

MINUTES OF THE NOVEMBER 18, 2008, ROY CITY COUNCIL MEETING

1. Approval of October 21, 2008, minutes
2. Approval of Contract Agreement for the 2008 Culinary Waterline Replacement Project - Phase No. 2
3. Consideration of a request for a Conditional Use Permit for Personal Care Service and a Medical and Dental Clinic in an R-4 Zone located at approximately 5756 South 2000 West
 - a. Consideration of a Development Agreement between Roy City and Kevin Conatser regarding non-residential uses of property located at approximately 5756 South 2000 West
 - b. Consideration of Ordinance No. 1008 establishing a zone designation of R-4 on property located at approximately 5756 South 2000 West
4. Public comments
5. Consideration of Resolution No. 943 approving animal control fee changes
6. Consideration of Resolution No. 944 reappointing Dave Tafoya to serve on the Board of Directors of the North Davis Sewer District
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 November 18, 2008, 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
Councilwoman Marge Becraft
Councilman Willard Cragun
Councilman Larry Peterson
Councilman Michael Stokes
Councilman Dave Tafoya

City Manager Chris Davis
City Attorney Andy Blackburn
Secretary Michelle Drago

Also present were: Tony Reynolds, Community Services Director; Ross Oliver, Public Works Director; Jared Hall, Planner; Mark Miller, Wasatch Civil Engineering; Ray Zimmerman, Boy Scout Troop 368; Boy Scout Troop 470; Boy Scout Troop 447; Mark Sage; Zack Sakuruda; Chad Sakuruda; Boy Scout Troop 228; Jodi Conatser; and Rachel Trotter.

Moment of Silence: Councilwoman Becraft

Pledge of Allegiance: Boy Scout Troop 447

1. APPROVAL OF OCTOBER 21, 2008, MINUTES

Councilman Tafoya moved to approve the minutes of October 21, 2008, as written. Councilman Peterson seconded the motion. Council members Becraft, Cragun, Peterson, and Tafoya voted “aye.” The motion carried.

2. APPROVAL OF CONTRACT AGREEMENT FOR THE 2008 CULINARY WATERLINE REPLACEMENT PROJECT - PHASE NO. 2

Mark Miller stated that as a continuation of the Culinary Waterline Replacement Project, which the City had previously bonded for, bids for Phase No. 2 were opened on October 16th. Fourteen bids were received. Craythorne, Inc. submitted the low bid of \$317,888.70. The City was getting a very good response to bids due to the slow down in the market. Prices were coming in very good as well. The staff recommended that the Council award the contract for the 2008 Culinary Waterline Replacement Project - Phase No. 2 to Craythorne, Inc. for \$317,888.70 and authorize the Mayor to sign the Notice of Award and Contract Agreement. Mr. Miller said Phase No. 2 included 2300 West and the road just south of the Municipal Building parking lot.

Councilman Cragun asked if Craythorne had done work in the City before. Mark Miller said Craythorne had not done any City projects while he had been the City Engineer. However, Craythorne had done a lot of private work in the City and work for other municipalities. The work to be completed in Phase No. 2 was what Craythorne had been doing for private developers.

Councilman Stokes arrived at 6:06 p.m.

Chris Davis stated that Craythorne had done work for the City many years ago.

Mayor Ritchie stated that West Point City had used Craythorne and been very pleased.

Councilman Cragun stated that it seemed Phase No. 1 was taking a long time. He wanted to make sure that Craythorne completed Phase No. 2 quickly with as little inconvenience as possible. Mr. Miller said he would speak to Craythorne about that.

Councilman Peterson moved to award the contract for the 2008 Culinary Waterline Replacement Project - Phase No. 2 to Craythorne, Inc for \$317,888.70 and to authorize the Mayor to sign the Notice of Award and Contract Agreement. Councilwoman Becraft seconded the motion. A roll call vote was taken: Council members Cragun, Becraft, Stokes, Tafoya, and Peterson voted "aye." The motion carried. (Copy filed for record).

3. CONSIDERATION OF A REQUEST FOR A CONDITIONAL USE PERMIT FOR PERSONAL CARE SERVICE AND A MEDICAL AND DENTAL CLINIC IN AN R-4 ZONE LOCATED AT APPROXIMATELY 5756 SOUTH 2000 WEST

Mayor Ritchie stated that this was a housekeeping item requested by the Council. The conditional use permit consisted of approval of a development agreement, establishing the zone, and approval of the conditional use permits.

Councilman Tafoya moved to approve a Development Agreement between Roy City and Kevin Conatser regarding non-residential uses of the property located at approximately 5756 South 2000 West. Councilman Stokes seconded the motion. Council members Becraft, Cragun, Peterson, Stokes, and Tafoya voted "aye." The motion carried. (Copy filed for record).

Councilman Cragun moved to approve Ordinance No. 1008 establishing a zone designation of R-4 on property located at approximately 5756 South 2200 West subject to the address in the header being corrected. Councilwoman Becraft

seconded the motion. A roll call vote was taken: Council members Peterson, Tafoya, Stokes, Cragun, and Becraft voted “aye.” The motion carried. (Copy filed for record).

Councilman Stokes moved to approve conditional use permits for personal care service and a medical and/or dental clinic located at approximately 5756 South 2000 West based on the staff’s findings and subject to the recommendations of the staff and Planning Commission. Councilman Peterson seconded the motion. Council members Becraft, Cragun, Peterson, Stokes, and Tafoya voted “aye.” The motion carried.

4. PUBLIC COMMENTS

There were none.

