

MINUTES OF THE MARCH 15, 2016, ROY CITY COUNCIL MEETING

1. Approval of minutes for the February 25, 2016, Special City Council Meeting and March 1, 2016
2. Consideration of Resolution No. 16-11 declaring certain property as surplus and authorizing its sale
3. Consideration Ordinance No. 16-2 establishing Title 13 of the Roy City Municipal Code as the City's Sign Ordinance
4. Swearing in of Mike Howard as a Roy City Police Officer
5. Consideration of a request for preliminary approval of the Lee Subdivision, a two lot commercial subdivision located at approximately 1770 West Riverdale Road (5300 South)
6. Consideration a request for approval of a conditional use for Jamestown, a multi-family residential development located at approximately 5000 South 1700 West
7. Discussion regarding the Roy City Board of Adjustment
8. Discussion regarding improvements to Roy City State roads
9. City Manager's Report
10. Public comments
11. Mayor and Council reports
12. Adjourn

Minutes of the Roy City Council Meeting held March 15, 2016, 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 Pro-Tem Dave Tafoya	City Manager Andy Blackburn
Councilwoman Marge Becraft	City Attorney Clint Drake
Councilman Bob Dandoy	Secretary Michelle Drago
Councilman Brad Hilton	Youth City Council Garrett MacArthur
Councilwoman Karlene Yeoman	

Excused: Mayor Willard Cragun

Also present were: Carl Merino, Police Chief; Amy Mortenson, City Recorder; Ross Oliver, Public Works Director; Steve Parkinson, Planner; Cathy Spencer, Management Services Director; Jake Hudson; Amy Web; Tristen Webb; David Webb; F. Lee; May Kei Lee; Samantha Tilton; Ernest Rowley; Taylor Williams; Hayden Tulls; Katana Sellers; Ronnie Olsen; Sienna Alejandre; Mike Howard; Michelle Howard; Chase Howard; and Casyn Howard.

Moment of Silence: Mayor Pro-Tem Tafoya

Pledge of Allegiance: Mayor Pro-Tem Tafoya

1. APPROVAL OF MINUTES FOR THE FEBRUARY 25, 2016, SPECIAL CITY COUNCIL MEETING AND MARCH 1, 2016

Councilwoman Becraft moved to approve the minutes of February 25, 2016, and March 1, 2016, as written. Councilman Hilton seconded the motion. Council members Becraft, Dandoy, Hilton, Tafoya, and Yeoman voted “aye.” The motion carried.

2. CONSIDERATION OF RESOLUTION NO. 16-11 DECLARING CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE

Mayor Pro-Tem Tafoya stated that the Public Works Department had provided a list of equipment that had exceeded its useful life and asked that the Council authorize its sale.

Councilman Hilton moved to approve Resolution No. 16-11 declaring certain property as surplus and authorizing its sale. Councilman Dandoy seconded the motion. A roll call vote was taken: Council members Becraft, Tafoya, Dandoy, Yeoman, and Hilton voted “aye.” The motion carried. (Copy filed for record).

3. CONSIDERATION OF ORDINANCE NO. 16-2 ESTABLISHING TITLE 13 OF THE ROY CITY MUNICIPAL CODE AS THE CITY'S SIGN ORDINANCE

Mayor Pro-Tem Tafoya stated that the City Council had discussed the proposed Sign Ordinance in a few Council meetings and in a work session.

Steve Parkinson stated that he had made the adjustments the Council discussed during its work session.

Councilwoman Yeoman stated that some of the convenience stores in Roy had poles with permanent places for signs. Would those be considered temporary signs? Mr. Parkinson said the current sign regulations prohibited signs on poles.

Councilman Dandoy complimented Mr. Parkinson and the Planning Commission for a nice job. The new Sign Ordinance read well and defined what the City needed to do.

Councilwoman Yeoman asked if Mr. Parkinson still planned to contact each business individually. Mr. Parkinson said the City had 300 commercial businesses. Each one would be contacted by himself, the Building Official, or the Code Enforcement Officer. They would explain the new sign regulations and its implementation date.

Councilman Tafoya suggested that the new Sign Ordinance take effect on July 1st, which was the start of the fiscal year. Mr. Parkinson felt that would give the staff sufficient time to meet with each business and for the businesses to come into compliance.

Councilwoman Yeoman asked that the staff let the Council members know if the businesses had any concerns so they could be prepared to respond when they were contacted.

