

Minutes of the Roy City Council Meeting held in the City Council Chambers of the Roy City Municipal Building on August 21, 2018 at 6:00 p.m.

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 Robert Dandoy	City Manager, Jason Poulsen
Councilmember Burrell	City Attorney, Brody Flint
Councilmember Paul	
Councilmember Saxton	
Councilmember Tafoya	

Also present were: Judge Trent Nelson; Management Services Director, Matt Andrews; Deputy Police Chief, Aaron Perry; Fire Chief, Jeff Comeau; Parks and Recreation Director, Travis Flint; Public Works Director, Ross Oliver; City Planner, Steve Parkinson; Mandie Worton, Ed Weakland, Sophie Paul, Traeden Paul, Trevin Paul, Tonya Littlefield, Kaylynn Blakeslee, Trent Bills, Samantha Bills, Hunter Bills, Jacqueline Thompson, Doug Nandell, Matt West, Laura West, Blake Birdash, Jared Roper, Linda Whitam, Robin Sveum, Gloria Sveum, Jason Sphar, Bret Hubbard, Don Ashby, Erica Ashby, Katie Ashby, Chris Collins, Ryan Cowley, Brian Laird, Brenner Allen, Gaston Mudrow, Kotan Sudyka, Dennis Lyon, Allen Bluemel, Mark Saunders, Gennie Kirch, Shantai Griffin, Bill Greenwald, Kathy Greenwald, LaMar Holt, Marilyn Holt, Gary Penrod and Chris Lewis

**A. Welcome & Roll Call**

Mayor Dandoy welcomed those in attendance and noted Councilmembers Burrell, Paul, Saxton, Tafoya and Yeoman were present.

**B. Moment of Silence**

Councilmember Tafoya invited the audience to observe a moment of silence.

**C. Pledge of Allegiance**

Councilmember Tafoya asked Scout Troop 194 to lead the audience in reciting the Pledge of Allegiance.

**D. Consent Items**

*(These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.)*

**1. Approval of the July 17, 2018, City Council Minutes**

**Councilmember Tafoya motioned to approve the July 17, 2018, City Council Minutes. Councilmember Burrell seconded the motion. All Councilmembers voted “Aye.” The motion carried.**

**E. Action Items**

**1. Swearing in of Sergeant Kyle Curtis**

Police Chief Merino gave a brief introduction of Officer Kyle Curtis. He explained that Mr. Curtis had been the canine handler for the department and would continue in that role. He added that Kyle had been with the department for 15 years. Mr. Curtis briefly introduced his wife and four children.

City Recorder, Morgan Langholf administered the oath of office and Kyle Curtis was sworn in as a Roy City Police Sergeant.

**2. Swearing in of Fire Fighter Paramedic Braden Debry**

Fire Chief Comeau gave a brief introduction of Mr. Debry. He explained that Mr. Debry had worked full time with the City some time ago but had left to work in Layton City. During that time, he finished his training in paramedic school. Once a position opened in Roy City, Mr. Debry expressed his desire to come back, and was brought back after going through the testing process. Fire Chief Comeau expressed his pleasure at having Braden back in the Department.

City Recorder, Morgan Langholf administered the oath of office and Braden Debry was sworn in as Roy City Firefighter/ Paramedics.

**3. Swearing in of Fire Fighter Paramedic Shane Erisoty**

Fire Chief Comeau introduced Mr. Erisoty. He explained Mr. Erisoty had just graduated with honors from paramedic school in Weber State. Fire Chief Comeau added that Mr. Erisoty had worked with ski patrols for many years, and that he was part of the avalanche mitigation team. He added that Mr. Erisoty was also a backcountry skiing expert. Fire Chief Comeau explained that Mr. Erisoty had graduated from the DATC Fire Academy in June, 2018. Fire Chief Comeau explained that Mr. Erisoty had received a Bachelor’s Degree in Exercise Science and Sports Medicine. Finally, Fire Chief Comeau stated that Mr. Erisoty had an ATF Explosives certification.

City Recorder, Morgan Langholf administered the oath of office and Shane Erisoty was sworn in as Roy City Firefighter/ Paramedics.

Shane Erisoty briefly introduced his family members.

**4. Chief Appreciation awards for excellent service or accomplishment for Brooke Perkins, Jake Rast, Tim Vega, Brandon Storey, Ryan Law, Cameron Beck, Brock**

Mihondo, and Brad Jensen.

Jeff Comeau, Fire Chief, explained that he wanted to make sure employees who were performing well were recognized. After talking to his administrative staff, he explained he decided to create appreciation awards. He chose to select employees who did good things on a regular basis and, as a result, changed people's lives.

The first award Fire Chief Comeau presented was Gratitude for Exceptional Accomplishment. The award was presented to Brooke Perkins (absent) and Jake Rast. These team members, Fire Chief Comeau explained, were the first sponsored paramedics to successfully pass the Weber State University Critical Care Paramedic Course program. This program, he added, built on the skills already learned by paramedics and taught them advanced skills used for high-risk patients. He explained that the course was six-credit hours condensed in a few months. This training had provided Brooke and Jake with extensive knowledge of treatments and increased their knowledge of human physiology and disease processes. Fire Chief Comeau explained that all paramedics were extremely knowledgeable and provided great care. This, he added, was one more way for paramedics to advance their knowledge and improve the care they provided to the community.

Fire Chief Comeau congratulated and acknowledged Brooke Perkins and Jake Rast for their work.

Mr. Poulsen explained that Mr. Rast appeared strong, and that he was knowledgeable. He added, however, that when put on a donkey, things did not go so well for Mr. Rast. Mr. Rast contested that it was not a donkey but a horse.

