

MINUTES OF THE FEBRUARY 19, 2008, ROY CITY COUNCIL MEETING

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Minutes of the Roy City Council Meeting held February 19, 2008, at 6:00 p.m. in the City Council/Court 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
Councilmember Marge Becraft
Councilmember Willard Cragun
Councilmember Larry Peterson
Councilmember Dave Tafoya

City Manager Chris Davis
City Attorney Andy Blackburn
Assistant Recorder Laurel Dalton

Excused: Councilmember Mike Stokes

Also present were: Tony Reynolds, Community & Economic Development Director; Doug Hattery, Wasatch Front Regional Council; Dina Scheifl, and Rachel Trotter.

Moment of Silence and Pledge of Allegiance: Councilmember Marge Becraft

At 6:00 p.m. Mayor Ritchie called the meeting to order. He said that Councilmember Stokes was excused.

1. APPROVAL OF FEBRUARY 5, 2008, CITY COUNCIL MINUTES

Councilmember Tafoya corrected the minutes on page 3, last paragraph, to show that Councilmember Stokes voted "nay" on the motion approving the Ideacast Agreement. **Councilmember Tafoya moved to approve the minutes of February 5, 2008, as corrected, Councilmember Becraft seconded. Councilmembers Tafoya, Becraft, Cragun and Peterson voted "aye," motion carried.**

2. PRESENTATION BY WASATCH FRONT REGIONAL COUNCIL

Doug Hattery, Deputy Director of the Wasatch Front Regional Council (WFRC), was present and gave a presentation on what the Wasatch Front Regional Council does and to get requests from the City on what they could help them with. He said their main focus had been on transportation planning. He said that projects that would interest the City Council were the North Legacy Highway and east/west streets throughout our region. He said that commuter rail should be opening the end of April to Ogden and Pleasant View. He said funding was going into the Hinckley Drive extension with UDOT. He said that corridor preservation was important so that when the time came to build we don't have to pay a lot of money to buy homes and businesses and relocate

them. He said their office could help in the process of acquiring rights-of-way if Roy City needed help. He discussed growth principles.

Councilmember Cragun suggested trying to tie the Hinckley Drive extension to 4000 South by going through the airport property and behind Monte Vista mobile home park to 4000 South and going clear to the lake. Mr. Hattery responded that he would have to look at that, but he thought the intent of connecting Midland Drive to Hinckley Drive was to give people in the west Roy/Hooper area direct access to I-15. Councilmember Peterson said the problem with tying Hinckley Drive to 4000 South was that 4000 South was only two lanes wide and Hinckley Drive was four or five lanes wide. He said that part of that was designed so that Hinckley Drive goes into Midland Drive and Midland Drive is part of the plan to extend to five lanes all the way out to Syracuse to make it a straight shot.

Chris Davis complimented George Ramjoue who was instrumental in helping to revamp Roy's Master Plan and also Ben Wuthrich of the Wasatch Front Regional Council who had been really helpful on the process of obtaining funds for 4800 South. He said that Roy had jumped over a number of cities because we were prepared to go. Mr. Hattery responded that they generally operated on a first come/first served basis. He said they were looking at projects now to add to the program and if cities got ready and there was money available, they tried to get them funded, as it was better to build now when the costs were lower than to wait a couple of years.

3. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A CONDOMINIUM CONVERSION OF AN EXISTING APARTMENT 4-PLEX LOCATED AT APPROXIMATELY 5654 SOUTH 2550 WEST

Mayor Ritchie stated that this item and the next one could be handled with just a motion, unless the Council had some concerns, because the project was about completed and all this did was change their ability from being rental only to owner occupied. No one made any comments. **Councilmember Tafoya moved to approve a Conditional Use Permit for a condominium conversion of an existing apartment 4-plex located at 5654 South 2550 West, Councilmember Cragun seconded the motion, Councilmembers Tafoya, Cragun, Peterson and Becraft voted "aye," motion carried.**