Councilman Dandoy moved to approve Ordinance No. 16-2 establishing Title 13 of the Roy City Municipal Code as the City's Sign Ordinance with an effective date of July 1, 2016. Councilman Hilton seconded the motion. A roll call vote was taken: Council members Hilton, Dandoy, Yeoman, Tafoya, and Becraft voted "aye." The motion carried. (Copy filed for record).

4. SWEARING IN OF MIKE HOWARD AS A ROY CITY POLICE OFFICER

Police Chief Carl Merino was placed to announce that the Police Department had filled one of three available positions with Mike Howard. Officer Howard was a 15-year veteran from Layton City. Both Clint Drake and Deputy Chief Perry were acquainted with him. The City was very pleased to have him.

Mike Howard was sworn in by City Recorder Amy Mortenson.

Mayor Pro-Tem Tafoya asked Officer Howard to introduce his family.

Mike Howard introduced his wife Michelle and sons Chase and Casyn.

The Council welcomed Mike Howard to the Roy family.

5. CONSIDERATION OF A REQUEST FOR PRELIMINARY APPROVAL OF LEE'S SUBDIVISION, A TWO LOT COMMERCIAL SUBDIVISION LOCATED AT APPROXIMATELY 1770 WEST RIVERDALE ROAD (5300 SOUTH)

Steve Parkinson stated that the City had received a request for preliminary approval of Lee's Subdivision. Lee's Subdivision was located at 1770 West Riverdale Road and contained two lots for the Oriental Market and the HiFi Shop. About ten months ago, Oriental Market caught fire. The owner wanted to divide the property into two separate lots before rebuilding. Mr. Parkinson explained that there wasn't a minimum lot size or width in the commercial zone. However, each lot contained 29,000 square feet which was sufficient for the building and required parking. The Planning Commission held a public hearing on March 8th and recommended that the Council grant preliminary approval subject to the conditions recommended by the Development Review Committee.

Councilwoman Yeoman moved to grant preliminary approval of Lee's Subdivision, a two lot commercial subdivision located at approximately 1770 West Riverdale Road (5300 South) based on the staff's findings and subject to the conditions recommended by the Development Review Committee and Planning Commission. Councilwoman Becraft seconded the motion. Council members Becraft, Dandoy, Hilton, Tafoya, and Yeoman voted "aye." The motion carried.

6. CONSIDERATION OF A REQUEST FOR APPROVAL OF A CONDITIONAL USE FOR JAMESTOWN, A MULTI-FAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 5000 SOUTH 1750 WEST

Steve Parkinson stated that the City had received a request for approval of a conditional use for Jamestown, a multi-family development located at 5000 South 1750 West. The site was currently zoned R-4 and was actually large enough to have a density of seven units. However, the applicant could only fit six units on the site. The existing home was recently subdivided from the vacant portion. The site plan met every aspect of the Zoning Ordinance, except for those listed in the DRC report. Those exceptions could easily be accomplished. The Planning Commission held a public hearing on March 8th. The DRC and Planning Commission recommended that the Council approve the conditional use subject to the conditions listed in the staff report.

Councilman Dandoy stated that the issue with the sewer had been resolved, but there were seemed to be a lot of conditions associated with the proposal. Would there be any problems? Mr. Parkinson did not feel there were any conditions the applicant couldn't comply with.

Councilman Dandoy stated that 1750 West was used as a staging area for the Roy Days parade. Mr. Parkinson said that during the public hearing the neighbors expressed concern about their lack of access during the parade. Mayor Pro-Tem Tafoya

empathized with the inconvenience experienced by the property owners, but the parade was only one day a year.

Steve Parkinson stated that the proposal only contained six units. This was an area that already had many multi-family units.

Councilman Hilton moved to approve a conditional use for Jamestown, a multi-family development located at 5000 South 1750 West, based on the staff's findings and subject to the conditions recommended by the staff and Planning Commission. Councilwoman Yeoman seconded the motion. Council members Becraft, Dandoy, Hilton, Tafoya, and Yeoman voted "aye." The motion carried.

7. DISCUSSION REGARDING THE ROY CITY BOARD OF ADJUSTMENT

Councilman Dandoy stated that the State of Utah legally required the City to have some type of appeal process for land use issues. Roy City's Zoning Ordinance called for a Board of Adjustment consisting of five people with two alternates. In conversations with the City, he had learned that there had not been a need for a Board of Adjustment for thirteen years. As a result, the City did not have anyone assigned to the Board of Adjustment.

Councilman Tafoya stated that the City got rid of the Board of Adjustment about fifteen years ago because there wasn't a need for it. Yes, the City should have one set up, but appeals could go to district court.

