

Minutes of the Roy City Council Meeting held in the City Council Chambers of the Roy City Municipal Building on September 4, 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, Andy Blackburn
Councilmember Paul	
Councilmember Saxton	
Councilmember Tafoya	
Councilmember Yeoman	

Also present were: Management Services Director, Matt Andrews; Police Chief, Carl Merino; Kelsey Conger, Jade Hood, Andrea Clayton, Glenda Moore, Kathie Darby, Janine Dean, Julie Fagan, Pam Klomp, Bill & Kathy Greenwald, Robin & Gloria Swenn, Thomas Roylance, Cecilia Laughlin, Carol Harris, Dean Harris, Mila Terry, Sara Terry, Belinda Rourkles, Jacqueline Thompson, Ed Weakland, Odessa Anderson, Maggie Hislop, Linda Watch, Kyle Miller, Liam Denney,

A. Welcome & Roll Call

Mayor Dandoy welcomed those in attendance and noted Councilmembers Paul, Saxton, Tafoya and Yeoman were present. Councilmember Burrell arrived during the Pledge of Allegiance.

B. Moment of Silence

Mayor Dandoy invited the audience to observe a moment of silence.

C. Pledge of Allegiance

Mayor Dandoy led 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 August 21, 2018, City Council Minutes and August 14, 2018, Work Session Minutes

Councilmember Paul motioned to approve the August 21, 2018, City Council Minutes and August 14, 2018, Work Session Minutes as amended. Councilmember Saxton seconded the motion. All Councilmembers voted “aye.” The motion carried.

2. Request for Preliminary subdivision approval of Midland Square Commercial Phase 2 Subdivision located at approximately 4088 South Midland Drive.

This item was pulled from the Consent Agenda for further discussion by the Council. Councilmember Yeoman stated that she did support this proposal when it was brought before the Council for review. Councilmember Tafoya noted that he was not present when the item was discussed; however, the motion had passed with the rezone request.

Councilmember Saxton motioned to approve Preliminary subdivision approval of Midland Square Commercial Phase 2 Subdivision located at approximately 4088 South Midland Drive. Councilmember Paul seconded the motion. Councilmembers Saxton and Paul voted “aye.” Councilmembers Yeoman, Tafoya, and Burrell voted “nay.” The motion failed 2-to-3.

City Manager Jason Poulsen explained that in order for this preliminary subdivision to be approved, the applicant will need to make changes to the proposal and bring it forward to the Council again.

E. Action Items

1. Consideration of Resolution No. 18-21, A Resolution of the Roy City Council declaring the intent to annex portions of existing unincorporated islands as recommended by the Weber County Commission.

Mr. Poulsen explained the need for this Resolution, stating that it was the first step in the legal process of the annexation.

Councilmember Tafoya motioned to approve Resolution No. 18-21 approving Roy City Council’s declaring the intent to annex portions of existing unincorporated islands as recommended by the Weber County Commission. Councilmember Burrell seconded the motion. A roll call vote was taken. All Councilmembers voted “aye.” The motion carried.

2. Consideration of Resolution No. 18-22, A Resolution approving a Real Estate Contract of Purchase and Sale between the State of Utah Division of Facilities Construction and Management and Roy City Corporation for the property located at 5470 South 2700 West.

Mr. Poulsen explained the need for this Resolution was to be able to provide formal documentation to the Title Company. The property in question was already purchased by the City.

Councilmember Yeoman motioned to approve Resolution No. 18-22 Approving a Real Estate contract of Purchase and Sale between the State of Utah Division of Facilities Construction and Management and Roy City Corporation for the property located 5470 South 2700 West. Councilmember Paul seconded the motion. A roll call vote was taken. All Councilmembers voted “aye.” The motion carried.

3. Consideration of Resolution No. 18-23, A Resolution for the Roy City Council Declaring the week of September 17-23, 2018 as a Constitution Week.

Mayor Dandoy explained that the City was approached by the Daughters of the American Revolution with a request to declare in Roy City the week of September 17-23, 2018, as Constitution week. Constitution Week was meant to commemorate America’s most important document and was celebrated annually during the week listed above. Mayor Dandoy stated that the U.S. Constitution stands as a testament to the tenacity of Americans throughout history to maintain their liberties, freedoms, and inalienable rights. This celebration of the Constitution was started by the Daughters of the American Revolution in 1955, at which time they petitioned Congress to set aside these dates to be dedicated to the observance of Constitution Week. The Resolution was signed into law on August 2, 1956.

