



ROY CITY
Roy City Council Meeting Minutes
September 18, 2018 – 6:00 p.m.
Roy City Council Chambers
5051 South 1900 West

Minutes of the Roy City Council Meeting held in the City Council Chambers of the Roy City Municipal Building on September 18, 2018 at 6:00 p.m.

Notice of the meeting was provided to the Utah Public Notice Website at least 24 hours in advance. A copy of the agenda was posted.

The following members were in attendance:

Mayor Robert Dandoy
Councilmember Paul
Councilmember Saxton
Councilmember Tafoya
Councilmember Yeoman

City Manager, Jason Poulsen
City Attorney, Andy Blackburn

Also present were: Management Services Director, Matt Andrews; Deputy Police Chief, Aaron Perry; Public Works Director, Ross Oliver; City Planner, Steve Parkinson; City Recorder, Morgan Langholf; Willard Cragun, Denette Stanger, Carlotta Gomez, Troop 370, Trent Wilkins, Glenda Moore, Jeanne Hall, and Julee Smith.

A. Welcome & Roll Call

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

B. Moment of Silence

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

C. Pledge of Allegiance

Councilmember Paul asked Scout Troop 370 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 August 28, 2018, Roy City Town Hall Meeting Minutes and the September 4, 2018, City Council Minutes**

Councilmember Yeoman motioned to approve the August 28, 2018, Roy City Town Hall Meeting Minutes, and the September 4, 2018, City Council Minutes. Councilmember Paul seconded the motion. All Councilmembers voted “Aye.” The motion carried.

E. Action Items

1. Consideration of Resolution No. 18-24, Approving an Interlocal Agreement between Roy City and Weber County Relating to Obligations required for UPDES General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4’s) Permit no. UTR090000.

City Manager Jason Poulsen explained that the resolution was basic: he stated that it was an interlocal

agreement between Roy City and other municipalities in Weber County to assist, as needed, with any storm related issues. As with any standardized interlocal agreement, he added, there would be reciprocal help between municipalities.

Mayor Dandoy asked whether the Council had any comments or questions. There were none.

Councilmember Paul motioned to approve Resolution No. 18-24 Approving an Interlocal Agreement between Roy City and Weber County Relating to Obligations required for UPDES General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4's) Permit no. UTR090000. Councilmember Yeoman seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye." The motion carried.

2. A request for preliminary subdivision approval of Midland Square Commercial Phase 2 Subdivision located at Approximately 4088 South Midland Drive.

Mr. Poulsen explained that there might have been some confusion when he last discussed this item. He stated that the Midland Square Subdivision had already been reclassified. Since there had been confusion, he suggested clarifying and voting again.

Councilmember Paul motioned to approve the preliminary subdivision of Midland Square Commercial Phase 2 Subdivision located at approximately 4088 South Midland Drive. Councilmember Saxton seconded the motion. Councilmembers Paul, Yeoman, and Saxton voted "Aye." Councilmember Tafoya voted "Nay." The motion carried.

3. **6:00 P.M. PUBLIC HEARING** to consider approving Enterprise Fund Transfer
 - a. Consideration of Resolution 18-25: A request to Approve Enterprise Fund Transfer

Councilmember Yeoman motioned to enter the public hearing. Councilmember Paul seconded the motion. All Councilmembers voted "Aye." The motion carried.

Management Services Director Matt Andrews explained that the resolution had been discussed and approved as part of the budget. He stated that there were no added funds since the last approval. He continued by saying that this motion was meant to provide added transparency. He stated that in 2017, the State of Utah passed a code stating that cities were required to do separate hearings to provide more transparency with adjustments. He added that these adjustments were for individuals such as himself who were paid a salary from the general fund. Because of his duties, Mr. Andrews explained his wages were spread out across several funding sources. He clarified that this was only done with employees working across multiple funds such as administration. Mr. Andrews recommended that the resolution be passed.

Mayor Dandoy opened the floor for comments. No comments were made.

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

Mayor Dandoy asked if the Council had any comments. There were none.

Councilmember Yeoman motioned to approve Resolution 18-25 A request to Approve Enterprise Fund Transfer. Councilmember Paul seconded the motion. All Councilmembers voted "Aye." The motion carried.

4. Consideration of Ordinance No. 18-20 Amending Title 10 of the Roy City Municipal Code by adding/removing Chapter 17-Table of Uses-Table 17-2 “Food Trucks” and Chapter 31-Definitions-Site Plan

Steve Parkinson presented the options available. He began by providing Councilmembers with handouts. He explained that there had been a public hearing on this topic during the Planning Commission meeting about 30 days prior to the present meeting. Because of the confusion on what was required for the site plan, Mr. Parkinson took a closer look. On the screen, he showed what had been initially presented to Councilmembers. At the time, he explained, the Planning Commission had analyzed the requirements for temporary uses (firework stands, snow cone shacks, Christmas tree lots etc.) and had modified them slightly. He added that the ordinance had been tabled during the prior meeting. Mr. Parkinson stated he had gone back and reworded or changed the requirements where needed. He explained that he was brought back to Senate Bill 167, which stated that the City was not exempt from enforcing zoning regulations. Mr. Parkinson stated that there were three options. The first option, he explained, would be for food trucks to operate in their locations less than ten hours a week. This number of hours would exempt them from a site plan. If food trucks were to operate for more than ten hours a week, he continued, a site plan would be required. Mayor Dandoy asked for the exact definition of “operate” and whether prep time would be included in that definition. Councilmember Paul stated that this meant “on the premises.” Mr. Parkinson explained that according to the requirements of the Ordinance, working five days a week for three hours would require a site plan. It was then clarified that this applied to one-time events, such as the food truck going to the hospital every other week.

