they suggested be done with the property. Mr. Hunter said one option was to give it to the property owners. Mayor Ritchie asked what would happen to the pedestrian traffic. Mr. Hunter said it would have to go to the light at 2050 West 5600 South.

Chris Davis said the staff had met with Cory Pope from UDOT about moving the light at 2050 West to the west. UDOT was studying whether the light could be moved. The sidewalk was currently a passage way for children attending Roy Junior High. He had received the petition from Mrs. Martinez. The staff was waiting for the results from UDOT before making a decision on how to proceed. Moving the light would provide a safer route for children to reach the school.

Police Chief Greg Whinham stated that there were lights for a crosswalk at 2200 West. The Police Department had always felt there should be more assistance for children crossing 5600 South at 2200 West.

Mayor Ritchie asked for William Hunter's phone number (510-1955). The City would let him know about the status of the petition when it heard from UDOT.

Robert Ekstrom, 5108 South 2000 West, asked about the status of some construction projects in Roy: Home Depot; the Walmart on Midland Drive; and the construction in front of the Municipal Building. Mayor Ritchie said Home Depot was in preliminary negotiations. The construction around the Municipal Building was for an addition, civic sign, and a flag pole. The Walmart project on Midland Drive was beyond Roy City's boundaries.

Lori Nakayu updated the City Council on Roy Days.

12. PRELIMINARY APPROVAL OF THE ROY HOMESTEAD SUBDIVISION LOCATED AT APPROXIMATELY 6000 SOUTH 3100 WEST

Tony Reynolds stated that the Roy Homestead Subdivision was located on the south side of 6000 South between 3100 West and 3500 West. The first 500 feet east of 3500 West had been set aside for future commercial development. The overall project extended south into Clinton City and contained about 200 homes on 190 acres. There were 33 lots on Roy's portion ranging in size from 15,030 to 41,248 square feet. Most of the lots were uniform in size, except Lot No. 22, which extended behind the church on 6000 South. Mr. Reynolds said one of the staff's concerns was about double frontage. The developer had addressed the double frontage on Lot Nos. 1 through 9 by proposing improvements along 6000 South and 3100 West that would be maintained by the homeowners' association. The improvements would consist of curb, gutter, park strip, and sidewalk; 5 feet of landscaping; and a fence. The improvements on

the corner would be deeper to accommodate a monument sign. The staff asked that the Council authorize them to determine the best way to handle future maintenance of the improvements - an easement on the individual lots or a parcel dedicated to the homeowners' association. Mr. Reynolds said the developer planned to install Clinton City's standard street light in Roy's portion for continuity. The staff and Planning Commission recommended preliminary approval of the Roy Homestead Subdivision.

Councilman Stokes asked about double frontage. How did the ordinance read? Were double frontage lots completely prohibited or were they allowed in certain circumstances? Tony Reynolds said double frontage lots were not allowed. Councilman Stokes asked if approving the Roy Homestead Subdivision would violate the City's own ordinance. Tony Reynolds said it would not if provisions were made to restrict the access. The City wanted to discourage driveways on busy streets. Because of the improvement strip owned by the homeowners' association, there wouldn't be double frontages.

Councilman Stokes moved to grant preliminary approval of the Roy Homestead Subdivision based on the findings of fact and subject to the staff and Planning Commission recommendations as well as giving staff the leeway to determine the best way to handle long term maintenance of the street improvements by the homeowners' association. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Stokes, and Tafoya voted "aye." The motion carried.

13. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A CONTRACTOR'S OFFICE LOCATED AT APPROXIMATELY 1916 WEST 3350 SOUTH, BINGHAM INDUSTRIAL PARK LOT NO. 7

Councilman Tafoya moved to approve a conditional use permit for a contractor's office located at approximately 1916 West 3350 South, Bingham Industrial Park Lot No. 7, based on the findings of fact and subject to the staff and Planning Commission's recommendations. Councilman Smith seconded the motion. Council members Becraft, Smith, Stokes, and Tafoya voted "aye." The motion carried.

14. APPROVAL OF COMBINED PRECINCTS AND POLLING PLACES FOR 2007 ELECTION(S)

Mayor Ritchie stated that no action was necessary. There wouldn't be a primary election, and the general election would be handled by Weber County.

15. APPOINTMENT OF COUNCIL MEMBERS TO THE EMPLOYEES APPEALS BOARD

Mayor Ritchie stated that Chris Davis had polled the Council to see who would be interested in serving on the Appeals Board. He asked the Council to ratify the appointment of Council members Becraft and Peterson to the Employees Appeals Board with Councilman Smith as an alternate.

