

MINUTES OF THE OCTOBER 5, 2010, ROY CITY COUNCIL MEETING

1. Approval of September 21, 2010, minutes
2. Consideration of a request for conditional use approval for a minor manufacturing business on property located at approximately 1821 West 4000 South
3. Discussion regarding implementation of Good Landlord Program
4. Public comments
5. Consideration of a request for conditional use approval for a self-storage facility and office on property located at approximately 5837 South 1900 West
6. Consideration of a request to amend the recorded plat for Andrews Acres Subdivision No. 2 on property located at approximately 5129 South 3450 West
7. City Manager's report
8. Mayor and Council reports
9. Adjourn
10. Summary of actions charged

Minutes of the Roy City Council Meeting held October 5, 2010, 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 members were in attendance:

Mayor Joe H. Ritchie	City Manager Chris Davis
Councilman Willard Cragun	City Attorney Andy Blackburn
Councilman Brad Hilton	Secretary Michelle Drago
Councilman Larry Peterson	

Excused: Councilmen Michael Stokes and Dave Tafoya

Also present were: Tony Reynolds, Community and Economic Development Director; Jared Hall, Planner; Niven Turner; Bert Visser; Missy Powell; Laura Phillipson; Andrea Kresler; Keisha Tafoya; Tsmal Mata; Kevin Mastache; R. Navarro; Dustin Christensen; Celeste Tipiani; Denise Hargis; Teesha Brown; Jordan Brooks; Riker Nagel; Carolyn Belnap; Julia Nunez; Gabriela Ruiz; Jagger Sanchez; Steven Sommer; Brye Brooks; Boy Scout Troop 470.

Moment of Silence: Councilman Hilton

Pledge of Allegiance: Councilman Hilton

1. APPROVAL OF SEPTEMBER 21, 2010, MINUTES

Mayor Ritchie recognized Keisha Tafoya and other students from the Roy High School government class who were in attendance.

Councilman Peterson moved to approve the minutes of September 21, 2010, as written. Councilman Hilton seconded the motion. Council members Cragun, Hilton, and Peterson voted "aye." The motion carried.

2. CONSIDERATION OF A REQUEST FOR CONDITIONAL USE APPROVAL FOR A MINOR MANUFACTURING BUSINESS ON PROPERTY LOCATED AT APPROXIMATELY 1821 WEST 4000 SOUTH

Mayor Ritchie stated that the City Council had had the chance to review the staff report and Planning Commission's recommendation.

Councilman Hilton moved to approve a conditional use for a minor manufacturing business on property located at approximately 1821 West 4000 South based on the staff's findings and the recommendations of the staff and Planning Commission. Councilman Cragun seconded the motion. Council members Cragun, Hilton, and Peterson voted "aye." The motion carried.

3. DISCUSSION REGARDING IMPLEMENTATION OF GOOD LANDLORD PROGRAM

Tony Reynolds stated that the staff was preparing an ordinance to adopt the Good Landlord Program and a resolution adopting the accompanying fees. The staff wanted to make sure it was headed in the direction the Council wanted. Utah Code authorized municipalities to have a Good Landlord Program if there was a disproportionate impact by rental units. The program provided a reduction in the disproportionate rental fee for a landlord who completed good landlord program training approved by the municipality; implemented measures to reduce crime in rental housing as specified by municipal ordinances; and operated and managed rental housing in accordance with applicable municipal ordinances.

Mr. Reynolds said the Good Landlord Program was discussed at a work session earlier in the summer. There were three considerations The City currently regulated 41 rental units. This program would include duplexes, single-family rental units, and mobile homes. There was the potential of 734 rental units. Financial incentive would be provided for program participation. Standard fees for rental units would be a base fee of \$145 plus \$33 per unit. Participants in the Good Landlord Program would not be charged a base fee and would only be charged \$8.50 per unit.

Councilman Hilton asked if the fees were based on studies of fees charged by surrounding areas. Mr. Reynolds said the fees were based on the study recently completed by the City.

Mr. Reynolds stated that the staff planned to ask the Council to adopt the Good Landlord Program by ordinance and establish residential rental fees by resolution on October 19, 2010. A Good Landlord Program orientation letter would be mailed to Roy City landlords on October 29th. An article outlining the Good Landlord Program would be included in the Roy City newsletter the week of November 1st. Good Landlord training seminars would be provided in Roy City by the Utah Apartment Owners Association in November and December. Business license applications and Good Landlord applications would be mailed to Roy City landlords the week of November 22nd. Business licenses and Good Landlord applications and fees were due by December 31st. The Good Landlord Program training deadline was June 30, 2011.