4. CONSIDERATION OF A PRELIMINARY SUBDIVISION APPROVAL TO CONVERT AN EXISTING APARTMENT 4-PLEX TO CONDOMINIUM UNITS LOCATED AT APPROXIMATELY 5654 SOUTH 2550 WEST

Councilmember Peterson moved to give preliminary subdivision approval to convert an existing apartment 4-plex to condominium units located at

approximately 5654 South 2550 West, Councilmember Becraft seconded, Councilmembers Tafoya, Cragun, Peterson and Becraft voted "aye," motion carried.

5. PUBLIC COMMENTS

Mayor Ritchie asked for public comments, but there were none offered.

6. RATIFICATION OF THE PLANNING COMMISSION CHAIR AND VICE CHAIR FOR 2008

Mayor Ritchie stated that the Planning Commission had voted and were recommending that the Chair for 2008 be Doug Allred and the Vice Chair be Dave Collins.

Councilmember Becraft made a motion to accept the Planning Commission's recommendations of Doug Allred as Chair and Dave Collins as Vice Chair of the Planning Commission for 2008, Councilmember Cragun seconded the motion. Councilmembers Becraft, Cragun, Peterson and Tafoya voted "aye," motion carried.

7. CONSIDERATION OF PRELIMINARY APPROVAL OF THE AMIDAN SUBDIVISION LOCATED AT APPROXIMATELY 4700 SOUTH 4300 WEST

Tony Reynolds presented this item for the Council's consideration. He said there would be a temporary storm water detention basin on lot 1. He said it met all our requirements for an R-1-10 Zone. He said lot 1 would be a restricted lot and they couldn't build on it until improvements were made

Councilmember Cragun said he was concerned about storm and drain water because there was a lot of clay in this area, and the water just rides on top, and there had been a lot of water problems in this area. He asked how they were going to address those water problems other than the retention basin. Mr. Reynolds responded he didn't know the answer now and shouldn't know the answer now. He explained that the ordinance for the review and approval process had been changed. The final review was an administrative review where the city engineer reviewed it and determined how it was going to work and if it met all the requirements. He said a developer would spend about 10 percent of the total engineering on the preliminary and the other 90 percent was spent once they got preliminary approval.

Councilmember Cragun commented that he thought that they would have to put in some kind of a drainage system to drain that water out of there. Mr. Reynolds said that they may have to.

Councilmember Cragun asked who inherited the catch basin on Lot No. 1. Mr. Reynolds responded that ultimately it would become a building lot. He said that had been done up on 4000 South where until it had sufficient capacity below it the City required the developer to dedicate some lots for temporary detention, and then when we have the capacity to release it, we go ahead and release that lot and it would become a building lot. During the time, however, that it is a detention area it is part of Roy City's system, even though it is on private property, and that is why the engineer insists that this and any other part of it works, and so he will review it closely to make sure it meets all of the City's requirements and doesn't create a problem for water or any other such as fire protection, sewer, storm drain, or ground water.

Councilmember Peterson asked if the subdivision would go back to the Planning Commission for final approval after the Council gave preliminary approval. Mr. Reynolds said that on a subdivision nothing went back. Councilmember Peterson asked if what the Council was being asked to approve tonight was whether they liked the configuration and once the Council gives that approval, it still becomes technical issues, and that if our engineer is not satisfied with surface water and drainage water, he doesn't give the approval which means that the subdivision itself would not be approved. Mr. Reynolds said that that was right. He said that the ordinance was very specific that it required all of those elements as a part of the final, when it came back to all of the engineering and technical people and so on. If they can't provide that for final, then they have no entitlement.

Councilmember Becraft stated that she noticed on the subdivision up above it there was a comment made from the Planning Commission that some of the people built below the level they were supposed to. She asked how we know that that is not going to happen. She asked if the staff needed to make sure that didn't happen. Mr. Reynolds said that that was right, as building permits were issued. He said that was another matter altogether as to what we want the subdivision improvements to be and where we want homes to be located within the subdivision.

