

MINUTES OF THE SEPTEMBER 3, 2002, ROY CITY COUNCIL MEETING

1. Approval of minutes of August 20,2002.
2. Consent Agenda:
 - a. Conditional acceptance of subdivision improvements for Hamblin Place Subdivision No. 1 located at approximately 4800 South 4000 West
 - b. Final acceptance of subdivision improvements for Southfork Meadows Subdivision Nos. 1 and 2 located at approximately 3575 West 6050 South
 - c. Set a public hearing to consider an amendment to RCO 34-15-4(3b[1]{a}) - side yard setbacks in an R-1-10 Zone (suggested date - September 17, 2002, at 6:15 p.m.)
 - d. Reschedule public hearing to consider a petition from King Long and Rita C. Yu to rezone approximately 0.67 acres located at approximately 3479 West 4800 South from R-1-8 to CP-2 (suggested date - September 17, 2002, at 6:30 p.m.)
 - e. Set a public hearing to consider an amendment to Bingham Industrial Park Subdivision No. 3 to vacate easements (suggested date - September 17, 2002, at 6:30 p.m.)
3. Approval of site plan for Walgreen's located at approximately 5554 South 1900 West
4. Approval of a Class "A" beer licence for Fast Stop Food Stores at 3805 S. Midland Drive
5. Resolution No. 779 approving an interlocal automatic aid agreement with Ogden Fire Department
6. Award of bid for Aquatic Center
7. Ratification of the Mayor's appointment of the Employee Appeals Board
8. City Manager's Report
9. Mayor and Council Reports
10. Adjourn

Minutes of the Roy City Council Meeting held September 3, 2002, 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 Roger Burnett
Councilwoman Marge Becraft
Councilman Tommy Smith
Councilman Dave Tafoya
Councilman John Cordova
Councilman Dan Tanner

City Manager Chris Davis
City Attorney Andy Blackburn
Secretary Char Wolverton

Also present were: Chris Zimmerman, Development Services Director; Mark Larson, Planner; Jon Ritchie, Fire Chief; Tom Hanson, Parks and Recreation Director; Nate Mazer; Bob Ekstrom, Brian Huffaker, Jerri Lynn Corless.

Prayer: Councilman Tafoya

Pledge of Allegiance: Councilman Tafoya

Nate Mazer thanked the Council for the opportunity he was given to be Grand Marshall of the parade for Roy Days.

1. APPROVAL OF MINUTES OF AUGUST 20, 2002.

Item #3 reads; approval of July 16, 2002 minutes and should read approval of August 6, 2002 minutes. Item 5a, Ordinance No. 900, should include lot Nos. 9 and 10 in addition to 2, 7, and 8. On page 6, the Ordinance No. 89 should read Ordinance No. 890. Also on page 6, regarding Ordinance No. 898, Councilman Tafoya voted “nay,” Councilman Tanner voted “aye.”

Councilwoman Becraft moved to approve the minutes of August 20, 2002, as amended. Councilman Smith seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted “aye.” The motion carried.

2. APPROVAL OF THE CONSENT AGENDA

Councilman Cordova moved to approve the consent agenda consisting of: Conditional acceptance of subdivision improvements for Hamblin Place Subdivision No. 1 located at approximately 4800 South 4000 West; Final acceptance of subdivision improvements for Southfork Meadows Subdivision Nos. 1 and 2 located at approximately 3575 West 6050

South; Set a public hearing to consider an amendment to RCO 34-15-4(3b[1]{a}) - side yard setbacks in an R-1-10 Zone for September 17, 2002, at 6:15 p.m.; Reschedule public hearing to consider a petition from King Long and Rita C. Yu to rezone approximately 0.67 acres located at approximately 3479 West 4800 South from R-1-8 to CP-2 for September 17, 2002, at 6:30 p.m.; Set a public hearing to consider an amendment to Bingham Industrial Park Subdivision No. 3 to vacate easements for September 17, 2002, at 6:30 p.m. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted "aye." The motion carried.

