

Minutes of the Roy City Council Meeting held September 4, 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  
Councilwoman Marge Becraft  
Councilman Larry Peterson  
Councilman Tommy Smith  
Councilman Michael Stokes  
Councilman Dave Tafoya

City Manager Chris Davis  
City Attorney Andy Blackburn  
Secretary Laurel Dalton

Also present were: Tony Reynolds, Community & Economic Development Director, Mark Larson, City Planner, Lori Nakayu, Jan Olsen, Dave Hardman, Ogden Weber Chamber of Commerce

Mayor Ritchie called the meeting to order at 6:00 p.m.

Moment of Silence: Councilman Dave Tafoya

Pledge of Allegiance: Councilman Dave Tafoya

1. APPROVAL OF AUGUST 21, 2007 MINUTES

Councilmember Smith moved to approve the minutes of August 21, 2007, as written, Councilmember Becraft seconded the motion. Councilmembers Becraft, Peterson, Smith, Stokes and Tafoya voted "aye," the motion carried.

2. DAVE HARDMAN OF THE OGDEN WEBER CHAMBER OF COMMERCE  
SEEKING SUPPORT FOR A 1/4 CENT SALES TAX FOR TRANSPORTATION

Dave Hardman, representing the Ogden Weber Chamber of Commerce, was present to ask for the Council's support of a ballot measure increasing the sales and use tax by one-quarter cent for transit and transportation. He said that the Chamber of Commerce generally opposed taxes, but they felt it was the most important thing that they could do to accelerate transportation and especially buying corridors so that we don't have to spend bigger money down the road than we have to.

Mayor Ritchie commented that he thought it was significant that Don Porter's editorial urged passage of this proposal and he also thought it was very effective that he said that the cogs should be sure to make sure that we have control of that money and not let a

lot of personal agendas come into effect. Mayor Ritchie thought it was important that we make sure that that money is spent where it needs to be if this is passed. He thought local control was extremely important through the cogs.

Councilmember Tafoya stated that Councilman Peterson from Riverdale had made some comments on why should we raise taxes, this should be something that the Legislature put on them themselves due to all the surplus that the State has. Councilmember Tafoya asked if that was something that should be happening. Mr. Hardman responded that he and Mayor Ritchie spent a lot of time at the Legislature and the reality was that there was not a lot of surplus. He said there had been a big commitment for transportation because we are behind. He said we would much rather have the State appropriate and get some federal funding which is not going to diminish at all, but most of the projects that have been approved in the last ten years were projects that were quite large and projects that were important to the smaller communities had been overlooked.

Mr. Hardman answered questions and discussion ensued.

Mayor Ritchie said that Councilman Peterson of Riverdale had stated that if we allow the State to make all these decisions, we lose a bigger portion of local control of where the monies are spent, and that is why this tax probably made more sense than talking about State surplus because the city would have more control.

Councilman Stokes said that he got a lot of heartburn with anything involved with taxes, but he thought that Northern Utah had been neglected on transportation projects on the whole for some time. He didn't think the city at this point had any ability to control what monies came its way. He said he supported this, somewhat reluctantly, because it was a tax, but it was nice to have the ability to control those dollars and to say that this was our priority.

Councilman Peterson said that nobody liked to raise taxes, but 30 years from now the citizens would appreciate that this was planned for 30 years ago because these traffic needs were not going to go away, they were just going to get worse. He said that he looked at it as investment in the future and we need to make some investments now so it will be much cheaper in the long run. Mr. Hardman said that was one of the reasons why one-quarter of the proceeds must go to corridor preservation. Today we can buy undeveloped property in the western part of the county for much less than in the future when that property is developed with expensive homes and businesses.

Councilman Smith (who serves on the Chamber of Commerce Board) said there had been a lot of lobbying in the Chamber and a lot of support for this. He thought the leadership in the community was moving toward a frugal approach to Northern Utah. He thought we are going to need to prioritize, but you also need to prioritize money. He

thought the State needed to be very cognizant of what the cities' needs were and prioritize.

After discussion, **Councilmember Smith made a motion to approve Resolution No. 914 encouraging support of a ballot measure increasing the sales and use tax by one-quarter cent to fund critically needed local transportation projects, Councilmember Becraft seconded the motion. In a roll-call vote Councilmembers Peterson, Becraft, Smith and Stokes voted "aye," Councilmember Tafoya voted "nay," motion carried.**

Mr. Hardman requested that a copy of Resolution No. 914 be sent to him.