Andy Blackburn stated that during the fourteen years he had worked for the City no one had filed an appeal. Both he and Clint Drake felt appeals should be handled by a hearing officer.

Councilman Hilton stated that last summer Clint Drake had suggested that the Board of Adjustment be replaced by a hearing officer. He thought the Council was in favor of that change.

Clint Drake, City Attorney, stated that the Council did talk about appointing a hearing officer. The Zoning Ordinance needed to be changed from a Board of Adjustment to a hearing officer.

Councilman Dandoy stated that in order for the City to be compliant with its own ordinance, the City either needed to appoint five members to the Board of Adjustment or amend the ordinance and appoint a hearing officer. The City would have to identify an individual who was not an employee of the City or an elected official. The public could then know that there was an appeal process available. He asked if the Council needed to take a vote.

Clint Drake stated that this was a discussion item. He just needed some direction from the Council to move forward. He suggested that the City allocate some funds to pay the appeal officer so the City could get a better pool of applicants. The funds would

reimburse the officer as the appeal process could be a little bit time consuming. The savings over appointing and training an entire board were significant.

Councilman Tafoya understood that in the appeal process, the City Council did not have the final say. The final decision was made by the hearing officer. Clint Drake said that was correct. If an applicant did not like the answer from the hearing officer, he could file an appeal with the district court.

Andy Blackburn felt that the ordinance should authorize the City Manager to appoint the hearing officer. He wanted to make sure the hearing officer understood the Zoning Ordinance.

Steve Parkinson stated that the Board of Adjustment was part of the Zoning Ordinance. A change in the appeal process should be considered by the Planning Commission.

The City Council agreed that Zoning Ordinance should be changed. They asked the Planning Commission to discuss the proposed change and make a recommendation and the staff to prepare the amendment.

8. DISCUSSION REGARDING IMPROVEMENTS TO ROY CITY STATE ROADS

Councilman Dandoy stated that 2016 would be an interesting year for the City. UDOT would be making safety changes to 5600 South, repaving 5600 South, and replacing the intersection of 3500 West Midland Drive with a cul-de-sac. He wanted to make sure the City was aware of and receiving updates on those projects.

Councilman Dandoy stated that the City was experiencing a lot of traffic on the main State roads in the City – 3500 West, 5600 South, and 1900 West. The report from the Leakage Study said there were 25,000 cars a day on 5600 South and about the same amount on 3500 West. At certain times of the day those roads were parking lots, and the City struggled. He did not know how many incidents, or accidents, were due to the congestion. Based on UDOT's projections, the City would not see relief on 3500 West or 5600 South for years. The City might see some activity on 3500 West/Midland Drive around 2018 as part of a phased timeline. The traffic on 3500 West was atrocious at certain times of the day. It needed to be a four-lane road. He felt the City had to find a solution.

Councilman Dandoy stated that UDOT's Phase 2 for 5600 South could stretch all the way to 2034. That was a lot of time Roy City would be facing congestion, and it was congested today. The growth projection for West Haven and Hooper over the next thirty years was for both to become larger than Roy. Roy currently had a population of 39,000. The mass growth taking place in the community was west of Roy City. Roy City was between the growth and the freeway, the retail shopping in Riverdale, and Hill AFB. The main artery that ran through Roy was 5600 South. He did not feel the City could survive another twenty years without some plan to widen 5600 South.

Councilman Dandoy stated that on March 29th, the City was invited to a meeting with UDOT. He felt the City would well represented by the Mayor, City Manager, and Public Works Director. The City needed to open a dialogue with UDOT about setting a new date to address 5600 South. It needed to be sooner than twenty years because of the congestion the City was experiencing. He felt the way to manage the situation was for the City to point out its needs to UDOT and to apply pressure. The City had to make sure that the arteries were managed effectively. It was critical for UDOT to understand that twenty years from now was not acceptable; eight or ten years would be. The City had to start driving the train in order to keep the arteries clean.

Councilwoman Yeoman asked how the City had worked with UDOT in the past. Had UDOT worked with the City? If the City opened up a dialogue would it go anywhere?

Councilman Hilton stated that UDOT was not an organization to be told how, when, or where to do things. If the City put too much pressure on UDOT, its projects would be moved to their bottom of their list. He agreed the City should bring the facts put together by the Public Works Director to the attention of UDOT. They were eye opening. UDOT needed to know that 5600 South would be a problem sooner than twenty years. He felt the City needed to include its State legislators. They could do the pushing.

