

## MINUTES OF THE FEBRUARY 7, 2012, ROY CITY COUNCIL MEETING

1. Approval of January 17, 2012, minutes
2. Consideration of disposal of surplus property
3. Public comments
4. Consideration of a request for a conditional use allowing a nine-unit multi-tenant residential development on property located at approximately 3775 South 2700 West
5. Consideration of an amendment to the text of Table 17-2 of the Zoning Ordinance adding specific requirements for pawn shops
6. City Manager's report
7. Mayor and Council reports
8. Adjourn

Minutes of the Roy City Council Meeting held February 7, 2012, 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  
Councilman John Cordova  
Councilman Willard Cragun  
Councilman Brad Hilton  
Councilman Michael Stokes  
Councilman Dave Tafoya

City Manager Chris Davis  
City Attorney Andy Blackburn  
Secretary Michelle Drago

Also present were: Jared Hall, Planner; Larry Bouwhuis; Rachel Trotter; Kylie Ross; Mana Rivera; Craig Westergard; Michale Shuman; Emily Snodgrass; Shelbie Durrant; Amber Jensen; Chris Jensen; Syera Irons; Emily Burton; Mandi Hobbs; Barbara Western; Callie Morgan; Sydney Edstrom; Alivia Crookston; Tod Spendlove; Welly Rogers; DeVan Rogers; Conner Prusse; Jarric Exre; Randy Brown; Alex Heman; Jason Richbur; Ashley Waller; Rachel Waller; Boy Scout Troops 336, 369, 17, 370, and 283; and Roy 17<sup>th</sup> Ward Achievement Day girls.

Moment of Silence: Councilman Cordova

Pledge of Allegiance: Councilman Cordova

Mayor Ritchie welcomed students from Roy High School and Boy Scout troops.

#### 1. APPROVAL OF JANUARY 17, 2012, MINUTES

**Councilman Cragun moved to approve the minutes of January 17, 2012, as written. Councilman Stokes seconded the motion. Council members Cordova, Cragun, Hilton, Stokes, and Tafoya voted “aye.” The motion carried.**

#### 2. CONSIDERATION OF DISPOSAL OF SURPLUS PROPERTY

Chris Davis stated that the City had 30 PC's (personal computers) and 6 laptops that could no longer be used. The staff suggested that they be declared surplus so they could be donated or sold. The hard drives would be cleared before the computers were sold. The City could advertise the computers in the *Standard Examiner* or on *KSL*.

Councilman Cragun suggested that the staff check with the senior center and non-profit organizations to see if they could use the computers. Mr. Davis said the City had

received a request from Sandridge Junior High. The staff would check with the senior center.

**Councilman Tafoya moved to declare 30 PC's and 6 laptops as surplus. Councilman Cragun seconded the motion. Council members Cordova, Cragun, Hilton, Stokes, and Tafoya voted "aye." The motion carried.**

### 3. PUBLIC COMMENTS

There were none.

### 4. CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE ALLOWING A NINE-UNIT MULTI-TENANT RESIDENTIAL DEVELOPMENT ON PROPERTY LOCATED AT APPROXIMATELY 3775 SOUTH 2700 WEST

Jared Hall stated that there were three vacant parcels located at approximately 3775 South 2700 West that were currently zoned R-3. Randy Brown had applied for approval of a site plan and conditional use for a nine-unit multi-tenant residential complex. The parcels were surrounded on three sides by West Haven. It was contiguous to Roy City on the south side. Mr. Brown was proposing two buildings - one fiveplex and one fourplex.

Mr. Hall said Mr. Brown's plans had been modified significantly since he approached the City a couple of years ago. The units had been divided into two buildings, architectural features had been added, and there was now an open space amenity on the southwest corner. The development would have one entrance/exit on 2700 West. Some of the utilities would be handled by West Haven

Mr. Hall said the proposal had been reviewed by the Planning Commission three times. The Planning Commission and the Development Review Committee had found that the proposed development was an acceptable use in the R-3 Zone, and it addressed the requirements of the Zoning Ordinance relating to multiple family development. The Planning Commission and DRC recommended that the site plan and conditional use be approved subject to:

1. Any necessary further review and approval by the City Engineer and to all items of the City Engineer's review. (Some issues regarding easements and combining the lots had risen).
2. All items of the staff report and to any further review and approval by the Development Review Committee or other City staff as might be deemed necessary.
3. The applicant seeking and obtaining appropriate building permits and business licenses, complying with all rules and regulations pertaining to those processes, and making any adjustments necessary to be granted a valid Certificate of Occupancy.

Councilman Cragun asked if the roadway was suitable for emergency vehicles. Jared Hall stated that Section 1110 addressed the public right-of-way. The entrance had to be at least 36 feet wide. The road in front of the development (2700 West) was not a large road, but it would handle emergency equipment.

Councilman Cordova asked if the development consisted of three separate lots. Mr. Hall said it did. The lots faced 2700 West. They would have to be combined. The lots did not touch Midland Drive.