Councilman Tafoya moved to ratify the Mayor's appointment of Council members Becraft and Peterson to the Employees Appeals Board with Councilman Smith as an alternate. Councilman Stokes seconded the motion. Council members Becraft, Smith, Stokes, and Tafoya voted "aye." The motion carried.

16. RATIFICATION OF MAYOR'S APPOINTMENTS TO THE PLANNING COMMISSION

Mayor Ritchie stated that the terms of Dave Collins and Brad Hilton had ended. They needed to be renewed. The ordinance allowed each to serve another 3-year term. He asked that the appointments be ratified.

Councilman Smith moved to ratify the appointment of Dave Collins and Brad Hilton to the Planning Commission; each to serve a three-year term beginning July 1, 2007, and ending on June 30, 2010. Councilman Stokes seconded the motion. Council members Becraft, Smith, Stokes, and Tafoya voted "aye." The motion carried.

17. APPROVAL OF VOLUNTARY RECYCLING PROGRAM WITH WASTE MANAGEMENT

Chris Davis stated that a recycling program periodically became an issue. The staff had met with Waste Management who came up with a voluntary recycling program. Waste Management would pick up a recycling garbage can periodically. The fee would be based on the number who signed up and would be paid by the customer. Roy City might implement a minor charge for billing services. He asked for the Council's authorization to proceed initiating a voluntary recycling program. There might be a drop in revenue for second garbage cans due to the recycling can.

Councilman Stokes noticed that an unacceptable recycling item was glass. He thought glass was recyclable. Chris Davis said he would ask about it.

Councilman Smith moved to approve a voluntary recycling program and authorized the staff to proceed. Councilman Stokes seconded the motion. Council members Becraft, Smith, Stokes, and Tafoya voted "aye." The motion carried.

18. CONSIDERATION OF RESOLUTION NO. 909 ESTABLISHING COUNCIL MEETING SCHEDULE OF FY2008

Councilman Smith moved to approve Resolution No. 909 establishing a Council meeting schedule for FY2008. Councilman Tafoya seconded the motion. A roll call vote was taken: Council members Stokes, Tafoya, Smith, and Becraft voted "aye." The motion carried.
(Copies filed for record).

19. CITY MANAGER'S REPORT

Chris Davis reminded the Council about the employee appreciation party at the Aquatic Center on July 19th at 6:00 p.m. Cooking would begin at 4:00 p.m. They anticipated 700 to 800 people.

Mr. Davis said Roy High School was offering the Council fitted hats. He asked the Council to let him know if they were interested.

Mr. Davis said the Municipal Building remodel/addition was moving along. The Council would continue to meet in the Council Room until the end of September. Then it would begin meeting in the new Council Room/Court Room.

Mr. Davis updated the Council on Roy Days. The proof for the *Standard Examiner* had been approved. The Mayor had made arrangements with Ray Citte Auto for the Council to use their small carts for the parade.

20. MAYOR AND COUNCIL REPORTS

Councilman Stokes reported on a recent meeting with the Mosquito Abatement District. He asked them to spray for mosquitos before the Roy Days outdoor movie and fireworks.

Councilwoman Becraft stated that Faye Dollen wanted to get Operating Never Forget going in this area. She wanted to have bronze busts made of the local servicemen who died in Iraq and Afghanistan and possibly display them in the Municipal Building. They wanted to make a presentation to the Council on August 7th. Chris Davis asked that they contact Laurel Dalton to be placed on the agenda.

Councilman Smith reported that Blake Wahlen and himself had been appointed to the Chamber of Commerce Executive Committee. He had also been appointed to the Executive Board of United Way. United Way was very supportive of the Hope Center. Councilman Smith felt the City needed to market the Hope Center. A rendering would help the community see what the City was planning.

Councilwoman Becraft asked if it would be possible to open the bottom of 4800 South before the rest of the street was opened. Chris Davis said the staff had discussed that possibility. However, Valley View Elementary did not bus any of its students, nor did it have any crossing guards. Funneling traffic north on 2675 West would really impact that area. Funneling traffic south on 2675 West would again put traffic in an area with no crossing guards. It would also funnel a lot of traffic to the 2500 West 5600 South where there was not a traffic light. The project was on schedule.

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

Councilman Smith moved to adjourn to a Redevelopment Agency Meeting at 7:16 p.m. Councilwoman Becraft seconded the motion. Council members Becraft, Smith, Stokes, and Tafoya voted "aye." The motion carried.

22. SUMMARY OF ACTIONS CHARGED

1. Staff to periodically updated the Council on the progress of the 5175 South well.

Joe H. Ritchie
Mayor

Attest:

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Michelle Drago
Secretary

dc:cjul1707