

## MINUTES OF THE OCTOBER 16, 2007, ROY CITY COUNCIL MEETING

1. Approval of October 2, 2007, minutes
2. Recognition of German exchange students
3. Public hearing to consider a petition to annex approximately 7.01 acres located at approximately 3400 West 5600 South
  - a. Consideration of Resolution No. 918 approving the annexation of the Janice B. and Jerry E. Olsen, Stanger's Greenhouse and Garden Supply, LLC, and Ray E. and Iva Loo Welchman properties
  - b. Consideration of Ordinance No. 993 establishing a Community Commercial Zone designation for the Janice B. and Jerry E. Olsen, Stanger's Greenhouse and Garden Supply, LLC, and Ray E. and Iva Loo Welchman properties
4. Consideration of Final Bond Resolution No. 919 authorizing the issuance and sale of bonds
5. Consideration of Resolution No. 916 approving the interlocal automatic aid fire agreement
6.
  - a. Consideration of Ordinance No. 994 approving an amendment to the Future Land Use Map of the Roy City General Plan by changing approximately 1.698 acres located at approximately 5650 South 3500 West from Utilities to Commercial
  - b. Consideration of Ordinance No. 995 approving a petition to rezone approximately 1.698 acres located at approximately 5650 South 3500 West from a Residential Estate Zone (RE-20) to a Community Commercial (CC) Zone
7. Consideration of a conditional use permit for a home improvement center located at approximately 3400 West 5600 South
8. Consideration of a preliminary subdivision plat for The Home Depot - Roy Subdivision located at approximately 3400 West 5600 South
9. Public comments
10. Consideration of Resolution No. 917 requesting the recertification of the Roy City Justice Court

11. Discussion only regarding the 'no smoking in public outdoor venues' project presented by the Weber-Morgan Health Department during the October 2, 2007, City Council meeting
12. City Manager's report
13. Mayor and Council reports
14. Adjourn
15. Summary of actions charged

Minutes of the Roy City Council Meeting held October 16, 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

City Manager Chris Davis  
City Attorney Andy Blackburn  
Secretary Michelle Drago

Excused: Councilman Dave Tafoya

Also present were: Tony Reynolds, Community Services Director; Cathy Spencer, Management Services Director; Jon Ritchie, Fire Chief; Mark Miller, City Engineer; Dr. Joe Perrin; Steve Pappa; Anna Guymon; Gary Adams; Brent Smith; Donna Spaethe; Miranda Pont; Carl Stegen; Rachel Trotter; Rod Prescott; Kamille Prescott; Sean Robison; Thomas Knight; John Bond; German exchange students; Angelika Lohre; and Lori Nakayu; K. C. Halls; Susan Hall; Dave Miner.

Moment of Silence: Councilman Peterson

Pledge of Allegiance: Councilman Peterson

#### 1. APPROVAL OF OCTOBER 2, 2007, MINUTES

**Councilman Smith moved to approve the minutes of October 2, 2007, as written. Councilwoman Becraft seconded the motion. Council members Becraft, Peterson, Smith, and Stokes voted "aye." The motion carried.**

#### 2. RECOGNITION OF GERMAN EXCHANGE STUDENTS

Gary Adams stated that GAPP, or German American Partnership Program, had been going on for 20 years. It was a program started by the Roy and Ogden German teachers. The German school involved was located in Einbech, Germany. Last spring they received 28 profiles from the German students. They were placed with 19 host families from Roy and 9 from Ogden. The students arrived on October 3<sup>rd</sup>. They would leave on October 18<sup>th</sup> for a week touring Southern Utah, Arizona, Nevada, and California. Mr. Adams said students from Roy would visit Germany next June for three weeks. Two weeks would be spent with the family of the student they hosted. The last week would be spent touring Germany. He thanked Chris Davis, Councilman Peterson, and the rest of the Council for its support. Mr. Adams read a proclamation honoring GAPP.