**Councilman Hilton moved to approve the site plan and conditional use for a nine-unit multi-tenant residential development at approximately 3775 South 2700 West based on the findings of the staff and Planning Commission and subject to their recommendations. Councilman Stokes seconded the motion. Council members Cordova, Cragun, Hilton, Stokes, and Tafoya voted “aye.” The motion carried.**

5. CONSIDERATION OF AN AMENDMENT TO THE TEXT OF TABLE 17-2 OF THE ZONING ORDINANCE ADDING SPECIFIC REQUIREMENTS FOR PAWN SHOPS

Jared Hall stated that the Planning Commission held a public hearing on January 24<sup>th</sup> to review a text amendment to Table 17-2 of the Zoning Ordinance. Table 17-2 was a table of uses for non-residential zones. It contained descriptions for pawn shops and pay day lenders. In response to concern about the number of pawn shops that had moved into the City in the past year and a half, the staff had drafted language similar to the restrictions for pay day lenders. The staff was not proposing to change the pawn shop description. With the additional language proposed, the pawn shop category in Table 17-2 would read as follows (added language is underlined):

*Any person or establishment engaged in any of the following: (a) Lending money on deposit of personal property; (b) Dealing in the purchase, exchange, or possession of personal property on condition of selling the same back again to the pledgor or depositor; (c) Lending or advancing money on personal property by taking chattel mortgage security thereon and taking or receiving possession of such personal property; or (d) Selling unredeemed pledged personal property together with such new merchandise as will facilitate the sale of such property. The number of such facilities licensed within the city limits may not exceed one per every ten thousand (10,000), or portion thereof, of the most recent United States Census Bureau estimated population of Roy City. Such facilities shall not be located closer than six hundred (600) feet to any residential zone or to*

*another Pawn Shop. Pawn Shops shall not engage in any outdoor display or outdoor storage of merchandise.*

Mr. Hall said the restriction on outdoor storage was different from the pay day lender description. The City currently had one pawn shop that engaged in pay day lending. It was in existence before the pay day lending language was adopted. Based on the City's population, the proposed language would cap the number of pawn shops in Roy City at four. The staff was seeking direction from the City Council.

Councilman Stokes asked if the amendment had to go back to the Planning Commission. Mr. Hall said the Planning Commission only reviewed the draft language, not the formal ordinance. The staff wanted to make sure the City Attorney reviewed the proposed language.

Councilman Cragun stated that he liked the restriction on outdoor display or merchandise. There was a pawn shop in Roy that habitually displayed merchandise outside. Mr. Hall said the offender had been contacted. In the past, the restriction on outdoor display was a condition of approval. The Council could continue to do that.

Councilman Hilton asked if there were only two pawn shops that had the 'no outside storage' restriction. Mr. Hall said two pawn shops had received conditional uses subject to no outside storage.

Councilman Tafoya stated that a lot of businesses on 1900 West displayed merchandise outside. Jared Hall said there was nothing in the Zoning Ordinance to prohibit them from doing so. The City needed to come up with language that clearly told businesses what they could and could not do.

**Councilman Tafoya moved to approve a text amendment to Table 17-2 of the Zoning Ordinance regarding pawn shops; to direct the staff to prepare a formal ordinance; and to direct the staff to prepare an amendment regulating outside display of merchandise for all businesses. Councilman Cordova seconded the motion. Council members Cordova, Cragun, Hilton, Stokes, and Tafoya voted "aye." The motion carried.**

## 6. CITY MANAGER'S REPORT

Chris Davis stated that the iPad's for the Council had come in. They would be available for the Council within a week. The City was waiting for bids from two different contractors regarding the Council Chambers.

Chris Davis stated that the City took over maintenance of all street lights on February 1<sup>st</sup>. An article about the lights would be included in the newsletter and posted on the

City's website. He felt the City would save significantly. He felt maintenance would be completed faster. Hopefully, additional lights could be added with the money saved.

Councilman Cragun suggested that the savings be used to convert the sodium vapor lights to LED. Councilman Cordova felt it would be premature to jump into new technology. Sodium vapor was a good light. When the City converted to sodium vapor, it recouped its cost within a few years. By doing its own maintenance, he felt the City's cost would be cut in half. He felt the City should keep watching the new technology.

Chris Davis reported that the Utah Legislature was in session. It had been quiet. Billboards were an issue. The administration was actively involved in both the League and Chamber and attended the Legislature multiple times a week.

#### 7. MAYOR AND COUNCIL REPORTS

Mayor Ritchie stated that Councilman Peterson's departure from the Council had left a vacancy on the Employee Appeals Board. Two council members were assigned to that board. Councilman Stokes had expressed a desire to continue serving. Councilman Cordova had agreed to fill the vacant spot on that board.

Councilman Cragun stated that RASA had extended an invitation to the City Council and City staff to join their association for \$10 a year. The money generated would be for programs within the Senior Center.

#### 8. ADJOURN

**Councilman Stokes moved to adjourn at 6:25 p.m.**

Attest:

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Joe H. Ritchie  
Mayor

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Amy Mortenson  
Recorder

dc:cfeb712