Councilmember Burrell motioned to approve Resolution No. 18-23 approving Roy City Council Declaring the week of September 17-23, 2018. Councilmember Yeoman seconded the motion. A roll call vote was taken. All Councilmembers voted “aye.” The motion carried.

4. **6:00 P.M. PUBLIC HEARING** to consider a request to approve; for property located at 4593 South 1900 West
 - a. Consideration of Ordinance No. 18-18, to amend the General Plan (Future Land Use map) from Commercial to Very High Density, Multi-Family Residential.
 - b. Consideration of Ordinance 18-19 to amend the zoning map from CC (Community Commercial) to R-4 (Multi-Family Residential)

Note: Items a. and b. pertain to the same property.

Councilmember Yeoman motioned to enter the public hearing. Councilmember Paul seconded the motion. All Councilmembers voted “aye.” The motion carried.

City Attorney Andy Blackburn explained that this was an application from Tamra Vawdrey, and the property in question was a little over a half acre in size. More than half of the subject property was zoned R-4 and the remaining part was zoned commercial. Mr. Blackburn presented an aerial map depicting this information. The applicant was requesting that the commercial portion be rezoned to R-4.

The applicant’s legal representation, based out of Draper, Utah, came forward and noted that the applicant ran her insurance business out of this location for several years. Ms. Vawdrey had been seeking tenants for the property for many years, but none of the tentative uses were consistent with the zoning. For this reason, the applicant was seeking to rezone a portion of the property. The nature of the surrounding properties was subsequently described.

Julie Fagan, 4571 South 1900 West, noted she was the owner of one of the properties being discussed. Ms. Fagan provided an historical overview of the area. She explained that while the City might prefer keeping the properties in question zoned commercially for tax purposes, no offers of acquisition for such purposes had been received. Multi-family development was the best use of the area, as demonstrated by the offers made and appraisals that had been conducted. For these reasons, she supported Ms. Vawdrey’s request. Ms. Fagan referenced several concerns raised during a previous public comment period, stating that density alone did not cause problems in a neighborhood; poor building design and landlord management contributed to the issues raised by citizens. She also explained that another issue facing development along the Wasatch Front was geography, where over 80% percent of Utah’s population live. The issue is that the land mass is trapped between the mountains and the Great Salt Lake. Furthermore, all of the State’s transportation centers, water supply, resources, universities and jobs were concentrated on the Wasatch Front. The dry climate and a shortage of water led to the development of smaller lots. While it was true that Roy was listed as the fifth most densely populated area in Utah, this same report ranked Ogden at 22nd, Provo as 29th and Salt Lake City as 37th. Reason being, Roy was landlocked by surrounding communities. The report listed people per square mile, excluding bodies of water. Ms. Fagan explained that transportation centers and industrial parks were not found in Roy, as they were in Ogden, Provo, and Salt Lake. Therefore, Roy, which had an 84% owner-occupancy rate, and over 90% single-family units in its housing stock, differed greatly from the characteristics found in the other cities. Given the nature of the Wasatch Front, the question may not be density but the quality and affordability of housing needed for Roy. The housing market was where the demand for land existed. Ms. Fagan stated that redevelopment and new multi-family housing units provided affordable housing options, thus making the community viable.

Lou Brown, noted his family owns property on 4400 South, explained that he had presented a development proposal to the City Council on land located immediately north of the subject property. He stated that he spent 40 years in market analysis. Development occurred because of demand. His property, similar to the applicant's, had been on the market for several years and they didn't receive any offers for commercial development. Roy had several lots that were either vacant or presently underutilized commercial properties. Mr. Brown stated that developers would look at the vacant or underutilized properties before looking at the subject property. He continued that the subject property met the recommendations of the Envision Utah Master Planning, and the need outlined therein to provide a broad range of housing stock into communities. Citing several articles, Mr. Brown stated that Utah currently had a housing affordability crisis. Homeowners who purchased townhomes were teachers, fire fighters, and small families, and took good care of their properties. For these and other reasons, he supported the applicant's proposal.