3. APPROVAL OF SITE PLAN FOR WALGREEN'S LOCATED AT APPROXIMATELY 5554 SOUTH 1900 WEST

Chris Zimmerman reported that after months of negotiations, the staff is excited to welcome Walgreen's to Roy City. Great Basin Engineering has been hired by the developer for the demolition plan. The second part of the plan includes an overall site plan showing Walgreen's, Common Cents, and the Common Cents car wash. Landscaping plans are in place including a detention area, shrubs, and trees. Councilman Smith asked if there would be lights along the entryway into Walgreen's. Brian Huffaker, from the Hawkin's Company, reported that Walgreen's likes to have adequate lighting on their entire site and that is in their plan. Councilman Smith suggested that the lighting and design elements of Walgreen's be coordinated with the 1900 West improvement and beautification plan. Mr. Huffaker explained that the developer from Hawkins and Chris Davis have met and will coordinate those efforts. He explained that demolition is planned to begin mid-September which will take approximately three weeks. Construction is set to begin early to mid-October, weather permitting. Councilman Tafoya asked what the plan is for the signs. Mr. Huffaker explained that Walgreen's is very particular about the visibility of their signs. A manual reader board is planned for 1900 West and an electronic reader board on 5600 South. Chris Zimmerman explained that Mr. Hawker informed the City that in order to get Walgreen's to come to Roy, they would have to allow two pole signs; one on 5600 South and one on 1900 West. At that time, they were told that a pole sign would definitely be allowed on 1900 West and they would have to get a conditional use for the second pole sign and reader board. Mr. Grassli's goal is to get monument signs out on 1900 West and move the pole signs away from the road. Councilman Cordova asked if the pole sign could be pushed back off 1900 and have a monument closer to the street. Mr. Zimmerman stated that could be discussed with Walgreen's. Councilman Smith asked Mr. Huffaker what the plan is to market the coming Walgreen's to the citizens of Roy. Mr. Huffaker explained that the Hawkin's company doesn't get involved in advertising, however, he was aware that there would be a grand opening involving City officials. Councilman Smith suggested that the advertising coincide with the future growth of Roy to inform the citizens of the coming Walgreen's.

Councilman Tafoya moved to approve the site plan for Walgreen's located at approximately 5554 South 1900 West. Councilman Tanner seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted "aye." The motion carried.

4. APPROVAL OF A CLASS "A" BEER LICENCE FOR FAST STOP FOOD STORES
AT 3805 S. MIDLAND DRIVE

Chris Davis reported that a new owner has purchased the Fast Stop Food Store. The owners plan to open a quick-stop/gas station. No food will be prepared or sold. The owners are asking for a Class "A" beer license. Councilman Cordova asked if there have been previous problems at that location in conjunction with selling beer. Chris Zimmerman stated that the location has a good history and has experienced no problems in the past.

Councilman Cordova moved to approve a Class "A" beer licence for Fast Stop Food Stores at 3805 S. Midland Drive. Councilman Tafoya seconded the motion. Council members Becraft, Tafoya, Cordova and Tanner voted "aye." Councilman Smith voted "nay." The motion carried.

5. RESOLUTION NO. 779 APPROVING AN INTERLOCAL AUTOMATIC AID
AGREEMENT WITH OGDEN FIRE DEPARTMENT

Fire Chief Jon Ritchie stated that it is time for renewal of the Interlocal Automatic Aid Agreement with Ogden Fire Department. This is an agreement with Ogden City to coordinate resources to help each other in emergency situations. This affects North View Fire Department, Weber Fire District, as well as Roy City. He stated that the agreement is good for five years and has not changed. In the agreement, Roy City agrees to respond their ladder truck to the Ogden boundaries set in previous years. Ogden City, in turn, will send an engine to anywhere in Roy in the case of a structure fire. Andy Blackburn has reviewed the agreement and has created Ordinance No. 779. Councilman Cordova asked if Roy City has utilized other departments in the past. Chief Ritchie verified that Ogden has responded to Roy and vice versa. Councilman Smith asked if this agreement includes the Riverdale Fire Department. Chief Ritchie stated that it does. Councilman Cordova asked if this particular agreement is just with Ogden City. He stated that the agreement is just with Ogden City, however, when Ogden City created the agreement, they included North View and Weber Fire District. Roy will respond only to Ogden. Councilman Smith asked how it is determined who responds first to fire structures at the half-point. Chief Ritchie explained that because of automatic dispatch, whoever is closest generally reaches the scene first, however, if the fire is in Ogden City, as soon as their battalion chief arrives, it is their scene and Roy is assistance to Ogden. Chris Davis stated that statistics are kept as to how many times Roy responds to Ogden and vice versa which appears in a year-end report. Chief Ritchie felt that the response is 55% to Ogden compared to 48% to Roy from Ogden as Ogden is bigger and has greater call volume.