Fire Chief Comeau presented the next Service Award. He explained that sometimes, the responses of the staff to certain calls were nothing short of extraordinary. He described two such calls. One had occurred in June, while the other took place in July. Both calls, he explained, were cardiac arrest calls where the patients walked out with no deficits after their hospital stay. Fire Chief Comeau explained that when looking at AHA statistics, witnessed cardiac arrests requiring resuscitation had a 90% chance of causing deficits. He added that the only reason there were no deficits in these two cases was thanks to the actions taken and early care given by the paramedics' team. He added that even physicians at the hospitals had mentioned the care provided at the back of the ambulance had been critical. In these two cases, Fire Chief Comeau added, patients walked out of the hospital with no deficits, when the survival rate for out of hospital cardiac arrest was low. He stated that when the City's providers contributed to saving a life, it was extremely gratifying.

On July 25, 2018, Tim Vega, Brandon Storey, Ryan Law, and Cameron Beck had a patient experiencing extreme difficulty breathing. This patient, Fire Chief Comeau added, had a history of exacerbation due to COPD. The call was for "Difficulty Breathing", but the patient deteriorated in the ambulance and subsequently went into cardiac arrest. Fire Chief Comeau explained that the paramedics quickly recognized the type of cardiac arrest taking place, and they were able to take all measures (CPR, medications) to support the patient. He stated that those measures were the reason why the patient was able to walk out of the hospital with no deficits a few weeks later.

On June 6, 2018, Brock Mihondo and Brad Jensen, along with EMTs from the Riverdale Fire Department, responded to a call about an unconscious patient. Fire Chief Comeau explained that they were quick and decisive in the care they provided and were able to get the patient's circulation going. This patient was also able to walk out of the hospital on June 19, 2018, with no deficits. This patient, Fire Chief Comeau added, was experiencing the symptoms of a massive blood clot going to the lungs. He explained that the quick action of the EMTs, their ability to provide life support and recognize the heart's rhythm, and their providing the right medications at the right time allowed the patient to have a pulse and breathe by the time he arrived at the hospital. Fire Chief Comeau wanted to recognize these individuals for their quick thinking as it had saved two lives.

5. Consideration of Ordinance 18-17 Amending Title 3 of the Roy City Code Business and License Regulations to include a new Chapter 9 for Special Event Regulations

Aaron Perry, Deputy Police Chief, explained the thought and process that had prompted the creation of this ordinance. He explained that two years ago, he had received a phone call from a citizen who had been referred by the City Recorder regarding the organization of a block party. In an effort to be consistent and provide consistent answers to all citizens, Police Chief Perry tried to locate the relevant ordinance. He, however, was unable to find it. He talked to several police officers, inquiring about the way block parties had been handled in the past. He was told that citizens were usually referred to the City Recorder. Deputy Police Chief Perry set out to create a written procedure. About a month after the initial conversation and the day before the event, he explained that the citizen called to ask for some stop signs to stop traffic. When he explained that this would not be possible, the citizen asked for five officers to direct traffic during the event. Deputy Police Chief Perry decided to look at the way other cities dealt with block parties. One scenario, he explained, was to set up barricades and shut down a road. However, he pointed out that closures were often not announced to other departments, and that this could cause some issues for emergency personnel trying to enter a blocked area. Another issue with the blockade, Deputy Police Chief Perry explained, could be a DUI driver driving into such a blockade and possibly injuring or killing a citizen. The City, he believed, would be in part responsible. Deputy Police Chief Perry explained that the ordinance was designed to create consistency and limit liability issues.

Mayor Dandoy thanked Deputy Police Chief Perry. He asked if anyone in the public wished to comment on this ordinance. No one came forward for comments. Mayor Dandoy asked if any of the Councilmembers had questions or comments.

Councilmember Tafoya stated that he felt the 30-day requirement might be too lengthy but was satisfied that there was a way to have the City Manager approve the process after the 30-day deadline had passed. He stated he liked that there were proper steps to be followed.

Mayor Dandoy explained that on the surface there was some merit to the ordinance. Because it stated, "Special Events", the ordinance covered more than mere block parties: it could include concerts, carnivals, and any other event the City might have found itself involved in. Mayor Dandoy stated the only piece he had concerns about was 3-9-2: "Special events shall also include any event available to the public that requires a full or partial closure of the public right-of-way

or the use of City property whether or not a fee is required.” Mayor Dandy explained that while it did make sense to have a review process if a road ought to be closed, he was concerned because City streets and sidewalks are City property, therefore any and all event would be included. He mentioned cul-de-sac streets outfitted with portable basketball hoops and asked whether such a set-up would qualify as a special event. Mayor Dandoy further mentioned individuals having a party on their property causing cars to park on the public street. He pointed to Roy Days, when citizens had placed cones to make sure their parking spaces were not taken. He stated that he did not think that the intent of the ordinance was to be this detailed. He gave the example of a 5k race requiring Police Officers to mind traffic: this type of event would rightfully require a permit. He explained there was an argument to be made against having to put cones around cul-de-sacs. He stated that the spirit of the ordinance was aimed at events, not small happenings. As a result, he recommended that under the definition, there should be stipulation that when an event’s impact on the City services exceeded the regular services provided, a special permit would be required.

Councilmember Burrell asked if this only applied for situations when there were barricades. Mayor Dandoy explained this included any time an event required Fire or Police service.

Councilmember Paul stated if citizens wanted barricades, they would need to pay the fee and go through the process. He explained that he was concerned about the violation of the ordinance being a Class B misdemeanor which he felt was a hefty consequence.

Mayor Dandoy explained that while he agreed this was a hefty consequence, there were times when concerts were organized in the City parks without noticing the City. He explained that with the potential traffic congestion, it made sense to ask citizens to obtain a permit.

Mr. Poulsen stated he did not believe the ordinance had been designed for small groups having a party, but rather for individuals who called Public Works or the Police Department to do extravagant things. He felt the ordinance was inappropriate for individuals wishing to have a family get together.