Councilmember Paul motioned to go out of the public hearing. Councilmember Tafoya seconded the motion. All Councilmembers voted "aye." The motion carried.

Councilmember Saxton asked how many townhomes would be developed in the area in question, to which he was informed that the R-4 zone allowed up to 10 units per acre. The applicant's property was less than a quarter acre in size. The three other properties that were being marketed together were about 1.25 acres. In addition, sometimes smaller developments had certain restrictions relative to setbacks and landscaping that would affect the total number of units developed. Councilmember Saxton asked if the retail value of the units had been determined; the answer he received was "no."

Councilmember Tafoya stated that he was opposed to taking away commercial space in the City, and that Roy had already reached build-out.

Councilmember Yeoman mentioned that Councilmember Saxton had been working hard on economic development in the City. She inquired further into which particular parcels would actually be rezoned, and there was subsequent discussion on the matter by staff and elected officials. In response to a question from Councilmember Burrell, the parcel listed in the application was identified using the aid of an aerial map.

Councilmember Saxton motioned to approve Ordinance No. 18-18 to amend the General Plan (Future Land Use Map) from commercial to very high density, multi-family residential. Councilmember Burrell seconded the motion. A roll call vote was taken. Councilmembers Saxton, Yeoman, and Burrell voted "aye." Councilmembers Paul and Tafoya voted "nay." The motion passed 3-to-2.

Councilmember Saxton motioned to approved Ordinance 18-19 to amend the zoning map from CC (Community Commercial) to R-4 (Multi-Family Residential). Councilmember Burrell seconded the motion. A roll call vote was taken. Councilmembers Saxton, Yeoman, and Burrell voted "aye." Councilmembers Paul and Tafoya voted "nay." The motion passed 3-to-2.

Note: Councilmember Tafoya left the meeting at 6:40 pm.

5. **6:00 P.M. PUBLIC HEARING** to Consider a Request to Amend Title 10 Zoning Regulations; comprising of the following: Chapter 17 – Table of Uses – Table 17-2 “Food Trucks” and Chapter 31 – Definitions – Site Plan
 - a. Consideration of Ordinance No. 18-20, Approving a request to Amend Title 10 Zoning Regulations; comprising of the following : Chapter 17 – Table of Uses – Table 17-2 “Food Trucks” and Chapter 31 – Definitions – Site Plan

Councilmember Paul made a motion to go into public hearing. Councilmember Burrell seconded the motion. All Councilmembers voted “aye.” The motion carried.

Mr. Blackburn explained that according to Roy City Code, a schematic scale drawing was required for food truck site plans, in addition to several other requirements. Staff determined that this was a lot to ask of food truck businesses, and the proposed Ordinance was meant to address the situation. He explained that Mr. Parkinson looked at ordinances in other cities to see what language had been implemented elsewhere. Staff was proposing an amendment that was similar to Salt Lake’s code, which he subsequently read into the record.

Mr. Blackburn explained that when looking at permitted and conditional uses, more detailed sight plans were required; however, food trucks were temporary uses. Councilmember Yeoman expressed concern regarding this Ordinance and the language in it. There was further deliberation concerning the proposed amendments from staff, as well as what action would be most appropriate to take on the item tonight.

There were no public comments offered on this item.

Councilmember Paul motioned to go out of public hearing. Councilmember Yeoman seconded the motion. All Councilmembers voted “aye.” The motion carried.

Consideration of Ordinance No. 18-20 was tabled and will be brought back before the Council after some of the descriptions have been adjusted.

F. Presentations

1. Ranked Choice Voting

Stan Lockhart, representing Utah Ranked Choice Voting, stated that he had previously served on the City Council and had a varied career in public service. He explained that several states have implemented ranked choice voting and in so doing, have noticed several advantages. This year, during the 2018 legislative session, the Utah Legislature almost unanimously authorized municipalities to use ranked choice voting in their elections. Reason being, the current method of voting had some flaws. Mr. Lockhart explained that America’s founders, when creating a representative republic, recognized that importance of an engaged public was critical to the success of our current form of government. The current method of voting did not always produce the best public engagement. Ranked choice voting allowed voters to rank preference of candidates, thereby eliminating the need for a primary election. For example, if there were five candidates running, voters would be able to rank them in order from 1-5. If a candidate received over 50% of the vote, then they would be elected. However, if nobody received 50% of the vote, then the candidate on the bottom would be removed from the ballot. A new vote would be taken to determine if a candidate received 50% of the vote at that point, and this process would continue until a majority was reached. Mr. Lockhart explained that ranked choice voting was frequently used at both Democratic and Republican Conventions. He continued listing the following incentives:

- It provided an incentive for candidates to be civil with one another, and to focus on the issues rather than making personal attacks.
- It produced more engaged voters.
- It cut down on costs because the need for a primary election was eliminated.
- It was a system that was easy to understand.

Mr. Lockhart explained that a decision on whether or not Roy City would use ranked choice voting needed to occur before January 1, 2019. In response to questions from Councilmember Yeoman and

Councilmember Burrell, Mr. Lockhart explained that this was his fifth presentation on ranked choice voting. The aforementioned date would be the earliest that any Utah municipalities would be able to implement this new voting system. He predicted that out of the 247 Utah municipalities, approximately 50 to 75 would seriously consider it. He mentioned several states in the U.S. that used a ranked choice voting system, as well as countries outside of the U.S. that use it almost exclusively. The Council requested additional information and time to research the matter prior to making a decision.

2. UDOT

Thomas Roylance, UDOT Project Manager, stated that he was overseeing the 5600 South environmental study. As part of the process, a public open house was recently held. UDOT partnered with H.W. Lochner, Inc. to perform the study, and he introduced Andrea Clayton, Lochner's Project Manager. Due to technical difficulties with the projector, the PowerPoint Presentation was unable to be displayed. However, Ms. Clayton noted that all of the infographics they had planned on sharing were available online. Mr. Poulsen distributed business cards to those in attendance listing the website where this information could be reviewed.

Ms. Clayton explained that they were in the early stages of this project which would last 15 months. UDOT would be evaluating existing problems and long-term transportation solutions on 5600 South from 3500 West to I-15, including the I-15 interchange. They would be following the National Environmental Policy Act (NEPA) process, which was required because this was a federal action. NEPA required federal agencies to take into consideration environmental and social impacts of the proposed actions before a decision was made. The Federal Highway Administration (FHWA) and UDOT entered into an agreement last year where UDOT was assigned authority to make decisions on this project. Ms. Clayton subsequently reviewed the steps in the NEPA process, which can be viewed at length at the following link: <https://www.udot.utah.gov/5600SouthEA/5600timeline.html>

Ms. Clayton stated that 31 public comments had been received to date on this study. Nine comments were received by a written comment format at the meeting, and 22 emails had been received so far. Two of the most common themes included (1) recognition of a problem existing on the corridor, and (2) concerns pertaining to safety. A scoping report would be compiled when the comment period was over. There was subsequent discussion on the matter.

G. Public Comments

Mayor Dandoy opened the floor for public comments. Seeing none, he closed the floor for public comments.

H. Reports and Discussion

1. City Manager Report

Mr. Poulsen reported on the following:

- The Roy High School football had a game scheduled for the following evening.
- The feeding the Seniors event was scheduled for September 13th at 10:30 am.
- The George Wahlen parking lot would be closed this upcoming Sunday and Monday for resurfacing.
- He reminded the group that he sent an email to Mayor and Council regarding pending improvements to the City's website.

2. Mayor and Council Report

Councilmember Yeoman expressed appreciation to her fellow Councilmembers for covering for her while she attended to some personal matters during the month of August. She also mentioned having reported to the Roy Days Committee, at which time she relayed the Council's gratitude to them for all of their hard work this year.

Councilmember Saxton reported that the Economic Advisory Committee recently met. Councilmember Paul added that there were some good projects in works taking place on 1900 West. The projects were still in the negotiation stages so details could not be provided at this time.

Mayor Dandoy stated that the Council would need to discuss the City's recycling program in an upcoming meeting.

I. Adjournment

Councilmember Paul motioned to adjourn the City Council meeting at 7:41 p.m. Councilmember Yeoman seconded the motion. All Councilmembers voted "aye". The motion carried.

Robert Dandoy
Mayor

Attest:

Morgan Langholf
City Recorder

dc: 09-04-18