Councilman Peterson presented copies of the proclamation to the German exchange students.

Angelika Lohre, German teacher from Einbech, Germany, expressed her appreciation to the City Council. She was honored to be part of a program that had been going on for 20 years. It was the longest lasting German exchange program in the world.

3. PUBLIC HEARING TO CONSIDER A PETITION TO ANNEX APPROXIMATELY 7.01 ACRES LOCATED AT APPROXIMATELY 3400 WEST 5600 SOUTH

**Councilman Smith moved to open the public hearing at 6:17 p.m. Councilwoman Becraft seconded the motion. Council members Becraft, Peterson, Smith, and Stokes voted “aye.” The motion carried.**

Tony Reynolds stated that Janice B. And Jerry E. Olsen, Stanger’s Greenhouse and Garden Supply, LLC, Ray E. And Iva Loo Welchman had requested that 7.01 acres of property they owned at approximately 3400 West 5600 South be annexed into Roy City and zoned Community Commercial. A legal notice was placed in the *Standard Examiner*. Notices were mailed to 47 property owners within 300 feet of the subject property. The Planning Commission held a public hearing on October 9<sup>th</sup>. The City Council accepted their petition for consideration purposes on September 4<sup>th</sup>. The petition was certified on September 7<sup>th</sup>, which started the protest period. The protest period ended on October 8<sup>th</sup>. No protests to the annexation were filed with Roy City or the Weber County Boundary Commission. Mr. Reynolds said the property was contiguous to existing City boundaries on the north, east, south, and west sides. The City could provide services to this area. The zone request of Community Commercial was in compliance with the Future Land Use Map of the General Plan, which designated this area as Commercial. Mr. Reynolds said the Development Review Committee and Planning Commission based their recommendation on the following findings:

1. The proposed annexation was consistent with the land use portion of Roy City’s General Plan.
2. Approval of the annexation would lessen the size of an unincorporated island in Roy City.
3. The proposed annexation was part of the Master Annexation Declaration Policy.
4. The proposed annexation was in compliance with Utah State Code.

Based on those findings, the Development Review Committee and the Planning Commission recommended that the City Council approve the annexation petition submitted by Janice B. And Jerry E. Olsen, Stanger’s Greenhouse and Garden Supply, LLC, and Ray E. And Iva Loo Welchman and that a Community Commercial Zone be established subject

to:

1. The annexation plan must be approved by the City Engineer and comply with the requirements of Weber County.
2. The petitioners who were serviced by Hooper Water must disconnect and deannex from the Hooper Water Improvement District.
3. The annexation was subject to Home Depot acquiring the properties.

Mayor Ritchie opened the floor for public comments. There were none.

**Councilman Peterson moved to close the public hearing at 6:21 p.m. Councilman Smith seconded the motion. Council members Becraft, Peterson, Smith, and Stokes voted “aye.” The motion carried.**

**Councilman Smith moved to approve Resolution No. 918 approving the annexation of the Janice B. And Jerry E. Olsen, Stanger’s Greenhouse and Garden Supply, LLC, and Ray E. And Iva Loo Welchman properties based on the staff’s findings and subject to the staff’s recommendations. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Smith, Becraft, Stokes, and Peterson voted “aye.” The motion carried. (Copy filed for record).**

**Councilman Smith moved to approve Ordinance No. 993 establishing a Community Commercial Zone designation for the Janice B. and Jerry E. Olsen, Stanger’s Greenhouse and Garden Supply, LLC, and Ray E. And Iva Loo Welchman properties based on the staff’s findings and subject to the staff’s recommendations. Councilman Peterson seconded the motion. A roll call vote was taken: Council members Stokes, Peterson, Smith, and Becraft voted “aye.” The motion carried. (Copy filed for record).**

