

MINUTES OF THE JANUARY 15, 2013, ROY CITY COUNCIL MEETING

1. Approval of the December 18, 2012, minutes
2. Approval of amendments to the Roy City Personnel Policy and Procedures Manual
 - a. Consideration of Resolution No. 1015 approving amendments to the Roy City Personnel Policy and Procedures Manual
3. Public comments
4. Consideration of a Deed of Easement for Weber Basin Water Conservancy District
5. Approval of Ordinance No. 1050 vacating a portion of the 5200 South Right-of-Way east of 1900 West
6. Consideration of a request for a conditional use allowing a new public school in the Business Park Zone on property located at approximately 4000 South 2175 West
7. Consideration of a request for a conditional use allowing a Tobacco Oriented Retail store on property located at approximately 5348 South 1900 West
8. Adoption of Roy City Vision Statement, Mission Statement, and Values and Priorities
9. City Manager's report
10. Mayor and Council reports
11. Adjourn

Minutes of the Roy City Council Meeting held January 15, 2013, 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 Willard Cragun
Councilman Brad Hilton
Councilman Stokes
Councilman Dave Tafoya

City Manager Christ Davis
City Attorney Andy Blackburn
Secretary Michelle Drago

Excused: Councilman John Cordova

Also present were: Cathy Spencer, Management Services Director; Jared Hall, Planner; Trent Nelson, Roy City Prosecutor; Drew Wilson, Weber School District; Niven Turner; Rachel Trotter; Ana Garcia; Joseline Gonzalez; Haley Bell; Matthew Alger; Brittany Day; Breanna Thackeray; Alexis Boswell; James Harmon; Tim Williams; Sarah Smith; Rick Black; Billy Black; Bradon Black; Brad Burnett; Shawn Cowe; Jordan McBride; Elizabeth Brown; Jay Averett; and Boy Scout Troops 263, 337, and 540.

Moment of Silence: Councilman Cragun

Pledge of Allegiance: Councilman Cragun

Mayor Ritchie congratulated Councilman Tafoya who had been elected as Chairman of the Board of Directors of the North Davis Sewer District.

1. APPROVAL OF DECEMBER 18, 2012, MINUTES

Councilman Hilton stated that it didn't appear that some corrections he had requested had been made to the minutes.

Councilman Cragun moved to table approval of the December 18, 2012, minutes until the next meeting. Councilman Stokes seconded the motion. Council members, Cragun, Hilton, Stokes, and Tafoya voted "aye." The motion carried

2. APPROVAL OF AMENDMENT TO THE ROY CITY PERSONNEL POLICY AND PROCEDURES MANUAL

Cathy Spencer, Management Services Director, stated that the Council members had received copies of the revised Personnel Policy and Procedures Manual. The revised document had been reviewed by the Finance Department, the City Attorney, the City Manager, an outside attorney, and the department heads. New federal guidelines, such as the Affordable Care Act, were included in the revisions.

Councilman Tafoya asked Ms. Spencer to highlight the major revisions. Ms. Spencer stated that the policy included the Affordable Care Act, guidelines for use of the Internet and email, and some risk management. Based on the recommendation of the outside attorney, the forms had been broken out of the policy. It was now more of a policy manual than an operations manual.

Councilman Cragun asked if the employees had reviewed the revised manual. Ms. Spencer said they had not. As the City did not ask employees for input on hiring, it had not asked them for input on the revised manual.

Councilman Cragun felt the Employees' Association should have an opportunity to give their feedback on the revised manual. He was concerned about the City's promotional practices. Andy Blackburn, City Attorney, stated that when issues had come up, such as drug testing, that weren't covered in the manual, the administration had made a note. Those notes had been incorporated into the revised policy. The appeal process in the manual followed State law. He asked that Councilman Cragun forward his suggestions to him. He would be happy to look at whether the policy could be improved.

Councilman Hilton felt the Personnel Policy was a living document. It needed to be reviewed frequently.

Councilman Stokes asked if the policy was readily accessible to the employees. Ms. Spencer said all of the employees would receive an electronic copy of the revised manual. A hard copy would be kept in each department. Councilman Stokes encouraged the administration to explore the option of making the Personnel Policy available to the employees via the Internet.

Councilman Hilton asked if each of the employees would be required to read the new manual. Ms. Spencer said each employee would have to sign a statement acknowledging they had reviewed the policy. A signed copy of the acknowledgement would be kept in their personnel file. Councilman Hilton felt a self-imposed test would help the employees read the personnel manual. Ms. Spencer said Chris Davis had suggested holding training sessions to help employees to learn about the changes to the Personnel Policy.

Councilman Stokes stated that there were great electronic tools available that could train the employees without pulling them from their jobs. The electronic tools could decimate information in a much more efficient fashion.

Andy Blackburn asked that the Council approve Resolution No. 1015 which would approve the changes to the Personnel Policy and Procedures Manual.

Councilman Stokes moved to approve Resolution No. 1015 approving the recommended changes to the Roy City Personnel Policy and Procedures Manual. Councilman Hilton seconded the motion. A roll call vote was taken: Council

members Tafoya, Cragun, Hilton, and Stokes voted “aye.” The motion carried.
(Copy filed for record).