Councilmember Tafoya said they needed to go back to the intent of the ordinance. He explained that the staff would be able to decide if a request needed a permit or not.

Mayor Dandoy explained that while he did not disagree with the comment, he thought individuals doing the enforcement needed a clear code to be able to act. Taking subjectivity out of the ordinance, he stated, would allow for a clear interpretation. If this ordinance proved not to work for the community, this could be addressed by the very same body.

The recommendation was made that if an event had an impact greater than the normal daily services provided by the City, or if the event were to disrupt the traffic on Public Street or disrupt the use of a public space, a permit should be required. It was stated that the number of people involved in any given event was key to the ordinance. Another recommendation was made to merge the permit requirement for both types of events.

Councilmember Paul stated that he lived near a cul-de-sac. He explained that when parties occurred, the cul-de-sac did not get blocked off. He asked whether such an event would require

a permit. Deputy Police Chief Perry explained that such an event would require a permit under the new ordinance. Councilmember Paul further asked if a Saturday, neighborhood 5K Run would also require a permit. It was clarified that such a race would not require a permit, but that setting up chairs and a barbecue in the middle of a cul-de-sac would.

Mayor Dandoy explained that there was a safety issue attached to traffic. He added that to shut off a road, the Police Department had to be involved and that a review process had to take place. He further added that resources had to be committed to staff safety for such an event. Mayor Dandoy explained that there was argument to be made for having a clear process for such events. He added that anytime a resident called upon the departments to provide services, a permit should be required. Councilmember Paul stated that “disruptive of traffic” should be added.

Mayor Dandoy stated that it was challenging for the general public to make the distinction as to when citizens did need a permit, and when they did not.

Councilmember Tafoya stated that the issue rested with definitions of the law. He argued that this was not the Council’s role, but rather that of the City’s legal counsel. He added that the Council needed to trust the staff who had created this ordinance, and he pointed to the two-year process for such ordinances. He further stated that there was a process to iron out issues with the ordinance, as the Council could not yet have accounted for all possible scenarios.

Mayor Dandoy asked to assume that most individuals would choose not to contact the City. He stated that, by law, someone would receive a citation. Councilmember Tafoya stated that Mayor Dandoy needed to define what he meant by block party, as this term covered many a size of party. Mayor Dandoy pointed out that the ordinance read that “special event shall also include any event available to the public that requires a full or partial closure of a public right-of-way or the use of the City property whether or not a fee is required.” Councilmember Paul responded that he was mostly looking at whether the event would disrupt the flow of traffic.

Deputy Police Chief Perry explained that for Councilmember Paul’s cul-de-sac, the ordinance would not be an issue. The potential issue, he argued, would be different for through-streets. If several home owners were participating in an event, but some were not, the ones not participating might be upset because of their inability to freely get in or out of their house or street, as well as their freedom to park. He stated he did not believe the City would proactively go out and look for individuals in violation of the ordinance, but that the intent of the ordinance was to provide the City with the tools to respond when a neighborhood called with a complaint. The ordinance, he explained, provided the City with tools, which did not mean that officers would immediately issue citations.

Mayor Dandoy explained that one provision in the ordinance stated that the person sponsoring a block party would need to receive signatures from all the residents up to one half mile in that street. He stated that this could be potentially up to 40 houses. He asked what would happen if the sponsor was unable to obtain signatures on one or two of these houses. Mayor Dandoy asked whether this would prevent the permit from being obtained. Deputy Police Chief Perry stated the application would be provided to the City staff that would look at the circumstances independently, reach out to the neighbors who had refused to sign, and decide accordingly. Mayor Dandoy pointed that the City Manager would have to make a distinction on the ordinance

to decide whether the party would be allowed. Deputy Police Chief Perry stated that the language could be changed if the Council was more comfortable stating “inside of a closure.”

The question was raised as to whether or not the signatures needed to be gathered for half a mile. It was noted that the half-mile requirement was regarding streets being closed. Mayor Dandoy explained that these signatures were needed, because, as Deputy Police Chief Perry had explained, if any of the residents were to not want to have the party interfere with their mobility, they had the right to have a complaint go to the Police.

Mayor Dandoy stated that the Council had several options. One option, he explained, was to table the ordinance to clarify the last pieces creating disagreement. He continued that another option would be to approve it as written or deny it.

Councilmember Saxton asked if the ordinance was being approved as written or as Deputy Police Chief Perry had described previously. Mayor Dandoy clarified that the ordinance was being approved as written. There was further deliberation regarding the appropriate motion to make on this item.

**Councilmember Tafoya motioned to approve Ordinance 18-17 Amending Title 3 of the Roy City Code Business and License Regulations to include Chapter 9 for Special Event Regulations to include changes discussed.**

Deputy Police Chief Perry explained he felt comfortable with the way the ordinance was written, as long as it could be interpreted and worked with. He added that he was also comfortable if the Council wanted to change the wording to add something.

Councilmember Saxton asked about the two editions he had worked with. Deputy Police Chief Perry explained that he had changed the language of what constituted a special event. He then reviewed the language that had been considered too vague and updated it. The recommendation he made, Chief Perry stated, was to add that a special event was considered to be any event that had an impact on the City services that exceeds those regularly provided, disrupted traffic on public streets, or impacted the use of public places.

Councilmember Paul stated he rescinded his vote. It was stated that Mayor Dandoy had brought up that “the use of City property” was too vague in the existing language. Therefore, there were three valuable legal options. In the statute, each sentence needed to be looked at in relationship with others. One way to simplify might be to state “the use of City equipment” in the sentence the Council was discussing. The text already stated “full and partial closure” and if the City equipment was required, it would turn the event into the “special event” category. Updating these two words would clarify the meaning.