4. CONSIDERATION OF FINAL BOND RESOLUTION NO. 919 AUTHORIZING THE ISSUANCE AND SALE OF BONDS

Dave Miner stated that two weeks ago the City Council asked him to get new bids including a non prepayable option and a prepayable option in the 5<sup>th</sup> year. Four of the original six bidders said they couldn’t do better than the bid they submitted. All Points Public Funding, LLC and JP Morgan Chase responded with very good bids. All Points Public Funding submitted a bid for a prepayable bond in the 5<sup>th</sup> year with no penalty with a 4.05% interest rate. J P Morgan Chase submitted a bid for a prepayable bond in the 5<sup>th</sup> year with a 4.22% interest rate. Mr. Miner said the bid from All Points Public Funding was \$2,700 lower than the bid submitted two weeks ago. The low bidder was All Points Public Funding. He encouraged the City Council to accept their bid.

Councilmen Stokes and Peterson expressed appreciation for Dave Miner's efforts. Mayor Ritchie said he spoke with the City's bond counsel who felt the City Council acted wisely two weeks ago.

**Councilman Peterson moved to approve Resolution No. 919 authorizing the issuance and sale of bonds to All Points Public Funding, LLC at 4.05% with a prepayable option in the 5<sup>th</sup> year with no penalty. Councilman Smith seconded the motion. A roll call vote was taken: Council members Becraft, Smith, Peterson, and Stokes voted "aye." The motion carried. (Copy filed for record).**

5. CONSIDERATION OF RESOLUTION NO. 916 APPROVING THE INTERLOCAL AUTOMATIC AID FIRE AGREEMENT

Fire Chief Jon Ritchie stated that Resolution No. 916 renewed an interlocal agreement for automatic fire response in Weber County. Roy was one of six cities that would sign the agreement. The agreement had lapsed due to paperwork changes. The agreement contained nothing new. It was a five year agreement with a 60-day out clause.

Mayor Ritchie asked if anything had been added to the agreement.

Chief Ritchie said a clause had been added for Riverdale City. After the agreement was approved by Roy, it would be passed on to South Ogden City.

**Councilman Stokes moved to approve Resolution No. 916 approving an interlocal automatic aid fire agreement for the provision of fire protection for structural fires or other fires threatening a structure. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Stokes, Becraft, Smith, and Peterson voted "aye." The motion carried. (Copy filed for record).**

6. A. CONSIDERATION OF ORDINANCE NO. 994 APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE ROY CITY GENERAL PLAN BY CHANGING APPROXIMATELY 1.698 ACRES LOCATED AT APPROXIMATELY 5650 SOUTH 3500 WEST FROM UTILITIES TO COMMERCIAL

B. CONSIDERATION OF ORDINANCE NO. 995 APPROVING A PETITION TO REZONE APPROXIMATELY 1.698 ACRES LOCATED AT APPROXIMATELY 5650 SOUTH 3500 WEST FROM A RESIDENTIAL ESTATE ZONE (RE-20) TO A COMMUNITY COMMERCIAL (CC) ZONE

Tony Reynolds stated that Roy City had initiated the process to amend the Future Land

Use Map of the General Plan. The request consisted of 1.698 acres located at approximately 5650 South 3500 West which was owned by Roy City. The acreage was part of the old D&RG railroad spur. The future land use designation was currently Utilities. Roy City requested that the future land use designation be changed to Commercial. A legal notice was placed in the *Standard Examiner*. The Planning Commission held a public hearing on October 9<sup>th</sup>. Mr. Reynolds said Roy City was seeking approval to rezone the acreage from RE-20 to Community Commercial. The property was under contract to The Home Depot who planned to include it as part of a 12.184-acre commercial development. The General Plan had to be amended to include this area as a potential commercial zone before the rezone could be considered. Mr. Reynolds said the Development Review Committee and Planning Commission based their recommendations on the following findings:

1. The proposed amendment was compatible with the character of the surrounding area.
2. The location of the proposed amendment was suitable for the uses and activities allowed by the proposed amendment.
3. The proposed use was compatible with nearby and adjoining properties.
4. The proposed amendment advanced the existing goals, objectives, and policies of the General Plan.