3. PRESENTATION BY WEBER-MORGAN HEALTH DEPARTMENT ON TOBACCO ISSUES

This item was on the agenda but was not discussed because there was no representative from the Weber-Morgan Health Department present.

4. LICENSE AGREEMENT WITH UTA FOR CITY-WIDE SERVICE PROJECT

City Manager Chris Davis presented for the Council's consideration a License Agreement between Roy City and UTA for a service project on September 8, 2007 to clean up portions of the UTA right-of-way (formerly known as the D&RGW right-of-way) between approximately 4800 South and 6000 South. This work would be performed by approximately 200 youth volunteers, adults to supervise the youth volunteers and Roy City employees. Mr. Davis said the city attorney had reviewed the agreement.

**Councilmember Peterson made a motion to accept the one-day license agreement with UTA for a service project, Councilmember Smith seconded the motion. In a roll-call vote Councilmembers Tafoya, Stokes, Smith, Becraft and Peterson voted "aye," motion carried.**

5. CONSIDERATION OF RESOLUTION NO. 913 ACCEPTING A PETITION FROM JANICE B. OLSEN AND JERRY O. OLSEN, STANGER'S GREENHOUSE AND GARDEN SUPPLY, L.L.C., RAY E. WELCHMAN AND IVA LOO WELCHMAN, TO CONSIDER ANNEXATION OF APPROXIMATELY 7.010 ACRES OF CERTAIN REAL PROPERTIES INTO ROY CITY AND DIRECTING THAT A PUBLIC HEARING BE SET FOR OCTOBER 16, 2007, AT 6:00 P.M.

Mayor Ritchie stated that this was a resolution accepting a petition and directing that a public hearing be set. He requested that the public hearing be set for 6:00 p.m., instead of 6:15 p.m., and that the motion include that if the developer determined that

they did not want to purchase this property that the application would be null and void and no longer in effect, so that the property owners would be protected if the developer backed out.

Councilmember Stokes disclosed that at one point prior to the current action he was involved with a client who attempted to purchase this property in conjunction with the current developers. Mayor Ritchie asked if that was still active. Mr. Stokes stated it was not.

**Councilmember Tafoya made a motion to approve Resolution No. 913 accepting a petition from Janice B. Olsen and Jerry O. Olsen, Stanger's Greenhouse and Garden Supply, L.L.C., Ray E. Welchman and Iva Loo Welchman, to consider annexation of approximately 7.010 acres of certain real properties into Roy City and directing that a public hearing be set for October 16, 2007, at 6:00 p.m. and if the developer fails to follow through with his commitments that the petition can be withdrawn, Councilmember Smith seconded the motion. In a roll-call vote Councilmembers Peterson, Becraft, Smith, Stokes and Tafoya voted "aye," motion carried.**

## 6. PUBLIC COMMENTS

The Mayor called for public comments; however, there were none.

## 7. FINAL APPROVAL OF STONYBROOK COTTAGES PRUD SUBDIVISION, PHASE NO. 2, LOCATED AT APPROXIMATELY 5075 SOUTH 1750 WEST (AIRPORT ROAD)

Tony Reynolds, Community and Economic Development Director, presented this item for the Council's consideration. He stated this subdivision and PRUD were entitled under the old zoning and subdivision ordinances. What was being requested tonight was final approval of phase no. 2 of this subdivision. He pointed out the area for approval on the site plan and showed the Council the building design.

The City Engineer recommended that the City Council approve the project with the following conditions:

1. More detail needs to be submitted on the grading and drainage plan. Existing and design contours should be shown to the property lines to indicate how all of the site will be graded, including areas around structures.
2. The storm water system will need more detail regarding design and construction of ponds and inlet/outlet devices.
3. Fire flow is still a concern on this project. We recommend the developer

construct the proposed water line (following final approval) to the northerly most hydrant and conduct flow tests prior to commencement of other construction activities.

4. Other issues indicated on our blue-lined check print will need to be addressed. We would like to meet with the developer's engineer to discuss each of the above mentioned items before changes are made.

Mr. Reynolds stated the City Engineer said that items 1, 2 and 4 above needed to be satisfied before the subdivision was recorded, but not before the Council gave it final approval.

Mr. Reynolds said that item No. 3 above was a condition subsequent and needed to happen after the City Council gave it final approval and after the subdivision was recorded. The City Engineer wants the water line in first and tested; if it passes, then he will allow more improvement construction to occur. Councilmember Peterson asked if Mr. Reynolds was talking about phasing the improvements, phasing in the infrastructure. Mr. Reynolds responded that was exactly right, phasing in the infrastructure so that before they do any more than the water line, the city wants to make sure that it meets the required fire flow. If it doesn't work, the City may have to require changes to the development.