**Councilmember Tafoya motioned to approve Ordinance 18-17 Amending Title 3 of the Roy City Code Business and License Regulations to include Chapter 9 for Special Event Regulations to include changes discussed. Councilmember Burrell seconded the motion. All Councilmembers voted “Aye.” The motion carried.**

6. Considerations of Resolution 18-20 designating individuals to act on behalf of Roy City in transactions concerning the Public Treasurers Investment Fund.

Matt Andrews, Management Services Director, explained that the resolution was a mandate from the Utah Public Treasure Investment Fund (PTIF), where main investments were housed. The PTIF, he explained, was trying to increase efficiency, particularly when it came to paper forms, which were now done online. Mr. Andrews recommended that the Council agree to the request of all paperwork being done online, as it would also increase efficiency for the City. The administrators would still be the City manager and the Services Director.

**Councilmember Paul motioned to approve Ordinance No. 18-20 designating individuals to act on behalf of Roy City in transactions concerning the Public Treasurers Investment Fund. Councilmember Saxton seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye.” The motion carried.**

**F. Public Comments**

Mayor Dandoy opened the floor to Public Comment. Having seen none, he proceeded to Item G.

**G. Reports and Discussion**

a. City Manager Report

Mr. Poulsen reported on the following:

- On September 13, 2018, he explained, the Senior Barbecue would take place. He encouraged the Council to help. The details, he added, would be forwarded to the Council. He explained the barbecue was likely to take place at 11 a.m.
- The South side of the George Wahlen Park, where the parking lot was situated, City Manager Poulsen stated, should be finished by August 26, 2018. He added that the playground was finished, the splashpad was completed, and that the pavilion was also finished. He explained that the City had the tables for the pavilion and was currently putting them together. The splashpad, he stated, had been used by some children. Regarding the monument, he explained that the ceremony was likely to take place in October. He added that the sod had recently been added to the tennis courts. He stated that the work was now shifting to the East side of the park. Mrs. Gennie Kirch explained that Wahlen Park School had expressed interest in being involved in the ceremony. Finally, City Manager Poulsen added that the Park would be completely finished in the fall.
- Regarding the fire truck, City Manager Poulsen explained that the truck was taking longer than expected time to be finished. He stated that the year mark had passed, and that the delivery had been further pushed by 90 more days: the truck would not be available until November. Councilmember Paul suggested that we get a rebate and City Manager Poulsen laughed and suggested it to be a full refund. He added that a couple of inspections were planned in Minnesota. City Manager Poulsen explained that a rural



town was hoping to purchase the firetruck being replaced.

- City Manager Poulsen discussed the annexation. He explained that this process had been happening for a couple of years. For the islands and peninsulas coming into Roy, he explained, there would be a townhall meeting on August 28, 2018, at 6:00 p.m. He asked that the Councilmember plan to attend. He added that he expected for the meeting to go well, as prior meetings had ironed out a lot of the issues. The following Tuesday, September 4, 2018, City Manager Poulsen explained that the inner Council would be notified of the intent to annex. After this, he stated that there would need to be a public meeting with the Planning Commission, and, after an open period, the ordinance to approve the annexation would be presented to the Council on October 16, 2018. The annexation would be completed on January 1, 2019. City Manager Poulsen stated that according to Weber County, the whole process had to be completed by December 31, 2018.
- City Manager Poulsen stated that the City was working on municipal parks. He explained that the recommendation was for the trails' asphalt to be completed in the Spring of 2019. Parks and Recreation was also working out some details. The improvements were, he explained, part of the budget.
- City Manager Poulsen explained that the trailhead on 6000 South would be receiving some sod on Thursday August 23, 2018. The bathroom floor, he added, would have epoxy installed. Mayor Dandoy asked for the date when the project would be finished. He was told that it should be completed before October, 2018.
- City Manager Poulsen explained he was awaiting quotes on cost for some steel beams for the Hope Center. He added that the cost would be significant. He explained that the awning needed to be redone to provide shade. The City, he continued, had received a grant to finance these upgrades.
- City Manager Poulsen discussed the Community Service Project, which was to take place on Saturday August 25, 2018. He explained that the meeting would take place at the Aquatic Center at 9:00 a.m. He added that the projects would include the trail with all its entrances (6000 South, 5600 South, 5200 South, and 4800 South), the old library, the road between Village Inn and Harmons, and the holding tank on 4000 South.
- City Manager Poulsen stated that there been a lot of ongoing overlays with chip and seal throughout the City. On some of the roads, he explained, the Services Department wanted to compare a new chip seal that does not tear up the road when plowed with snow plows. He explained that other cities in the County used said seal and had recommended it. The seal, City Manager Poulsen added, had been put side by side with the traditional one to provide a clear idea of whether it was indeed of superior quality.
- Regarding the audit, City Manager Poulsen stated that auditors would be present on September 10, 2018. He explained that they would be in and out of each department. He added that the auditors would stay in the City for a week. It would then take two to three weeks for the auditors to return the audit back to the City. At this point, City Manager

Poulsen explained, Mr. Andrews, the Finance Director, would come before the Council and present the audit.