The Development Review Committee and the Planning Commission recommended that the City Council approve the proposed amendment to the Future Land Use Map of the General Plan by changing the future land use designation of 1.698 acres located at approximately 5650 South 3500 West from Utilities to Commercial.

Mr. Reynolds said the Development Review Committee had found that the proposed rezone would allow for the proposed site to be developed for the benefit of the community and was compatible with adjoining land uses and Zoning Ordinance requirements. It was consistent with the goals, policies, and Future Land Use Map of the General Plan. The Development Review Committee and Planning Commission recommended that the City Council approve the proposed rezone of 1.698 acres located at approximately 5650 South 3500 West from RE-20 to Community Commercial.

Councilman Stokes asked about the letter submitted by K.C. Halls regarding a guarantee for access onto the right-of-way. Tony Reynolds felt that would be answered best when the conditional use permit for the home improvement center was discussed. Councilman Stokes wanted to address the issue now before it had progressed so far that the Council's hands were tied. He felt the City had a duty to protect the City.

Tony Reynolds stated that the request from Barlow Square (K.C. Halls) would be integrated into Home Depot's site. It was part of the City Engineer's recommendations, as well as the

Planning Commission's. K.C. Halls and The Home Depot would have to negotiate the exact location of the access and costs of installation.

Andy Blackburn stated that he had spoken with the attorney who prepared K.C. Hall's letter. Mr. Halls concerns had been alleviated by the Planning Commission's recommendation.

**Councilman Stokes moved to approve Ordinance No. 994 approving an amendment to the Future Land Use Map of the Roy City General Plan to change the Future Land Use Map by changing 1.698 acres located at approximately 5650 South 3500 West from Utilities to Commercial based on the staff's findings and subject to the staff's recommendations. Councilman Smith seconded the motion. A roll call vote was taken: Council members Peterson, Becraft, Stokes and Smith voted "aye." The motion carried. (Copy filed for record).**

**Councilwoman Becraft moved to approve Ordinance No. 995 approving a petition to rezone approximately 16.98 acres located at approximately 5650 South 3500 West from a Residential Estate (RE-20) Zone to a Community Commercial (CC) Zone based on the staff's findings and subject to the staff's recommendations. Councilman Peterson seconded the motion. A roll call vote was taken: Council members Smith, Stokes, Peterson, and Becraft voted "aye." The motion carried. (Copy filed for record).**

7. CONSIDERATION FOR A CONDITIONAL USE PERMIT FOR A HOME IMPROVEMENT CENTER LOCATED AT APPROXIMATELY 3400 WEST 5600 SOUTH

Tony Reynolds stated that The Home Depot was seeking approval of a conditional use permit for a home improvement center at approximately 3400 West 5600 South on Lot No. 1 of the proposed Home Depot Subdivision. The development had frontage on 5600 South and 3500 West, which were both State roads. Two existing homes and an existing business would be demolished to allow for the construction of The Home Depot store. A legal notice was placed in the *Standard Examiner*. Notices were mailed to 47 property owners within 300 feet of the subject property. The Planning Commission held a public hearing on October 9<sup>th</sup>. The Home Depot store would be 132,973 square feet in size. A specific use for Lot No.2 of the Home Depot Subdivision was not being proposed at this time. Mr. Reynolds said all exterior lighting was fully hooded and shielded. Pole mounted lights did not exceed 20 feet in height. Light did not spill onto adjacent properties. The site plan met all parking and landscaping requirements.