Councilman Peterson asked if a landlord would be liable for the increased fees if he had not completed the training by June 30, 2011. Mr. Reynolds said he would.

Councilman Hilton asked what would happen a landlord was in violation. Mr. Reynolds said that would be covered in the ordinance itself.

Councilman Hilton felt the staff was headed in the right direction.

Councilman Peterson felt the program would help the City by training landlords to screen tenants properly.

Mayor Ritchie recognized Boy Scouts from Troop 470.

4. PUBLIC COMMENTS

Bert Visser, 4818 South 2500 West, stated that for several years he had tried to get the City to do something about a house across the street from his. He had not been able to get anything done. The previous owner had remodeled and added on to the home without getting building permits. He felt much of the work did not comply with building codes. The yard was a mess. City employees kept telling him the home would be taken care of, but nothing had been done as of today. The home was in foreclosure. He was concerned that the financial institution that owned it would sell it without fixing it up. He wanted the City to put a notice on the home to make everyone who looked at it aware that there things about the home that would have to be fixed. Today three families, who did not speak English, had looked at the home together.

Mayor Ritchie asked what a letter would do. Mr. Visser felt a letter posted on the door would let people know that they had to talk to the City about the house. He was concerned that the bank or real estate agent would sell the house without fixing it if a letter wasn't put on the door. A letter would protect him twice by the City and the bank.

Chris Davis stated that the City had filed a Certificate of Non-compliance on the property with the Weber County Recorder. It would run with the land. During closing, potential buyers would be notified that the home was not in compliance, and that they would have to come into the City. HUD and other financial institutions posted notices on homes. Roy City sent letters to property owners, but did not go on private property without permission from the owner. Mr. Visser's concerns would be addressed by the Certificate of Non-Compliance.

Councilman Hilton asked if the City's ordinances required the City to file a Certificate of Non-Compliance. Mr. Davis said the City's Code Enforcement Officer had learned about Certificates of Non-Compliance while working for Ogden City. The City did red tag homes during construction if there were violations.

Councilman Cragun stated that there were homes in the City that needed to be dealt with. The ordinances needed to be updated to determine if homes could be sold that did not meet current building code standards. Some homes were in deplorable condition. They needed to be brought up to standard before they were sold.

Chris Davis said the City could prohibit occupancy. The home could be sold, but not occupied until it was in compliance.

Bert Visser still felt the City needed to put a letter on the house. He asked if the Good Landlord Program would address single family homes occupied by more than one family.

Mayor Ritchie said that was not covered by the Good Landlord Program. If people living in the same home were related, it was legal. Mr. Visser said there were three to four families living in the home next to him who were not related. People were ganging up to pay rent. Something needed to be done.

Missy Powell, 5976 South 2100 West, stated that banks could do almost anything they wanted to get rid of property. If the City didn't watch, the bank and realtors would ignore the Certificate of Non-Compliance, or they would pay the title company not to show it. There were very aggressive cities like Centerville and Farmington who were very controlled. She felt Roy City needed to do something aggressive to make the public and property owners take care of their properties. If the City stepped up the level, property owners needed to meet it. She suggested implementing a neighborhood or volunteer watch.

Ms. Powell asked about the status of the RDA landscaping project at Riverdale Road and 1900 West. Mayor Ritchie said the City was working with UDOT on widening and improving the intersection. It was the number one priority of Region One. They were working on funding the project. The City didn't want to put money into landscaping that would be taken out. The City planned to get it done, but he didn't know when.

Missy Powell stated that UDOT had slowed down the timing of the lights at 6000 South 1900 West. It was no longer motion activated. Motorists were cutting through the 7-11 Convenience Store.

Brye Brooks, 5264 South 2100 West, suggested that youth who needed to do community service help clean up some of the problem homes. Mayor Ritchie said the City used youth for graffiti removal. The City also used church groups. Councilman Hilton said there was a plan in place for schools to contact the City's Community and Economic Development Director or the Recreation Director for a list of places that needed to be cleaned up. He would remind the schools about the program. Part of the problem was that students had to be supervised.

5. **CONSIDERATION OF A CONDITIONAL USE APPROVAL FOR A SELF-STORAGE FACILITY AND OFFICE ON PROPERTY LOCATED AT APPROXIMATELY 5837 SOUTH 1900 WEST**

Mayor Ritchie stated that the Council had had an opportunity to review the staff report and Planning Commission's recommendation.