Councilman Tanner moved to accept Resolution No. 779 approving an Interlocal Automatic Aid Agreement with Ogden Fire Department. Councilman Cordova seconded the motion. A roll call vote was taken. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted "aye." The motion carried. (Copy filed for record.)

6. AWARD OF BID FOR AQUATIC CENTER

Chris Davis stated that based on the meeting last Tuesday, he recommends that the Council award the Aquatic Center Contract to R&O Construction subject to negotiations on a final price. Some of the changes suggested to eliminate cost include; changing the fencing from rod iron to chain link, site re-design including landscaping and decreasing the size of the concrete deck, and repositioning the pump house which would eliminate a retaining wall. Also, the \$311,000 owed to the Bumstead's would be paid over a three year period. The bid includes all three pools, the double flume slide, the shade structures and other equipment that was previously suggested to be taken out. Mr. Davis spoke with Mark Miller today who suggested it would not be financially beneficial to have City crews do any more of the earthwork. Mr. Miller is ready to order the final topographic survey so that R&O can begin construction as early as next week. With the above information, Mr. Davis recommends that the Council award the contract to R&O Construction based on Andy Blackburn and Chris Davis being able to finalize the contract and authorizing the Mayor to sign. Councilman Cordova expressed concern about replacing the rod iron fence with chain link. He felt that the safety of the children would be compromised due to a child's ability to climb chain link as opposed to rod iron. Mr. Davis explained that the golf course also has chain link and the back of the pool project was always planned to be chain link. The entry area from the parking lot will still have the rod iron. Councilman Tafoya asked if the fencing changes could be considered at the end of the project if funds permitted. Mr. Davis stated that a change order could be made at the end of the project if there was money left over. Councilman Cordova felt that was reasonable. Councilman Smith asked what the height of the fence would be. Mr. Davis said that state law requires an 8 foot fence regardless of material.

Councilman Smith moved to award the Aquatic Center Contract to R&O Construction subject to negotiations with staff on a final price and authorized the Mayor to sign the Contract and Notice of Award. Councilman Tafoya seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted "aye." The motion carried.

Councilman Smith suggested advertising the Aquatic Center with a billboard sign notifying citizens in surrounding cities of its coming.

7. RATIFICATION OF THE MAYOR'S APPOINTMENT OF THE EMPLOYEE APPEALS BOARD

Chris Davis explained that periodically the City has an employee appeal board consisting of three full-time employees with 2 alternates and two members of the City Council appointed by the Mayor with one alternate. That board hears appeals from employee grievances. The board will be meeting toward the end of the month. Councilman Cordova asked how often the board is needed. In fourteen years, the board has been convened once. Mayor Burnett asked the Council if anyone was willing to serve on the board. Andy Blackburn explained that the purpose of the board is to assure that an employee is not terminated unjustly. Councilwoman Becraft and

Councilman Tanner volunteered to serve on the Employee Appeals Board and Councilman Cordova volunteered to be the alternate. Mayor Burnett recommends appointing Councilman Tanner and Councilwoman Becraft to the Employees Appeals Board with Councilman Cordova as the alternate.

Councilman Smith moved to ratify the Mayor's appointment of the Employee Appeals Board. Councilman Tafoya seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted "aye." The motion carried.

8. CITY MANAGER'S REPORT

Chris Davis reported that asphalt paving will begin next week along the North Davis Sewer Improvement District Outfall. The Foxglen waterline replacement project is currently being paved. He also reported that all applications have been received for the Justice Court Judge position. Mayor Burnett asked how the applicants look. Mr. Blackburn reported that he is impressed with the applicant pool which consists of approximately 24 applications.