Tony Reynolds stated that Home Depot had made three changes to their proposed plans. The building materials and design had been changed to meet the Zoning Ordinance - . the

building would be textured on the top and bottom. Home Depot proposed to increase the screen fence from six feet to eight feet. The fence would only be four feet in height in the setback area along 3500 West. Home Depot had also reduced their pylon signs from 23 feet in height to 20 feet. Their hours of operation would be from 7:00 a.m. to 9:00 or 10:00 p.m. The Planning Commission agreed that Home Depot could use the building 24 hours a day, but restricted truck deliveries to 6:00 a.m. to 11:00 p.m. Mr. Reynolds referred to Item No. 11 of the City Engineer's recommendations regarding Home Depot's site plan:

Roy City Site Design Standards state that, "Site Plan Applications shall provide site functionality for the integration of the proposed buildings with existing, or planned pedestrian and vehicular circulation patterns and provides for a system of interconnected streets, walkways, trails and parking areas." The Home Depot Site Plan does not indicate any methods of integration with the Maverik and proposed Barlow Square. We recommend that at a minimum, potential pedestrian access ways and paths be shown and that potential traffic circulation between the sites be indicated with directional arrows.

Mr. Reynolds said the Development Review Committee made the following findings:

1. The proposed use was a conditional use in the Community Commercial Zone.
2. The proposed use complied with the requirements applicable to the Community Commercial Zone.
3. The proposed on which the conditional use was proposed was of adequate size to permit the conduct of the use in a manner that would not be detrimental to the adjoining and surrounding properties.
4. The proposed use was consistent with the goals and policies of the General Use.

The Development Review Committee and the Planning Commission recommended that the City Council approve a conditional use permit for a home improvement center located at approximately 3400 West 5600 South subject to the following conditions:

1. The site plan and related development must comply with the comments submitted by the City Engineer and Roy Water Conservancy Subdistrict.
2. The access from 3500 West on Lot No. 2 of Maverik Subdivision must be developed in connection with the development of Lot No. 1 of Home Depot Subdivision.
3. No building signage may be placed on any exterior building wall or window facing the residential zoning district boundary to the south or the east of the site.

4. All mechanical equipment must be screened entirely from view from adjacent residentially zoned properties by using the methods outlined on Page 10-16 of the Zoning Ordinance.
5. The proposed use and site plan must meet, and be conducted in compliance with, all requirements of the Zoning Ordinance.
6. The conditions in the Planning Commission recommendation made on October 9, 2007.

Mr. Reynolds pointed out that Item No. 8 of the City Engineer's comments regarding the site plan referenced the need for Home Depot to show the access for Barlow Square on their site plan. This was a significant development for Roy City in terms of tax base and employment opportunities. It would set the tone for future development in west Roy.

Councilman Smith asked if vehicles would be able to turn left and right on 5600 South.

Dr. Joe Parrin stated that 5600 South carried approximately 17,000 cars a day. It was over capacity as it was. However, there were no long range plans to widen 5600 South to five lanes. Thirty-five Hundred West (3500 West) carried 14,000 cars a day. The State was conducting an Environmental Impact Study on 3500 West. It would probably be widened to five lanes.

Councilman Smith stated that he was in favor of Home Depot going in. One of the major concerns he heard from the public was traffic congestion. Dr. Parrin said it was nice to have services where people lived. Councilman Smith said the City would continue to grow. It was important to look at congestion regardless of what was built. Dr. Parrin said the City had a corridor agreement with UDOT regarding a light at 3100 West 5600 South. That light would create more traffic gaps. Councilman Smith asked what the City could do to facilitate the light. Dr. Parrin said the agreement indicated the light would be installed when the intersection met warrants. He had provided UDOT with the current traffic counts on 5600 South.

Councilwoman Becraft asked if the light at 3100 West would be installed when Home Depot was built. Dr. Parrin said the light would be installed when there was enough turn movement at 3100 West. The City might want to pursue a system warrant with UDOT rather than wait for the turn movements.