Clint Drake stated that he met with all of the legislators representing Roy City after the legislative session. They agreed they needed to work together to address the traffic issues. The City would be getting a new senator. There was a good possibility the new senator would be from Roy. He had been included in the conversations as well. The legislators understood that the traffic situation was important to the City. He suggested that the Council members reach out to the legislators as well. UDOT would listen to the legislators more than it would listen to the City staff. The staff would continue to do what it could.

Councilman Tafoya stated that the State Legislature appropriated the funds. The City had to approach this smartly and cautiously. He pointed out the success the neighborhood around Roy Elementary had in getting help with the crosswalk in front of the school. They approached UDOT in a nice professional manner. They did not attack.

Andy Blackburn stated that UDOT presented a study to the City about six months ago. They really didn't want to expand 5600 South. The City's response had been that something needed to be done about the congestion.

Councilman Dandoy felt UDOT recognized there were challenges on 5600 South. It bothered him that it had taken a couple of serious incidents before UDOT woke up about the crosswalk. He felt momentum was gained from serious incidents. The City needed to be a little more proactive. He agreed the City needed to be cautious and professional but forceful too. The City needed to have the facts to drive the train.

Councilman Tafoya felt movement would start if the legislators from the north formed a power block.

Ross Oliver, Public Works Director, stated that 4000 South from Midland Drive to 5100 West would be widened to five lanes this summer to help bring people up from West Haven and Hooper.

Councilman Dandoy stated that the residents in Roy were starting to use the backroads to move around the City rather than using State roads. Such traffic movements put wear and tear on the City roads. He felt the dialogue needed to be opened with UDOT. He asked that the City prepare for the meeting with UDOT on March 29th. The City needed to indicate that it wanted to start looking at solutions for the State arteries.

9. CITY MANAGER'S REPORT

Andy Blackburn, City Manager, reported that:

- The City had applied for a lot of grants in the last year. It had received a \$250,000 Community Development Block grant for the Hal Vern Subdivision area; a \$150,000 RAMP Grant for the first phase of North Park; and an \$8,000 Art and Community Council grant. The City had not heard anything from Wasatch Front Regional Council, but it was still optimistic. The City would be applying for a \$75,000 Safe Schools Grant to fund curb, gutter, and sidewalk in the 4000 South 1900 West area.
- The attorney had prepared the ordinance and public notices for the annexation. After Clint Drake had reviewed them, they could be printed in the newspaper. He would be meeting with the City's legal counsel next week. If everything looked good, the notices should be mailed after the next Council meeting. Councilman Dandoy felt some would find the annexation unpopular. Mr. Blackburn said there were some who were excited to be annexed into Roy.
- The City would be starting the roundabout on 4800 South on May 1st. It needed to be done before Roy Days.

10. PUBLIC COMMENTS

There were none.

11. MAYOR AND COUNCIL REPORTS

Garrett MacArthur, Youth City Council, stated that track, baseball, and softball had started. Mayor Pro-Tem Tafoya reported that the Beeli girls had made it to state on the debate team.

Councilwoman Yeoman stated that she would not be able to attend the Utah League of Cities and Towns.

Councilman Hilton stated that he had received a call from a citizen regarding the construction work on 6000 South. The construction included a horizontal cut across 6000 South. The cut had been repaired, but it had dipped. When large trucks hit the dip,

it caused a reverberation that could be felt in the adjacent homes. The vibration was quite disturbing. The resident asked that the dip be fixed. Ross Oliver, Public Works Director, said the City would address it when the batch plant opened on April 1st. Andy Blackburn stated that the City should be receiving more money for roads due to the increased gas tax and Proposition One. The City would be able to do more with roads than it had in the past.

Councilman Dandoy updated the Council on the survey. Weber State anticipated having a draft survey ready for the administration and Council to critique in two weeks. The survey would be available in English and Spanish. It would be nice if the Youth Council could add something to the survey. The target date was the last of April or first of May. The survey would be conducted across the City.

Mayor Pro-Tem Tafoya reminded Council members to turn in their Weber Human Services questionnaire to Amy Mortenson by Friday.

Councilwoman Becraft reported that she ready to move forward with the Arts Council. She asked the Council to let her know if they had any suggestions. Councilman Hilton stated Nina Doxey, a teacher at Roy High School, had expressed an interest. Mayor Pro-Tem Tafoya asked that the City post a notice regarding openings on the Arts Council on the City's website.

12.ADJOURN

Councilwoman Becraft moved to adjourn at 6:42 p.m. Councilman Dandoy seconded the motion. Council members Becraft, Dandoy, Hilton, Tafoya, and Yeoman voted "aye".

Attest:

Dave Tafoya
Mayor Pro-Tem

Amy Mortenson
Recorder