Mr. Parkinson explained that what was needed was for the City to know where trucks would be to ensure they would not disrupt the flow of traffic. When asked if this would require food truck owners to physically measure their location, Mr. Parkinson explained that in some instances, as was the case for the Davis Hospital, he already had the information in detail.

Mr. Parkinson then explained the second option. He stated that site plans needed to be submitted and approved for food trucks operating more than ten hours a week in one location. He added that this second option did not address the instance of less than ten hours. Mr. Parkinson continued saying that if a restaurant were allowed in a certain zone, a food truck was too and that there was no distance requirement between a food truck and a restaurant. Mr. Parkinson explained that the initial distance of 100 feet from a restaurant had been removed.

Mr. Parkinson explained that he had consulted with Ogden City to create option three. Ogden had a significant number of food trucks, he added. Mr. Parkinson explained that he had talked to Mr. Greg Montgomery, Ogden’s Planning Manager. Mr. Montgomery had stated that if a private land owner agreed to have a food truck on their property, the City did not require a site plan. Bathroom facilities and respect of traffic were still important, Mr. Parkinson added. Councilmember Yeoman mentioned that America First had approved food trucks to come on their property to offer lunch to employees. She stated that since America First had approved the food trucks, no site plan was required. Mr. Parkinson stated that according to State Statute, the trucks could not be in one location for more than ten hours a week. Councilmember Yeoman clarified that food trucks took turns coming on specific days of the week. Mr. Parkinson explained that America First had included food trucks at the same time as Kurt’s Auto Sales. As a result, he pointed out, the uses and food trucks were combined in one site plan. Mr. Parkinson explained that he did not need another site plan from them.

Councilmember Paul asked about Option three, which he felt was making many things obsolete. Mr. Parkinson explained that in Option three, if the food truck owners had the permission from a property owner, they need not provide anything else. Mayor Dandoy inquired about the City requiring a conditional use permit. Mr. Parkinson stated that these did not need to be required.

Mr. Parkinson explained that there were three options beyond the originally proposed option, which, he explained, violated State Statutes and therefore was not a viable option. Councilmember Saxton stated that businesses were charged a permit fee. Councilmember Tafoya explained that per State Law, all businesses could be charged a business license fee. He continued that food trucks could come to Roy City, and show that they had a business license fee from another city as well as their certifications from the Fire and Health Departments. He added that Roy would then not charge said food truck any business license fee. Councilmember Paul asked about tax revenue. Councilmember Tafoya explained he believed the tax revenue was split 50/50 between cities but pointed that the option provided by Mr. Parkinson did not address this topic. Mr. Parkinson explained that the license fee would be given to the city where the license was obtained. As a result, he added, a truck could get a license in one city, conduct business in another, and the latter city would not receive any licensing fee. Mr. Parkinson explained that all the new language was doing was stipulating that if a food truck operated at one location for ten hours or less, it would be exempt from a site plan.

Mayor Dandoy explained that there was an increasing number of people having wedding receptions in their yard. He stated having witnessed food trucks hired for such events. He added that while the Council had discussed instances where these trucks were on large parking lots, as was the case with the Davis Hospital or America First, food trucks also operated on private property.

Councilmember Tafoya explained that the rules should not be circumvented. Mayor Dandoy stated that 50% of the sales tax went to the City by which the sale occurred, while the remaining 50% went to the general fund. As a result, Mayor Dandoy explained, food trucks would not generate as much tax revenue as businesses that resided within City limits. Councilmember Tafoya explained that he would favor Option One because of the hour requirement. Councilmember Paul stated that his recommendation would be for Option Two or Three. He added that Option Two was clearer in the definition of the ten-hour limit. Mayor Dandoy pointed that the difference between the two options was small.

Councilmember Yeoman asked whether Councilmembers should approach food trucks that they believed had not filled out a site plan and ask about their hours of operation. Mr. Parkinson answered that the best course of action would be to call management services and ask what had been submitted. If the truck in question did need a license, it would be informed accordingly. Mr. Parkinson also explained that when the truck came in presenting their business license along with their Health and Fire Department certifications, they would be asked about the number of hours of operation.