3. PUBLIC COMMENTS

Mayor Ritchie welcomed students from Roy and Syracuse High Schools, as well as members of Boy Scout Troops 263, 337, and 540.

Trent Nelson, Roy City Prosecutor, expressed his gratitude for the opportunity to work for Roy City.

4. APPROVAL OF A DEED OF EASMENT FOR WEBER BASIN WATER CONSERVANCY DISTRICT

Chris Davis stated that Weber Basin Water owned a drought relief line which ran under the 5200 South public right-of-way east of 1900 West. The drought relief line continued west to the reservoir below 3500 West. Weber Basin Water had asked that the City issue an easement for the drought relief line before the public right-of-way east of 1900 West was vacated and given back to private ownership.

Councilman Tafoya asked if the property owners knew about the drought relief line. Mr. Davis said they did. The drought relief line had been in existence for years. It was shown on the County plats. Nothing could be built on it.

Councilman Tafoya moved to approve a Deed of Easement for the Weber Basin Water Conservancy District. Councilman Cragun seconded the motion. Council members Cragun, Hilton, Stokes, and Tafoya voted “aye.” The motion carried.

5. CONSIDERATION OF ORDINANCE NO. 1050 VACATING A PORTION OF THE 5200 SOUTH RIGHT-OF-WAY EAST OF 1900 WEST

Jared Hall, Planner, stated that last summer City Council held a public hearing regarding the proposed vacation of part of the 5200 South public right-of-way east of 1900 West. The Council directed the staff to prepare an ordinance formalizing the vacation. The staff was also directed to make certain that all adjacent parties would have adequate access. During the public hearing, the Elks Lodge expressed concern losing access to their garage. The staff had met with the Elks Lodge and Monte Vorwaller. It had attempted, but had not been able to meet with Mr. Lee. The Elks Lodge would receive a portion of the right-of-way adjacent to their property. However, they would not receive the portion of the right-of-way where their garage was located because Long-Song Lee owned a small strip of land between the Elks Lodge and the right-of-way. The right-of-way would be deeded to Mr. Lee as he was the adjacent land owner. Mr. Vorwaller had committed to giving the Elks Lodge access through their expanded parking lot.

Jay Averett, Elks Lodge, stated that access through Mr. Vorwaller's parking lot did not solve their problem. The vacation would land lock their garage. They hoped to get the

small piece of land owned by Mr. Lee which was between the right-of-way and their garage.

Jared Hall explained that Mr. Lee currently owned the land between the Elk's garage and the public right-of-way. The vacation would not be a detriment to the Elks Lodge. It could not land lock the Elks any further than they already were.

Councilman Cragun asked if it would be possible to create a private easement across Mr. Lee's property. Jared Hall said it was not the City's property to grant an easement on. The City had not been able to offer Mr. Lee anything in return for that small piece of land. The City would either have to condemn or purchase Mr. Lee's property.

Jay Averett asked if there was a way to grant the Elks Lodge prior access to Mr. Lee's portion. Mr. Hall said the City could not stipulate via the vacation who received property or access.

Councilman Stokes stated that by law property reverted back to adjacent property owners when public land was vacated. An access or right-of-way needed to be worked out between property owners.

Mayor Ritchie asked what would happen next. Mr. Hall said the next step was recordation of the ordinance. A proposed subdivision and development was waiting for the right-of-way to be vacated. The staff would continue to try to get Mr. Lee to the table.

Councilman Stokes said the Council could retain the right-of-way and stymie development, or it could approve the vacation and allow the development realizing that there were some access problems. Mr. Hall said the Council could stymie development, but it would not change the current access situation.

Councilman Tafoya asked if the City could vacate half of the right-of-way. Mr. Hall felt that might violate the City's own ordinance.

Councilman Stokes moved to approve Ordinance No. 1050 vacating a portion of the 5200 South right-of-way east of 1900 West.

Councilman Tafoya asked if the staff had done its best to talk with Mr. Lee. Mr. Hall said the staff could always do more. He didn't think anything would change whether the Council adopted Ordinance No. 1050 or not. He didn't feel the City had much of a bargaining chip.

Councilman Cragun suggested that the City look at vacating half of the right-of-way. Mr. Hall said he would research the implications of vacating only half.

The motion died for lack of a second.

6. CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE ALLOWING A NEW PUBLIC SCHOOL IN THE BUSINESS PARK ZONE ON PROPERTY LOCATED AT APPROXIMATELY 4000 SOUTH 2175 WEST

Jared Hall stated that the Weber School District was proposing to rebuild North Park Elementary School on land owned by the Redevelopment Agency on the southeast corner of 2175 West 4000 South. The new school would face 2175 West and would have a lot more parking. The City planned to add additional parking when it rebuilt George Wahlen North Park. The staff and Planning Commission recommended that the City Council approve the conditional use and site plan for the new school in the Business Park Zone.

Mr. Hall said the most significant issue regarding the site was traffic. There had been enough concern about traffic that the City consulted with a traffic engineer. The traffic engineer recommended that the City and Weber School District install a round-about at 2175 West 4000 South.