**Councilman Peterson moved to approve a conditional use permit for a home improvement center located at approximately 3400 West 5600 South based on the findings of the staff and subject to the staff's recommendations. Councilman Stokes seconded the motion. Council members Becraft, Peterson, Smith, and Stokes voted "aye." The motion carried.**

9. CONSIDERATION OF A PRELIMINARY SUBDIVISION PLAT FOR THE HOME DEPOT - ROY SUBDIVISION LOCATED AT APPROXIMATELY 3400 WEST 5600 SOUTH

Tony Reynolds stated that Home Depot was seeking preliminary approval of a two lot subdivision on 12.184 acres located at approximately 3400 West 5600 South. Lot No. 1 would be 11.176 acres and would be developed as a Home Depot store. Lot No. 2 would have 1.008 acres. No specific use for Lot No. 2 was proposed at this time. The Development Review Committee had found that the proposed subdivision was consistent with the goals and policies set forth in the General Plan. The proposed subdivision was consistent with the Subdivision and Zoning Ordinances. The Development Review Committee and the Planning Commission recommended that the City Council grant preliminary approval of the Home Depot Subdivision subject to the following conditions:

1. The preliminary subdivision plan must comply with the comments submitted by the City Engineer.
2. The final subdivision plat must comply with the requirements of Weber County.

Councilman Peterson asked what type of businesses Home Depot was targeting for Lot No. 2. Steve Pappa said it was wide open. Their broker said someone was very interested in the lot, but he had not disclosed any names.

Mayor Ritchie asked if any use on Lot No. 2 would require a conditional use permit. Mr. Reynolds said it would if it was a conditional use.

**Councilman Stokes moved to grant preliminary approval of the Home Depot Subdivision located at approximately 3400 West 5600 South based on the staff's findings and subject to the staff's recommendations. Councilman Smith seconded the motion. Council members Becraft, Peterson, Smith, and Stokes voted "aye." The motion carried.**

10. PUBLIC COMMENTS

Anna Guymon, 5955 South 3100 West, asked if the City had considered more crossing guards on 5600 South in light of the anticipated increased in traffic. Mayor Ritchie said that was a responsibility of the Police Chief. Whenever a new development was proposed the Chief's safety committee reviewed the need for crossing guards. Chris Davis suggested that Ms. Guymon contact Chief Whinham.

11. CONSIDERATION OF RESOLUTION NO. 917 REQUESTING THE

## RECERTIFICATION OF THE ROY CITY JUSTICE COURT

Andy Blackburn stated that every four years the Justice Court had to be recertified by the Utah Judicial Council. He felt the Justice Court had served the needs of Roy City quite well. The City had one judge who handled all of the cases, and it received more revenue than it spent. Based on the number of cases handled, Roy City's Justice Court was considered a Class 2 Court. The City was on the verge of being a Class 1 Court. A Class 1 Court would require a full time judge and another clerk. A Class 1 Court also had an exclusivity clause that prohibited the Court from sharing its chambers with the City Council.

Councilman Stokes asked what the City would do if and when the City was classified as a Class 1 Court. The City had just finished a remodel that placed the Court and the City Council in the same chambers. Mr. Blackburn said the City could apply for a waiver of the exclusivity clause. Because the Justice Court and City Council had different hours of operation he didn't feel there would be a problem. That is something that would have to be looked at in four years.

Andy Blackburn asked that the City Council approve Resolution No. 917 requesting recertification of the Roy City Justice Court subject to the staff inserting the correct expiration date.

**Councilman Stokes moved to approve Resolution No. 917 requesting the recertification of the Roy City Justice Court subject to the staff inserting the correct expiration date and based on the City Attorney's opinion letter. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Stokes, Becraft, Smith, and Peterson voted "aye." The motion carried. (Copy filed for record).**

### 12. DISCUSSION ONLY REGARDING THE 'NO SMOKING IN PUBLIC OUTDOOR VENUES' PROJECT PRESENTED BY THE WEBER-MORGAN HEALTH DEPARTMENT DURING THE OCTOBER 2, 2007, CITY COUNCIL MEETING

Mayor Ritchie stated that in order to comply with the open meeting law, he had placed this item on the agenda to allow Council members the opportunity to discuss the presentation made by the Weber-Morgan Health Department two weeks ago regarding no smoking in public outdoor venues. This was a discussion item. He would not be taking public input.