Chris Zimmerman requested some time to report on the progress of obtaining Mr. Lobato's property. Mr. Lobato stated that he wouldn't go any lower than \$185,000 for his property. If the City won't accept the \$185,000, Mr. Lobato will try to lease the property. Mr. Zimmerman spoke to Mike Mansfield who felt it was important to obtain the property and straighten out Airport Road. Mr. Mansfield is interested in purchasing the property with Class C road funds and budgeting next year to extend Airport Road out and widen it the rest of the way to Riverdale Road. If the Council agrees with this plan, Mr. Zimmerman will meet with Mr. Lobato and make an offer contingent upon being able to work with Mr. Lee on adjacent property. Councilman Tafoya asked if the City has received an appraisal on the property. Mr. Zimmerman stated that the City has an appraisal but not a recent appraisal and did not want to obtain that until the Council expressed interest in going forward with the purchase. A market analysis would cost approximately \$2,000 and an actual appraisal would cost approximately \$6,000. Councilman Tafoya asked if other projects would be put on hold if Class C road funds were used. Mr. Davis stated that according to Mr. Mansfield, this was a very important project. Mr. Zimmerman felt that Mr. Mansfield was planning to use Class C fund balance rather than money that has been budgeted for this year so it would not affect this year's projects. Councilman Cordova asked what the plan is to fix that road. Mr. Zimmerman explained that the road would have to be squared off with Riverdale Road, go through Mr. Lobato's lot and the lot behind it, then make a turn to fit back in with the bowling alley property and Silver Creek property; however, this would be something that the City Engineer would design. Councilman Cordova asked if a plan had been sketched because he felt it would take the majority of the lot to make the road functional. Mr. Zimmerman agreed. Councilman Smith felt that Mr. Lobato is playing hardball and stated that leasing out his property would be less beneficial to him. He felt that the City should offer \$175,000. Mr. Zimmerman explained that Mr. Lobato originally asked \$250,000 for the two parcels, then went down to \$200,000. He has now agreed to take no less

than \$185,000 which Mr. Zimmerman feels is reasonable. Comparable properties along Riverdale Road have been sold for much more. Councilman Cordova felt that it was important to have plans drawn up before making an offer to Mr. Lobato. Mr. Zimmerman stated that he will look into laying out the road and how it will affect surrounding properties. Chris Davis stated that a plan could be available for the next meeting. Mr. Zimmerman explained that any offer made would be contingent upon the properties working out for the intended purpose. Councilman Tafoya felt that the road needs to be repaired for the safety of all of those who use it.

9. MAYOR AND COUNCIL REPORTS

Councilman Tanner asked Chris Davis if an evaluation for Roy Days had been set up. Mr. Davis reported that the evaluation was set up for Thursday, September 5. Councilman Tanner reported that he knows of a citizen who is interested in helping. The Mayor reported that he had received positive feedback on Roy Days and the Carnival. Councilman Smith stated that he had spoken with parents who were concerned about squirt guns being used in the parade. Mr. Davis said that he generally talks to those participating in the parade about not using squirt guns and will make sure that happens in the future. Councilman Tanner stated they would include that in the evaluation.

Councilman Tafoya asked Mr. Davis about the progress of the salary survey. Mr. Davis stated that he met with Cathy Spencer last week and made some changes. In the next 30 to 45 days it should be ready to be adopted.

Councilwoman Becraft asked about the progress of the traffic study on 2900 West and 4800 South. Mike Mansfield is out of town and Mr. Davis hasn't spoken with him but will find out. Councilwoman Becraft explained that the City asked that the study go at least two weeks into the school year. Jerri Lynn Corless, 4791 S. 2900 W., reported that the brackets broke off Thursday. The guy that placed the counters came out Saturday and spoke with Ms. Corless. He reported that even though the counters weren't out as long as planned, enough good information was obtained to warrant a traffic light.

Councilman Smith noticed that Airport Road was closed and asked why. Mr. Davis said he would find out.

10. ADJOURN

Councilwoman Becraft moved to adjourn City Council Meeting at 7:40 p.m. Councilman

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Tanner seconded the motion. Council members Becraft, Smith, Tafoya, Cordova and Tanner voted “aye.” The motion carried.

Roger Phil Burnett
Mayor

Attest:

Char Wolverton
Secretary

dc:sept302