Councilmember Smith commented that the road on the north end of phase no. 1 looked tight and he would like to see a fire truck do a practice run of going up in there and turning around. He thought the safety issue was important. Mayor Ritchie encouraged the Fire Department to drive their truck through the first phase. Councilmember Smith said the development would create additional congestion because the units would only have access on Airport Road.

Councilmember Stokes stated that he had been on the Planning Commission at the time of preliminary subdivision and PRUD approval, and one very unsettled question was getting vehicular access up on the west end which didn't come to fruition and they talked about pedestrian access because there was extreme concern that children had to go back out to Airport Road and up and around. He asked if that was a settled issue. Mr. Reynolds responded that when this subdivision had been given preliminary approval it had been approved without pedestrian walkways. The developers have tried to secure pedestrian access without success.

**Based on the findings outlined in the staff report and Planning Commission minutes, Councilmember Peterson moved to accept the Planning Commission's recommendation for Phase No. 2 of Stonybrook Cottages PRUD Subdivision and grant final approval for it, subject to all four of the City Engineer's recommendations, and subject to the conditions of the overall preliminary and**

**final PRUD and conditional use plan, including landscaping, lighting, parking, building design and layout. Councilmember Becraft seconded the motion. Councilmember Peterson, Becraft, Smith, Stokes and Tafoya voted “aye,” motion**

#### 8. CITY MANAGER'S REPORT

The City Manager told the Council that the City was feeding the football team Thursday night at 7:00 p.m.

Chris Davis stated that there would be a work session on the water bonding issues on September 11, 2007, at 6:00 p.m. at the Recreation Building. Leftovers from a previous dinner would be served.

Mr. Davis said that Utah League of Cities and Towns meetings started the week of September 10.

Mr. Davis reported that the building project was moving along. He anticipated that the Council would be in the new Council Room by the first of October.

Chris Davis apprised the Council that after meeting with several contractors the City found a contractor that had a machine that was able to remove the shadow of the graffiti at the skateboard park at West Park. A sealer was going to be put on which would not affect the ability to skate, but it would affect the ability of paint to adhere to it.

#### 9. COUNCILMEMBER'S REPORTS

Councilmember Tafoya suggested that the walkway at 5600 South should be assigned to the Planning Commission so that they could consider it at the same time as the other one because there had been requests to get rid of it. Mr. Davis said he didn't think it could be done at the same time because it required a public hearing with a two-week notice and the process was already in place. Mr. Reynolds said the notice had already been sent out on the other walkway on 4800 South.

Mr. Davis stated that that would be a good thing because one of the things on the next City Council Agenda was a right-of-way agreement with UDOT and as part of that right-of-way agreement we are requesting that the light move from 2050 to 2200 which they are willing to do. Once that happens, that is the better walkway, to have kids come down and go across at that light. Cory Pope from UDOT will be here on the 18<sup>th</sup> of September.

Councilmember Becraft asked if the City had decided to wait until we heard from UDOT. Mr. Davis responded that that was correct, we were waiting for UDOT; we have that agreement now in place to get it approved.

Councilmember Smith stated that it would be important to inform the citizens about when 4800 South would be completed. Mr. Davis said there was a blinking sign and we have tried to include that on the web site. Mr. Davis said it would be finished this fall before the asphalt batch plants close; it would be travelable but may not have the landscaping finished off or retaining walls finished.

Councilmember Becraft moved to adjourn at 7:00 p.m.

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Joe H. Ritchie  
Mayor

Attest:

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Laurel S. Dalton  
Assistant Recorder

MINUTES OF THE SEPTEMBER 4, 2007, ROY CITY COUNCIL MEETING

1. Approval of the August 21, 2007 minutes
2. Dave Hardman of the Ogden Weber Chamber of Commerce seeking support for a 1/4 cent sales tax for transportation
3. Presentation by Weber-Morgan Health Department on tobacco issues
4. License agreement with UTA for city-wide service project
5. Consideration of Resolution No. 913 accepting a petition from Janice B. Olsen and Jerry O. Olsen, Stanger's Greenhouse and Garden Supply, L.L.C., Ray E. Welchman and Iva Loo Welchman, to consider annexation of approximately 7.010 acres of certain real properties into Roy City and directing that a public hearing be set for October 16, 2007, at 6:00 p.m.
6. Public comments
7. Final approval of Stonybrook Cottages PRUD Subdivision, Phase No. 2, located at approximately 5075 South 1750 West (Airport Road)
8. City Manager's report
9. Councilmembers' reports