Mayor Ritchie stated that the City Council was aware of plans for the new school. Approving the conditional use was the next step in allowing the school to be built.

Councilman Tafoya asked about the recommendation for the round-about. Mr. Hall said the round-about would allow traffic on 4000 South to move smoothly. The problems on 2175 West would be addressed by additional parking at the new school and the park. The parking should be able to get traffic off the street during peak hours.

Chris Davis stated that Dr. Joe Perrin, the traffic engineer, indicated in his traffic study that 2175 West was currently functioning on an "F" level. Traffic on 4000 South functioned on an "A" level. Putting in a round-about would mean both streets would function on a "B" level, which meant 2175 West would improve significantly while 4000 South would decrease insignificantly.

Councilman Tafoya asked about the cost of the round-about. Mr. Davis said the City Engineer was working on a cost estimate.

Councilman Tafoya stated that the City had received many complaints from the neighborhood about traffic speed on 2175 West. They had requested a speed bump. There were speed bumps in other communities. He felt the City should look at putting a speed bump on 2175 West as well.

Councilman Cragun stated that the main concern about speed bumps was possible damage to City snow plows and equipment, which could be expensive. He too had heard complaints about the traffic speed on 2175 West but hesitated to put in a speed bump.

Councilman Tafoya said a speed bump could be installed on a trial basis. He didn't want to inundate the City with speed bumps, but felt the City should try one.

Councilman Cragun suggested increased enforcement.

Councilman Hilton said there were temporary speed bumps that could be removed.

Councilman Tafoya moved to approve a conditional use and site plan for a new elementary school in a Business Park Zone located at approximately 2175 West 4000 South based on the findings of the staff and Planning Commission and subject to the conditions recommended by the staff, City Engineer, traffic engineer, and the Planning Commission. Councilman Cragun seconded the motion. Council members Cragun, Hilton, Stokes, and Tafoya voted “aye”. The motion carried.

7. CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE ALLOWING A TOBACCO ORIENTED RETAIL STORE ON PROPERTY LOCATED AT APPROXIMATELY 5348 SOUTH 1900 WEST

Jared Hall stated that the City had received a request for a conditional use for a Tobacco Oriented Retail store at 5348 South 1900 West, which was in the strip mall immediately north of Harmon’s in the Marketplace Plaza. The Zoning Ordinance limited the number of Tobacco Oriented Retail stores in the City. The Puff and Stuff, a Tobacco Oriented Retail, located south of Harmon’s had closed, which opened space for this request. There were still four Tobacco Oriented Retail stores in the City. The staff and Planning Commission recommended that the conditional use be approved.

Mayor Ritchie stated that Harmon’s had removed all tobacco products from its store. They had been given an award by the Health Department.

Councilman Cragun moved to approve a conditional use allowing a Tobacco Oriented Retail store at approximately 5348 South 1900 West based on the findings and recommendations of the staff and Planning Commission. Councilman Hilton seconded the motion. Council members Cragun, Hilton, Stokes and Tafoya voted “aye.” The motion carried.

8. ADOPTION OF ROY CITY VISION STATEMENT, MISSION STATEMENT, AND VALUES AND PRIORITIES

Councilman Hilton stated that with the new year and Council discussions in work sessions about setting goals and directions for the City, he had written a vision statement for the City. It was a living document and could be revised as needed. He felt it was important for everyone to have the same idea about what they wanted the City to be. He asked that the Council adopt the vision statement unless they felt something should be added.

Mayor Ritchie asked Councilman Hilton to read the statement into the record.

Councilman Cragun moved to adopt the Roy City Vision Statement, Mission Statement, and Values and Priorities as written. Councilman Stokes seconded

**the motion. Council members Cragun, Hilton, Stokes, and Tafoya voted “aye.”
The motion carried.** (Copy filed for record).

9. MAYOR AND COUNCIL REPORTS

Chris Davis stated that there would be a work session on February 12th in the Hope Center at 6:00 pm. Douglas Larsen the Weber County Economic Development Director had asked to speak to the Council.

Chris Davis stated that one of the issues brought up in the last audit was the need for the City to update its RFP for engineering services. The RFP would close on February 13th. Proposals would be brought back to the Council during the second meeting in February.

10. MAYOR AND COUNCIL REPORTS

Mayor Ritchie complimented the employees for their snow removal efforts during the recent snow storm and for handling the ongoing problems with broken water mains.

Chris Davis stated that there had been several broken water mains. The employees had gotten very good at repairing them, even under the current weather conditions. The vast majority of the breaks had been on the homeowners' side, but some had to be thawed. The City had received very few complaints about the latest storm.

Councilman Cragun asked that the residents be as active as the employees about snow removal. There were a lot of areas where children walked to school where the sidewalks were inundated with snow. He asked that neighbors pitch in to help clean the sidewalks off for those who could not.

11. ADJOURN

Councilman Cragun moved to adjourn at 6:53 p.m.

Attest:

Joe H. Ritchie
Mayor

Amy Mortenson
Recorder

dc:cjan1513