- City Manager Poulsen explained that the Police and Fire Department had received some county-wide active shooting trainings, at Weber State University.
- City Manager Poulsen stated that the Complex was currently shut down and would be for two weeks, to accomplish yearly maintenance. He added that the Complex would reopen on September 4, 2018.
- City Manager Poulsen explained that it would help the staff if Council meetings were held at 5 p.m. rather than 6 p.m. He explained that between finishing their shift at 5 p.m. and beginning the meetings at 6 p.m., the staff wasted an hour. Scheduling the meetings at 5 p.m. or 5:30 p.m. would be helpful for the staff. Mayor Dandoy asked for the Council's thoughts. Councilmember Paul explained that if the economic development meeting, which happened before aforementioned meeting, were to be shortened, this would be possible. Councilmember Tafoya stated that he was only concerned about notifying the public of the time change, as the meeting had historically been scheduled at 6 p.m. City Manager Poulsen stated that he would make sure the information was provided to the public. Councilmember Burrell asked for the change to happen far enough in the future to give the community a chance to find out about the new time. City Manager Poulsen suggested changing the time in October, 2018. Mayor Dandoy stated he felt this was enough time to let the community know about the change.
- City Manager Poulsen discussed the Library. He mentioned that in speaking with the Library Director, the facility is not anticipated to be finished until October, 2018.
- City Manager Poulsen mentioned a building that the City purchased. He explained they were under contract with the State after a 60-day review of the land and the building. After asking if the time period could be shortened, City Manager Poulsen was able to obtain a closing date in September, 2018, rather than October, 2018. He explained that this was a big win for the City, and the building had been obtained at a fraction of its cost. Councilmember Paul explained that thanks to the purchase of this building, the City no longer had to pay a \$30,000 fee to the Railroad for that piece of property.
- Councilmember Paul further asked if City Manager Poulsen had received more information regarding the library. He specifically asked if more emails had been received from the Boys and Girls Club. He explained that there was grant money to be obtained to develop a tech center in Roy City for the Boys and Girls Club. City Manager Poulsen explained that he had talked with former Councilmember John Cordova who represented the Boys and Girls Club. City Manager Poulsen explained to Mr. Cordova that the City's intent was to use the building. Mr. Cordova asked if the Boys and Girls Club could use one section. City Manager Poulsen added that there were several gaming businesses who might want to go on one side of the building. He added that the Recreation department might utilize some of the space. Because of the sports gear this department had, City Manager Poulsen explained that they needed quite a bit of space. He added that the Public Works director had been instrumental in getting the building.

- City Manager Poulsen explained that a work session took place with Waste Management, the week of Aug 13, 2018. He added that Waste Management was providing the City with a six-month grace period, so the Council could decide how to proceed. He discussed implementing the new plan on January 1, 2019. Waste Management recommended not implementing changes during the Christmas season as well as providing a newsletter informing residents. This newsletter, he explained, prevented the changes from taking place earlier. He added that residents wishing to recycle would be able to do so by paying an additional fee. He explained that China, which is the country where the waste material is being sent, had been having issues with the contamination level of the waste material. He added that most of the wastesent to be recycled ended up being in landfills because of its contamination content. City Manager Poulsen stated that as a result many institutions were canceling recycling altogether. He added that the City still wished to offer recycling. He explained that if those opting to recycle paid the extra fee of \$1.23, they could continue to opt-in the program. Mayor Dandoy stated that the Council needed to know if the City was ready to make the announcement regarding the increase and the opt-out period. It was stated that the grace period had been discussed: the opt-out period would be 30-day long. Mayor Dandoy added that sometime in December residents could come to the City to opt-out. Since the new program was not starting until January, 2019, residents should be given until then to opt out. The next opt-out period, City Manager Poulsen pointed, would be in June. He added that if the City's recyclable material were to be below 75% purity, it would be charged a different rate. He explained that he was now trying to eliminate the 70% rule, for a 50% rule, which would be a better option for the City and the residents. Mayor Dandoy stated that there was one year to one and half year left on the City's contract with Waste management. He added that the contract could be renegotiated afterwards. He added that it was important for the residents to receive a notification as soon as possible so they could decide whether to opt in or out of the recycling program.

b. Mayor and Council Report

Councilmember Paul stated he appreciated the work taking place at George Whalen Park. He mentioned taking his children there the weekend prior to the meeting and playing squash. Councilmember Paul stated he had talked to Travis Flint and had been told things were moving along. He stated that final inspections would address the final little issues. He added that once everything was finished, the park would be a great one.

Mayor Dandoy gave a shout out to all the staff for their great work with the park and the Roy Days events.

City Manager Poulsen explained that he felt great concern about how disrespectful young people were towards Law Enforcement. He mentioned being so concerned that he contemplated having a message on the front page of the newspaper, and added he had discussed this with safety services. He stated he believed more Police Officers were needed during the Roy Days events. He explained there were groups of kids, usually aged anywhere between 12 and 17 years old, who did not care about Roy Days and were only interested in causing trouble. He witnessed their not buying corn dogs, riding rides or doing any of the activities. He explained that Roy

Days were for the residents to celebrate the City. Residents, he added, brought their children and families to the event, and they were only seeing these kids causing issues and starting fights. He stated that he did not want them at the event with the Roy residents. He then explained that if 20 Police Officers were required every 20 feet, then that might be what needed to be done. He explained that when Officers were called to handle one issue, the kids, who were smoking weed and pot, would just move to another location. He stated that the Officers should not have to chase issues and that these kids should be kept out of Roy.

Councilmember Paul stated he appreciated the public service support, namely the Police and Fire Department that was deployed for Roy Days. He added that he seconded City Manager Poulsen's views and that it might be necessary to increase security in the future. He explained that anything that could be done to mitigate this type of situation should be encouraged.

Deputy Police Chief Perry explained he had seen interaction reports written by law enforcement. He explained that there had been a meeting afterwards to see what had worked, and what could have been improved upon.

Mayor Dandoy asked if the Roy City Corporation Magazine was still on target for October, 2018. City Manager Poulsen explained that it was. He stated that he would have all of the information in September, 2018. He added that the department heads should not submit content any later than September 5, 2018. This, he stated, would allow time for everything to be put together and designed. He stated he was excited about this magazine, which was going to replace the newsletter. He explained there would be a lot more relevant content in the magazine covering businesses, schools, and residents.

Mayor Dandoy addressed Councilmember Tafoya, who had asked if improvements could be made to the Roy City website. Morgan Langholf stated that she believed the Mayor had already addressed this issue internally. She explained that the City was planning on doing a full redesign of the site in four years. The redesign will be done at no cost by the entity that did the initial design. To accomplish this process, she added, the City needed direction on what was not working. Councilmember Tafoya asked whether some things on the site could be moved around at no cost. Mrs. Langholf explained that a lot of things could be easily manipulated, but that anything requiring more than very straight forward shifts would be charged. Mayor Dandoy stated he was to request public feedback to create a list of recommendations, and that any feedback received was to be forwarded to Mrs. Langholf. Councilmember Tafoya asked how long the City had had its contract with the entity doing their web design. It was explained that it had only been one year.