5. CONSIDERATION OF RESOLUTION NO. 943 APPROVING ANIMAL CONTROL FEE CHANGES

Chris Davis stated that it appeared that the City was raising animal control fees. It was not. In the past the City had used the Ogden Animal Shelter. A temporary facility had been erected at the Public Works shop. It had received a favorable response from the residents and was far less expensive than transporting the animals to South Ogden. The City would save money, and there would be less wear and tear on vehicles. The staff recommended approval of Resolution No. 943 establishing in-house animal control fees.

Councilman Tafoya asked how long the City planned to keep animals at the shelter. Chris Davis said the shelter was intended for short time frames. The animals could be quarantined for up to 10 days. Usually the animals were picked up within a few hours.

Councilman Peterson asked if the \$10 boarding fee was a one time charge or per occurrence. Chris Davis said it was per occurrence. The boarding fee was \$10 per day. Councilman Peterson felt that language should be included in the resolution.

Councilman Stokes moved to approve Resolution No. 943 approving animal control fee changes subject to language being added to indicate the boarding fee is \$10 per day per occurrence. Councilman Cragun seconded the motion. A roll call vote was taken: Council members Stokes, Cragun, Becraft, Peterson, and Tafoya voted “aye.” The motion carried. (Copy filed for record).

6. CONSIDERATION OF RESOLUTION NO. 944 REAPPOINTING DAVE TAFOYA TO SERVE ON THE BOARD OF DIRECTORS OF THE NORTH DAVIS SEWER DISTRICT

Mayor Ritchie stated that the North Davis Sewer Board had sent him a letter indicating that Dave Tafoya's term of office would expire on December 31, 2008. Because of his outstanding service, they requested that the City Council reappoint him as Roy City's representative for another term beginning January 1, 2009. The Board asked that the appointment be done by resolution. Mayor Ritchie asked if there were other Council members interested in this position.

Councilman Cragun stated that the North Davis Sewer Board was a quasi-government entity that could cause the City Council a lot of heartache. Councilman Tafoya had been doing a good job representing the City. He asked that in the future the City Council be notified when the North Davis Sewer Board held public hearings about fee increases. Then the Council would have an opportunity to discuss the issue with the Board.

Councilwoman Becraft moved to approve Resolution No. 944 reappointing Dave Tafoya as the Roy City representative and Board Member of the North Davis Sewer Improvement Board. Councilman Cragun seconded the motion. A roll call vote was taken: Council members Becraft, Tafoya, Peterson, Cragun, and Stokes voted "aye." The motion carried. (Copy filed for record).

7. CITY MANAGER'S REPORT

Chris Davis stated that Brandon Bott from UTA had indicated they were working to complete the signal light at 4800 South 2700 West as quickly as possible. They had to special order detector software. They anticipated that it would be installed by late November. It would be tested for a few weeks. Hopefully the light would be ready for public use by late December. Mr. Davis said the City had been waiting on the signal light in order for Dr. Joe Perrin to complete his report on the 4800 South 2900 West round-about. Dr. Perrin had indicated that such a round-about would require property acquisition on all four corners.

Chris Davis stated that Friday, November 21st, was the annual Fire Banquet. On Monday, November 24th, the lighting ceremony would begin at 4:30 p.m. It would be next to the Fire Station. Santa Claus would arrive just after 5:00 p.m. The lights would go on at 5:30 p.m. The Boys & Girls Club would be selling goodies inside as a fund raiser.

Chris Davis asked that the Council members fill out a questionnaire about which dates worked best for a dinner with the local State legislators.

Chris Davis stated that the third phase of the parking lot at Emma Russell Park had been paved.

8. MAYOR AND COUNCIL REPORTS

Councilman Peterson stated that he had attended a meeting regarding State Road 108, also known as the 3500 West corridor. The Federal Highway Administration had approved the plans to widen 3500 West to five lanes from Midland Drive to Antelope Drive. However, the funding of \$200 million would not be available for some years. UDOT was looking at alternate ways to move the traffic faster and safer until then. UDOT intended to restripe 3500 West from Midland Drive at 1900 West to Antelope Drive so that it would have two lanes and a center turn lane. Most of the road in Weber County was wide enough. There were a few places that would have to be purchased. UDOT felt the restriping would help alleviate traffic for six to eight years. Hopefully, they would have garnered the money by then. The restriping did not include curb, gutter, and sidewalk. UDOT had the \$15 million necessary to complete the restriping. They would start on it next year. Councilman Peterson said the bid for the Hinckley Drive extension was being prepared. It would go out to bid in three to four weeks. The work would be done in the spring. Hopefully, that would relieve some of the pressure on SR 108. UDOT also planned to extend SR 193 from the south gate of Hill AFB to 2000 West.

Councilman Cragun stated that the Riverdale Road project was winding down. The east portion of Riverdale Road had not received funding yet.

Councilman Cragun stated that he had noticed the State had passed an immigration law that would require cities to provide police services to verify citizenship. There wasn't any funding attached to the law. Councilman Cragun felt unfunded mandates from the State was a critical area that needed to be addressed. Mayor Ritchie asked about the commencement date of the law. Councilman Cragun thought it went into affect right away. Mayor Ritchie asked if the Council wanted a report from the staff. Councilman Cragun felt the Council would have to have a report. If the City was going to enforce this law, it had to determine where the funds would come from and how extensive it would be. Chris Davis said he would bring up the topic at the Utah League of Cities and Towns.

9. ADJOURN

Councilman Cragun moved to adjourn at 6:31 p.m.

10. SUMMARY OF ACTIONS CHARGED

1. Staff to prepare report regarding enforcement and funding of new State immigration law.
-

City Council Minutes
November 18, 2008
Page 6

Joe H. Ritchie
Mayor

Attest:

Michelle Drago
Secretary