Councilman Hilton asked if the emergency access through the Painter Place Condominiums had to be landscaped. Jared Hall said it did. During the public hearing for the storage facility, the

neighbors indicated that the landscaping was not done. The developer still had time under his improvement guarantee to complete the landscaping. Emergency access through the condominiums would only be used if there was a large fire and the Fire Department needed to get out. Councilman Hilton asked how much time was left on Painter's improvement guarantee. Mr. Hall said he would check.

Councilman Hilton moved to approve a conditional use for a self-storage facility and office located at approximately 5837 South 1900 West based on the staff's findings and subject to the conditions recommended by the staff and Planning Commission. Councilman Peterson seconded the motion. Council members Cragun, Hilton, and Peterson voted "aye." The motion carried.

6. CONSIDERATION OF A REQUEST TO AMEND THE RECORDED PLAT FOR ANDREWS ACRES SUBDIVISION NO. 2 ON PROPERTY LOCATED AT APPROXIMATELY 5129 SOUTH 3450 WEST

Mayor Ritchie stated that the Council had had the chance to review the staff reports and the Planning Commission's recommendation. The amendment consisted of splitting Lot No. 17.

Councilman Cragun asked how large Lot No. 17 was. Jared Hall said it was over 22,000 square feet. The subdivision was zoned R-1-10. Both of the new lots would have over 10,000 square feet.

Councilman Peterson moved to approve the request to amended the recorded plat for Andrews Acres Subdivision No. 2 by dividing Lot No. 17 based on the staff's findings and subject to the recommendations of the staff and Planning Commission. Councilman Hilton seconded the motion. Council members Cragun, Hilton, and Peterson voted "aye." The motion carried.

7. CITY MANAGER'S REPORT

Chris Davis stated that Roy Association of Senior Adults' (RASA) Fall Festival would be held on Saturday, October 9th, from 10:00 a.m. to 3:00 p.m. at the Hope Center.

Chris Davis stated that the annual Fire Open House would be held on Wednesday, October 6th, from 6:00 to 8:00 p.m. at Station No. 1. Due to the weather, the Fire Department would not be doing outside activities.

Chris Davis stated that the Boys & Girls Club would be holding their annual Scarecrow Festival on Saturday, October 23rd. It would be held at the Eccles Center in Ogden at 6:30 p.m. Amy Mortenson would contact the Council members for RSVP's.

Chris Davis stated that early voting would begin in the next ten days. The County would be using the old cafeteria in the basement of the Municipal Building. The only involvement the City had in the voting this year was providing space.

Chris Davis invited the Council members to tour the new training room in the basement of the Municipal Building. The City employees had done a great remodeling job. The City had used money from a FEMA grant to purchase equipment for the room.

Chris Davis stated that the letters for the Hope Community Center would be put up during the week along with the names of the Council members.

8. MAYOR AND COUNCIL REPORTS

Mayor Ritchie invited all in attendance to sing Happy Birthday to Chris Davis.

Councilman Cragun stated that contractors would be working on the shoulder of Riverdale Road, near Gibby Floral, for the next two weeks. UDOT was hoping to receive funding for the west end of Riverdale Road before the contractors left the area. He asked that citizens contact their legislators about funding for this project.

Councilman Hilton felt that the City ordinances were behind the times. In reviewing the General Plan he found that it was the City Council's responsibility to make sure the General Plan was updated periodically. The goals listed in the General Plan included a new aquatic center, a new commuter rail system, the extension of Hinckley Drive, a stop light at 4800 South 3100 West, and widening of 4800 South to three lanes. All of those projects were completed. Councilman Hilton said the City should be commended. All of those projects had been done in the last eight years. However, that meant the General Plan was out of date. He suggested that the Planning Commission be invited to the Council work session on October 27th to discuss where to go with the General Plan. He also suggested that department heads be invited and prepared to discuss a ten year plan. It was time the Council formalized a mission statement and set new goals. Councilmen Cragun and Peterson agreed.

9. ADJOURN

Councilman Cragun moved to adjourn at 6:48 p.m.

10. SUMMARY OF ACTIONS CHARGED

1. Administration to invite members of the Planning Commission to the Council work session along with department heads. Department heads to be prepared to discuss a ten year plan.

Joe H. Ritchie
Mayor

Attest:

Michelle Drago
Secretary

dc:coct510