Mayor Dandoy stated that a sidewalk had been requested between 2775 West 1900 West. He explained that some funding had been put aside for this purpose. He asked Public Works Director Ross Oliver if this section of sidewalk had been prioritized. Mr. Oliver explained that this curb would be started within two weeks after the meeting.

Mayor Dandoy explained UDOT would have the environmental assessment meeting kickoff on August 22, 2018, at the Roy Elementary School, on 5600 South. The goal of the meeting, he stated, was to take comments from the public to hear about ways UDOT could improve the traffic concerns on 5600 West. He encouraged everyone who could attend to do so as this

meeting was a good opportunity to be informed about the direction of UDOT's plans, ask questions, and contribute some recommendations. Mayor Dandoy explained that after 15 months, UDOT would present its plan, and decisions would then be made. He added he hoped the traffic concerns would be subsequently resolved.

When asked at what point the study began, Mayor Dandoy explained it was started in January. He added that a consultant had been recently hired to perform the study. He stated that the consultant and UDOT would both be present at the meeting. When asked if UDOT would then clarify when the study would end, Mayor Dandoy answered affirmatively.

City Manager Poulsen stated that this meeting started the process of addressing the issues on 5600 South. He added that the City's engineers were on the board of the study and that they had been working closely with the UDOT team. He further explained that the study had required \$1.5 million, which ensured that UDOT would make sure action was taken. Mayor Dandoy added that the study also included the exchange to I-15. He restated the importance of having Roy residents involved in providing feedback to UDOT.

Mayor Dandoy stated that the Redevelopment Agency was about to have its meeting. He explained that the current meeting was to be closed to move on to the RDA meeting.

**7. Items for Follow Up and Review**

There were none.

**8. Adjournment**

**Councilmember Paul Motioned to Adjourn the City Council meeting at 7:20 p.m. Councilmember Burrell seconded the motion. All Councilmembers voted "aye". The motion carried.**

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Robert Dandoy  
Mayor

Attest:

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Morgan Langholf  
City Recorder

dc: 08-21-18

**ROY CITY RDA MEETING AGENDA  
AUGUST 21, 2018 – 7:30 P.M.  
ROY CITY COUNCIL CHAMBERS – 5051 SOUTH 1900 WEST**

Minutes of the Roy City RDA Board Meeting held in the City Council Chambers of the Roy City Municipal Building on August 21, 2018.

**Boardmember Paul made a motion to start the Roy City RDA Board meeting. Boardmember Saxton seconded the motion. All members voted “aye.” The motion carried.**

**A. Welcome & Roll Call**

**B. Consent Items**

1. Approval of April 3, May 8, and June 19, 2018, RDA meeting minutes

**Boardmember Paul motioned to approve the April 3, May 8, and June 19, 2018 RDA meeting minutes. Boardmember Tafoya seconded the motion. All members voted “Aye”. The motion carried.**

**C. Discussion**

1. Review and Discussion of revolving loan program and guidelines- Randy Sant, Economic Development Consultant.

Mr. Sant handed out a packet to each Boardmember. He explained that during the budget, \$300,000 were approved to be set aside for a revolving loan fund to assist businesses in Roy City. He stated that tonight he hoped to have a conversation about the mechanisms of setting up the fund. He explained he was looking for the input of the Boardmembers and would then prepare guidelines, applications, and other documents. Said documents, he continued, would be brought back to the Boardmembers in September, 2018, for official adoption by resolution. With this process finished, he added, the City would be able to take applications for the funding. Mr. Sant explained that the documents he had handed out were a list of questions regarding setting up the revolving loan fund. The second page of the handout, he continued, was staff recommendations answering some of the question listed on the first page.

Mr. Sant explained that the very first question concerned the maximum amount of loan the City should lend. With \$300,000 budgeted, he stated that the number of loans offered needed to be decided, with the maximum amount for each loan. Mr. Sant reminded the Boardmembers that the funds were coming from the redevelopment project areas. He added that the law allowed the board to distribute the funds outside of the project area. He continued that there should be input on how many loans should be granted to the development area and how many should be granted outside.

Another question he wanted to address was the objectives of the loan program: the board should discuss what they wanted to accomplish, and how could the businesses meet these objectives. Mr. Sant stated the next question would regard the business loans potentially being forgiven if businesses met certain objectives. These objectives, he added, could be measured on a yearly basis or over a period of time. He explained that the board should discuss what the public benefit criteria for loans would be. He continued saying that RDA funds functioned differently from City money: because the funds were not City money, no 10A2 study showing public benefit would be required. He added that because this was public money, there should a public benefit.

Mr. Sant explained that the interest rate also needed to be discussed. He mentioned that interest could be different depending on the loan. He added that the rate could be increased or reduced based on a risk assessment. He pointed to the standards of collateral for loans, and whether personal guarantees should be required. He also explained that the underwriting process should delineate what would be evaluated, the application requirements, the approval process, and the oversight procedures. He also stated that the board must decide what financial information should be required, and the eligible uses for the loan funds. He added that the next question would be whether a business could apply for the loan multiple times. Mr. Sant explained that the board needed to decide what the terms and length of the loan should be. He stated that he had outlined these questions as they needed to be addressed by the board.