Councilmember Cragun asked if there was a timetable on when eventually that storm water was going to go back to the south and the city was going to have to upgrade the storm system south of 4800 to take care of that problem and what the cost on that would be. Mr. Reynolds responded that he didn't know what was anticipated there. He said that when this type of development happens is that we require this lot to be developed, for instance this lot or two lots or whatever it needs to be, so that if we never made the improvements, it still would function, wouldn't fail. And then it is a bonus to the developer if and when the developer or another developer downstream puts in larger improvements and they are able to return those to building lots, but he was not aware if that was a part of the Public Works plan to expand the storm water.

Councilmember Becraft asked if storm drains had been put in on the corner of 4300 West and 4800 South. City Manager Davis said he would check on it and get back to her.

Councilmember Peterson said his only concern was to make sure that we give our City Engineer specific direction to make sure all the water issues are resolved properly so that there isn't a problem in the future with one of these situations gone bad where people have come in based on all the decisions made 20 years ago that weren't done as completely as they should so that they ended up having water in their own yard, so we need to make sure that our City Engineer is satisfied that all the water that is collected from this subdivision is retained in their park and then eventually brought out there. He said we don't want it to be sloughed off onto other lots.

Councilmember Cragun asked about the fence that was going to be required on the north side. Mr. Reynolds responded that the only thing that the City would require is what the ordinance requires, and the minimum that the City could require was a chain link fence. He said that usually when they put those developments in they put a chain link fence immediately adjacent to some type of agricultural fence to keep the animals in.

Councilmember Peterson made a motion to grant preliminary approval to the Amidan Subdivision subject to the staff recommendations and also with the express direction that all water mitigation issues must be approved by the city engineer, Councilmember Tafoya seconded the motion. Councilmembers Peterson, Tafoya, Becraft and Cragun voted "aye," motion carried.

8. REPORT ON THE AVAILABILITY OF GRANT FUNDS FOR SIDEWALK ON THE SOUTH SIDE OF 6000 SOUTH BETWEEN 1900 WEST AND 2100 WEST

Chris Davis presented a report prepared by Public Works Director Mike Mansfield on different ways of funding sidewalk installation which included:

- (A) Roy City fund this sidewalk from Class-C Road Fund
- (B) Roy City fund 50% of the cost of new sidewalk with the homeowners funding the other 50%
- (C) Create a special improvement district for those homes that need sidewalk installed
- (D) Apply for CDBG project funds

Mr. Davis said it would not qualify for safe sidewalk funds because 6000 South was not a state road.

Mike Mansfield's report said that Public Works has a sidewalk condition inventory which they work off in order to schedule sidewalk repairs. It said he would assemble a list of areas needing sidewalk for the City Council's review.

Councilmember Cragun stated that he would like to see the staff look at that as they did the complete inventory of things they were going to do this year and see if we could get some funding over to that project. Mr. Davis responded that there isn't any money in the FY2008 budget to be able to address sidewalk on the south side of 6000 South between 1900 West and 2100 West. He said that money from Class-C Road Funds for multiple years was used to complete 4800 South. He said that as we go forward with the budget process if that is something that the Council determines is a high priority to fund, we could go forward with this project.

Mayor Ritchie commented that he liked the idea that Mike Mansfield was going to assemble an inventory of areas needing sidewalks for the Council to look at, and then make that decision on how important it was to them. He said that the CDBG application process was completed for this year, so it would be another 12 months before it came around.

Councilwoman Becraft commented that there were some areas in the upper part of her subdivision where the existing sidewalk was in terrible condition and they had marked to do, but then they were pulled off and put on 4800 South. She asked if they were going to be addressed again. Mr. Davis responded that that would be done as part of the inventory. It would depend on how much the Council wanted to spend and if they agreed on the priorities that the staff had come up with on the sidewalk replacement plan.