Councilman Stokes stated that it was clear tobacco use and second-hand smoke were not healthy. Yet the City Council had to be cautious about where it drew the line on citizens' rights. He felt the City Council could look at an ordinance embodying the obvious effects of tobacco smoke. How would the City enforce 'no smoking' in outdoor venues? If the City Council was going to pass an ordinance but not enforce it, it was simply a 'feel good'

ordinance. If a no smoking ordinance was passed, officers would have to be present at big events to issue tickets. He would like to hear how the Police Chief proposed to enforce such an ordinance. He was not opposed to a 'no smoking' ban in public outdoor venues. It was a sign of the times.

Councilman Smith felt it would be good to have a 'no smoking in public outdoor venues' policy in Roy. He wanted to have a clean environment. It would be difficult to enforce. Smoking was a personal choice. However, the City Council had a choice to protect its citizens.

Mayor Ritchie asked if the City Council would like a report from the Police Chief about enforcement on a 'no smoking' ban in public outdoor venues. Councilman Stokes felt a report would be helpful.

Councilwoman Becraft felt that once the ban was initiated, the City needed to move slowly. It would take time to educate the public. Eventually the ban would have to be fully enforced by the Police Department.

Councilman Peterson stated that in the past people who didn't smoke were imposed upon. Now smoking in public was a right, not a privilege. He felt the City Council needed to look as the welfare of the citizens. He would like to hear from Chief Whinham about enforcement.

Mayor Ritchie felt another concern was the appearance of the City's parks. With the Council's permission, he would have the City Manager to ask Chief Whinham to prepare a report about implementation and enforcement of a no smoking ban in public outdoor venues.

Chris Davis said the next Council would not be until November 20<sup>th</sup> due to the elections on November 6<sup>th</sup>. He would ask Chief Whinham to have a report prepared for that meeting. He asked if the Council wanted to consider an ordinance as well. Mayor Ritchie felt the Council should hear the report from Chief Whinham. Then it could provide the staff with the direction it needed to prepare an ordinance.

### 13. CITY MANAGER'S REPORT

Chris Davis updated the Council on the status of the Municipal Building remodel. The City Council/Court chambers were mostly complete. The Police Department would move into its new quarters on October 22<sup>nd</sup>. The project was on schedule and within budget.

Chris Davis updated the Council on the 4800 South project. Part of 4800 South had been paved. The contractor was still optimistic about meeting the November 5<sup>th</sup> deadline. A

traffic accident had taken out the traffic light in front of the high school.

14. MAYOR AND COUNCIL REPORTS

Mayor Ritchie asked how the City Council felt about operating without the using lights to direct discussions at Council meetings. The Council felt the seating arrangement would facilitate discussion without the use of lights.

Councilman Stokes suggested that when the staff hired the legislative administrative assistant included in the budget, one requirement should be knowledge about use of electronic technology. Mayor Ritchie said that would be part of the job description.

Councilman Smith stated that there were some blighted areas on 1900 West, especially between 4500 South and 4800 South. Was there something the City could do to clean those areas up? Mayor Ritchie said the budget included a full time Code Enforcement Officer, which Mr. Reynolds was in the process of filling. Mr. Reynolds had also activated the Citizens' Advisory Committee. The staff was working to encourage economic development to fill the empty stores. Councilman Smith said older citizens felt the blight was a serious issue. He was concerned that the aging population did not have convenient places to shop. He felt the City needed to revitalize downtown Roy.

15. ADJOURN

**Councilwoman Becraft moved to adjourn at 7:42 p.m.**

16. SUMMARY OF ACTIONS CHARGED

1. Police Chief Whinham to prepare a report for the November 20<sup>th</sup> Council meeting regarding enforcement of a 'no smoking in public venues' ordinance.

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Joe H. Ritchie  
Mayor

Attest:

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Michelle Drago  
Secretary