On the next page, Mr. Sant explained he had outlined his and the staff's recommendations for these questions. The first thing he felt needed to be addressed was the maximum amount of the loan, which he believed should be \$25,000 to \$30,000. One thing he felt needed to be clarified was that there would be a box of guidelines, and that if a company or business wanted to go outside of that box, said business would have to come back to the board for approval. Once the box is set, he argued, the board would officially adopt it by resolution. Boardmember Burrell asked if Mr. Sant had heard from businesses whether this was a reasonable amount. He answered that some businesses might want \$50,000 as a business might try to get as much as it could, but the point of this fund was to be spread as far as possible. However, he mentioned that if in six months, only two or so applicants manifested, the board might review the upper limit of the loan. He hoped, however, that \$25,000 to \$30,000 would allow businesses to make purchases not usually covered by private lenders.

Boardmember Tafoya stated that the board wanted businesses to succeed but that chances were half of said businesses would fail nonetheless. He asked if once loaned \$30,000, having paid back maybe \$5,000, and the business having failed, the board would have to put a lien on the property for the remaining balance. Mr. Sant explained that he recommended there be personal guarantees, which would lien property and bank accounts to recover the funds. He stated agreeing that brand new business owners who had no experience might be likely to fail.

However, he added, if the money were to be lent to an established business, the loan might be successful. He explained that part of the process would be to evaluate risk and how much would be loaned. Chairperson Dandoy stated that the process would be to assess the businesses properly. Mr. Sant explained he did not see the loans being different from loans offered by banks, and banks, he added did turn down applicants when necessary. Mr. Sant stated that the board wanted to be sure the loan was provided to businesses which had the necessary items in place and were likely to be successful. He continued that part of the evaluation would be the degree of risk the board would inherit, and whether the risk was too great.

Boardmember Paul pointed that the guidelines for submission should be similar to those needed when applying for an SBA loan: chances were if the business was a startup, the same information as a bank would require would be requested.

Chairperson Dandoy pointed to the page of recommendations, particularly number four, on the second page, and stated that he was not in favor of deferred grants. He mentioned that the point of the loans was to help businesses, not to give them a freebie on the taxpayer's dollar. Chairperson Dandoy stated that he otherwise agreed with all the recommendations listed.

Boardmember Saxton pointed to recommendation number 13, which stipulated the terms of the loan. He stated hoping that the terms could be extended by a couple of years. He realized that as a City, the money needed to be recuperated to help another business, but he stated that real estate and fixtures required more funds than the two-year time frame would allow. That time frame, he explained, might make the difference between the business succeeding or going out of business.

Boardmember Burrell stated this would be a \$30,000 loan with a 5-year term with a 2.5% interest rate, which Chairperson Dandoy pointed out was \$6,000 without the added interests. Mr. Sant explained that the proposed interest rate was 2.5% above the current Public Treasure Investment fund rate, which was, he believed, less than 1%. He stated when he last checked that interest rate was 0.85%. Mr. Sant stated that the total interest rate would 3.5%, which would bring the monthly payment to about \$625/month. Boardmember Burrell pointed out that unless the business brought at least \$625/month on top of their operating cost, the business might be in trouble.

Boardmember Tafoya stated that most businesses would be made or broken within the first five years. He added that the loans requirements could be adjusted if needed. Boardmember Burrell asked if it were possible, in the event a business came to the end of that term and had not succeeded, to adjust the terms. Mr. Sant explained that the board had the right to set whatever terms they wished. He explained that there could be guidelines for extensions, but he cautioned that in that case, all businesses might come and file for extensions. He explained that if a loan looked like it was to go into default, the staff would reach out to the individual to find out what options might be available to them. Boardmember Burrell asked if it were possible to make the terms eight years instead of five. Mr. Sant explained this would drop the monthly payment to around \$475/month. Boardmember Burrell asked if there were reasons not to extend the payment plan to eight years. Mr. Sant explained that if the board wished to extend the loan terms, the wording could say that "loan repayment will be extended for up to 8 years". The length, he explained would be decided on what was submitted as collateral. Boardmember Burrell asked if there would be a problem with stating the loan could be extended to seven years.



Mr. Sant expressed there was not. Boardmember Burrell stated this could be done with evaluating each case. Mr. Sant explained that if the board were to use the criteria he had presented, the board would require certain financial information from the company. He began by stating that a business plan was crucial, as he believed a business without a business plan should not be provided any funds.

The comment was made that \$30,000 paid back over five years with a 3.5% interest would require a monthly payment of \$546. When repaid over seven years, the monthly payment would be \$403/month. Boardmember Burrell stated that the difference was significant, and that the text could stipulate the repayment would take place over one to seven years. Mr. Sant stated that all the information sent by the applicants would be evaluated. He mentioned that the profit/loss statement would be examined, along with performance and cash flow. He continued that based upon this analysis, a determination would be made for the length of the loan. If the cash flow were significant, Mr. Sant stated, the loan could be repaid in one to two years. If, on the other hand, the cash flow were lesser, he stated that a six or seven year loan could be extended. The terms, he explained, would be based on the criteria set forth by the board.

Boardmember Burrell explained she did not see an issue with going with longer terms. And keeping the box smaller. Chairperson Dandoy stated the wording would change. Mr. Sant explained the text could say "one to seven years based upon the evaluation of the criteria submitted." Chairperson Dandoy explained that the premises and process would be that once the policy was approved by the board, the decisions would stay within the box and would not need to come back to the board for approval or changes. Boardmember Burrell explained this was why she wanted to language to say one to seven years as opposed to one to five years, as it allowed the board not to have to reconsider. The comment was made that this allowed for a process that was more open without having to come back to the board. Anything outside of that box, Chairperson Dandoy pointed out, would have to come back to the board for approval.

Boardmember Tafoya explained that overall, he felt good about all the recommendations on the page. Mr. Sant added that the staff would review the documents of the loan application. The Economic Development Committee, he stated, with its two Boardmembers, would hear staff recommendations and the loan process would be approved. If there were to be anything outside of the pre-approved box, the process would be brought to the board for approval. Mr. Sant stated that a report would then be provided to the board with whom the loan was made to, and what the terms and conditions were. The loan would not be brought back to the board if it followed the box.