Mayor Ritchie asked the City Manager if he would encourage Public Works to expedite the sidewalk inventory list.

9. CITY MANAGER'S REPORT

Mr. Davis stated that Stan Flint, the former Parks Superintendent, was in the hospital and had undergone surgery and was doing significantly better. He appreciated the visits he had had.

Mr. Davis said that the staff had been talking with Preston Kirk on the bonds and they would be on the next City Council agenda. He said the City was in good shape that way and we are ready to move ahead.

Mr. Davis told the Council the Utah League of Cities and Towns Conference was

scheduled for April 10 and 11. Rooms had to be booked in advance and some rooms had been booked for April 9 through 12. If Councilmembers wanted to attend, they should let him know so that we can get them registered.

Mr. Davis reported that he and the Mayor had been at legislative meetings a number of times. Roy City had been well represented by Richard Greenwood who was very accessible and wanted to make sure he met our needs. Senator Jenkins had been extremely helpful to us and had been a good listening ear and responsive to our needs. He said that legislation affecting the City is looking good for us overall. He said there will be some changes in how our justice court will be run. He said there was no longer a requirement that you couldn't have a council room and court room in the same capacity. Our water right legislation is looking good. He said it has been a good session from our point of view.

10. MAYOR AND COUNCIL REPORTS

Mayor Ritchie said he was pleased that those legislators representing Roy had voted exactly as we asked them to vote and had been very responsive and very supportive. He said they appreciated the input from the cities. He said that the second thing he was impressed with was how harmless Roy City was going to be held this year. He said he and the City Manager appreciated the councilmembers' input before they attended legislative meetings.

Councilmember Becraft asked the City Manager if he would check on a bump in the road on 4800 South, east of the tracks before 2675 West.

Councilmember Cragun said he had received a call from Mr. Hampton who was running remote controlled boats at Meadowcreek pond and had been asked to leave. Mr. Cragun said that parks employees told him Mr. Hampton had been asked to leave because a fisherman's line had gotten caught in a boat and it had stripped off 50-60 feet of his line.

Mayor Ritchie said the park had been designated as an urban fishery. Mr. Cragun said he was wondering if part of it could be designated for fishing and part for running remote controlled boats. Mayor Ritchie stated he wondered if there could be a compromise. City Manager Davis said we would check with the Division of Wildlife Resources and see what the regulations are.

Councilmember Cragun moved to adjourn at 7:00 p.m. and convene a Redevelopment Agency Meeting, Councilmember Peterson seconded, all voted "aye," motion carried.

The City Council meeting was reconvened at 7:30 p.m. on February 19, 2008, in the City Council/Courtroom of the Roy City Municipal Building after the Redevelopment Agency Meeting.

The following were in attendance:

Mayor Joe H. Ritchie
Councilmember Larry Peterson
Councilmember Marge Becraft
Councilmember Willard Cragun
Councilmember Dave Tafoya

City Manager Chris Davis
City Attorney Andy Blackburn

Excused: Councilmember Mike Stokes

Also present was: Tony Reynolds, Community and Economic Development Services Director

(1) MOTION FOR A CLOSED MEETING TO DISCUSS PENDING LITIGATION

Councilmember Becraft made a motion at 7:31 p.m. to go into a closed meeting to discuss pending litigation, Councilmember Peterson seconded the motion. In a roll-call vote Councilmembers Becraft, Cragun, Tafoya and Peterson voted “aye,” motion carried.

SUMMARY OF ACTIONS CHARGED

1. City Manager to encourage Public Works to expedite sidewalk inventory list.
2. City Manager to check on a bump in the road on 4800 South, east of the tracks before 2675 West.
3. City Manager Davis to check with the Division of Wildlife Resources to see what the regulations are on urban fisheries.

Joe H. Ritchie
Mayor

Attest:

Laurel S. Dalton
Assistant Recorder