Chairperson Dandoy asked if the board agreed that \$25,000 to \$30,000 was to be the maximum amount of loan offered. The Boardmembers expressed preference that the terms be set to \$30,000. Boardmember Burrell stated that the difference between the lower and higher number was just two more loans, but that the higher number could provide more to businesses taking the loan. Mr. Sant explained he believed \$30,000 was a good number to work with.

Mr. Sant explained that he wanted to add facade restoration to the allocable uses, in the event someone wanted to work on this piece of a building. He added that the board needed to decide on the starting date for the loans. He explained that it sometimes took a few months for businesses to be up and operating, therefore cash flow would not happen right away. As a result,

he explained, it might be important to start loan payments up to 90 days after the loan has been approved. Boardmember Burrell added she felt this was a reasonable amount of time. Mr. Sant continued stating that it gave the owners some time to put the business together and build some cash flow before being required to make a payment.

Boardmember Saxton stated he agreed with most items Mr. Sant had explained. He explained there was an interested applicant in the public and asked if Chairperson Dandoy would like to hear from said individual.

Mr. Sant explained that once the loans were put together, and after having worked with the Finance Director to set up the invoicing and the billing, he would provide a monthly report to the board and make sure if any problems arose, the board would know right away to be able to act.

#### **D. Public Comment**

Anna Davidson, Owner of Jessie Jeans, explained she had owned her business for eighteen years but had decided to leave. She explained that she had left because there was no such loan process when she was in Roy. She explained that she was working with Myra, who was trying to start her restaurant, and was trying to get her into the building she had left. She explained that startup businesses are the founding force in the country because owners put their heart and soul into their work. She explained that the young woman she was trying to help was one such individual. A loan like this, Ms. Davidson added, could allow this new business owner to get what she needed to get the building she, herself, was leaving. She stated that individuals who understood that starting a business meant hard work would be successful. This was why she believed she ought to support Myra. She explained that she had spent eighteen years across the street from the City building. Ten of these years, she argued, had been spent working seven days a week. As a result, she explained it was important to her to put someone in her building who wanted to be successful, and who had all the tools needed to achieve said success.

Boardmember Burrell asked if Ms. Davidson believed this loan would help the new business owner succeed. Ms. Davidson explained she believed it would. She explained that the original amount proposed had been too small, particularly for a restaurant business. She added that small businesses employed 65% of all the workforce in the U.S. As a result, she explained that the board should be realistic and look at a plan and see the effort put into putting said plan together. She explained that Myra had met every criterion that she, Ms. Davidson, had put forth and that she had seen her heart. She explained that the ten loans the board was going to provide were going to be tremendously helpful. She stated she had to fight hard when she began as a business owner, because Roy was then a bedroom community. She stated that small businesses needed to help each other to be successful.

Ms. Davidson introduced Myra (last name not provided) to the board. She stated that the two of them had been meeting for a month trying to help Myra start her restaurant. She explained that if the loan process was voted on tonight, she would allow Myra to start working in the building immediately. Myra then thanked Ms. Davidson for all the support she had received. She stated feeling very grateful for everything Ms. Davidson had taught her. She added she was grateful for all the help her family had received. She explained she had worked in her food truck for five years, and that she knew she was capable of running a restaurant.

Chairperson Dandoy explained he looked forward to reviewing Myra's application. Boardmember Saxton clarified whether Myra owned a food truck. Ms. Davidson explained that Myra could both own her food truck and run the restaurant, which would be a dual business. She explained the food truck could lead to catering and cut on the kitchen cost. This, she explained, could make the restaurant a focal point of something very interesting. The building, she explained being a stand-alone building was a go-to spot. She was hoping that with her own business not having been gone for long, Myra could capitalize on the people still looking for Jessie Jeans. She explained that the speed at which the loan could be approved would be instrumental to Myra's success.

Kenny Connors, realtor, explained that one of the main things his business was called on pertained to small businesses. He had been asked to investigate a couple things. He knew of a few places with similar programs, particularly in one town in Kentucky. He explained that the town there loaned \$300,000. He mentioned Boardmember Tafoya's concerns and said he too felt that some loans should be set out for businesses that had been working for a number of years. Setting aside some funds for business owners who already had years of business experience was, he stated, a sound investment. As a real estate agent, he stated often being asked by business owners where they should go. He added loving Roy for being the unfounded flower of northern Utah. He explained that Roy lacked in small businesses, and that as a commercial real estate agent, he would have loved to make a goal of helping new business owners come into the City. He continued that \$30,000 would be very helpful, and that he was pleased with the one to seven-year loan repayment time. Mr. Connors added that he believed in the personal guarantee requirement. He advised that the businesses the City loaned money to needed to make a commitment to Roy Days. He explained that it was important for these businesses to give back to the community. He argued that Myra would love to come to Roy Days and bring her food truck. He continued that by supporting Roy City she would make money. Mr. Connors added that such a willingness to support the City should be a qualification for the loan, as some businesses came in Roy, but that you never heard of them. Boardmember Burrell stated this could be part of the required business plan. Mr. Sant explained that this could be added as one of the criteria looked at. Mr. Connors explained he was here as a resource for the City, and that he would love to help counsel. He added he was always excited to see businesses like Myra's. He explained that when real estate prices go up, they also go up for small businesses.

Mr. Sant wanted to add that on the last page of the recommendations, he had outlined what would be looked at in the application process. He added that he wanted to share with the board what the loan evaluation would include. The staff, he explained, was trying to make the best recommendations based on the information given. He continued that all the documentation would be ready to be adopted by the second meeting of September, 2018.

E. Adjourn

**Boardmember Tafoya made a motion to adjourn the Roy City RDA meeting. Boardmember Paul seconded the motion. All members voted "aye". The motion carried.**