Mayor Dandoy asked what would happen if a food truck were to state they would come two days a week, but then come more, and thus operated more than ten hours. Mr. Parkinson explained that it would come down to honesty, unless a citizen were to point out otherwise. Councilmember Saxton asked what would happen if a business had a restaurant as well as a food truck. Mr. Parkinson clarified the question and stated that as long as the food truck had permission from the private land owner, which in this case would be themselves, and were working less than 10 hours, they would not need a site plan. The question was asked what would happen if the food truck was part of the original business. Councilmember Tafoya stated that in this case the original business license would be obtained in Roy. Mr. Parkinson explained that the truck would still need to get a license but would not incur another fee.

Councilmember Yeoman asked to go back to Mayor Dandoy's example of a food truck operating on private property during a wedding. The food truck owners would have permission from the home owner and would operate less than ten hours. In this case, she continued, the food truck owners would not be required to obtain any form of license. Mr. Parkinson explained that food trucks were not allowed in a residential zone unless they were part of a special event. Councilmember Yeoman asked if the City would be required to see the existing license and certification, as she understood it to depend on the homeowner. Councilmember

Paul explained that the homeowner would be the one having to make sure the business had all its permits.

Mayor Dandoy explained that a non-fee business license could be required to operate in Roy, as long as the food truck had a valid business license from another city. Another concern, he added was to make sure all individuals handling the food had valid food handler's permits. Mr. Parkinson explained that the food truck itself had to have a Health Department inspection before being allowed to operate. Mayor Dandoy pointed to the fact that there were a lot of food trucks in the City and asked if they had come to provide documentation to the City. Mr. Parkinson answered that they had, with a few exceptions.

Councilmember Yeoman stated that if almost all the cities had the same rules, the process would be clearer for food trucks. Councilmember Tafoya asked what would be done if it was found that a food truck did not have the required documentation. Councilmember Paul stated that all food trucks required a no-fee business license to operate, regardless of the number of hours of operation. Mayor Dandoy then added that a food truck lacking the proper documentation could be suspended from operating in Roy until the situation had been remedied. Mr. Parkinson explained that citations based on zoning ordinances could be issued. A comment from the Council was made that they did not want food truck owners to believe that if they operated for less than ten hours, then documentation specific to Roy was not required.

Councilmember Paul made a motion to approve Option Two of Ordinance No. 18-20 Amending Title 10 of the Roy City Municipal Code by adding/removing Chapter 17-Table of Uses- Table 17-2 "Food Trucks" and Chapter 31- Definitions- Site Plan Option 2. Councilmember Tafoya seconded the motion. A roll call vote was taken. All Councilmember voted "Aye." The motion carried.

F. Public Comments

Mayor Dandoy opened floor for public comments.

Genie Hall, 4421 South 1800 West, explained that she had resided in Roy for 47 years. She wanted to share a sweet story with the Council. She explained that a widow lived next door to her home. She stated that the street in front of the widow's driveway was disintegrating. She stated that her husband, Allen, went to Public Works and talked to Mike who promised to take care of the issue. She mentioned that the next morning, at 9:00 a.m., Public Works had dug the part of the street that was falling apart and poured new asphalt. She continued by stating that Public Works had been very professional and lovely. She explained that knowing that Roy took care of its residents in such a way made her heart feel joy. She also expressed her appreciation for everything the City did for the Boys and Girls Club. She stated that Roy was the founding city for the Boys and Girls Club in Weber and Davis County. She mentioned that the Club had come a long way and explained that the Hope Center showed how much the City cared for its young people. Finally, Mrs. Hall stated she appreciated going down the roundabout on 4800 South: she explained that she loved how the City had decorated this area. The Roy High school metal sculpture, she added, made her heart sing. She explained there was not better way for children to appreciate their education than to have the City behind them. On the topic of the YCC, Mrs. Hall talked about a young woman who needed help from the YCC. The young LDS returned missionary, she added, had grown up in an abusive home. Upon coming back from her mission, Mrs. Hall explained, the young woman had to leave the home. Mrs. Hall explained the young woman was unmarried. The YCC, she stated, took the young woman in. She concluded by saying that she was grateful for all the help the YCC provided. Finally, she explained she was grateful for the Mayor and the Councilmembers.

Willard Cragun explained he was grateful for all the hard work the Council did in the town. He stated he appreciated the Hope Center as well as the Senior Citizen Center. He explained that the facility was marvelous. He commented on the outstanding nature of the relationship between the Boys and Girls Club and the Senior Center and stated there never were any problems. Mr. Cragun explained that the staff's hard

work in maintaining those facilities had paid off. He stated feeling that the Council gave a lot of thought to senior citizens. Speaking on behalf of the YCC, he stated that there usually was a yearly ask for donations. He explained that this was a tremendous organization, and that anyone with background in law enforcement could attest of the true value of it, not only for Roy City, but for the entire County. He further strongly encouraged that everyone support the organization. The organization, he explained, provided great support. He stated that sometimes, families of law enforcement agents were left behind. He further added that the organization provided a safe place for the women and children who are family members of Law Enforcement Officers to have a safe place to stay. He urged that the Councilmembers support the organization because several of the residents in Roy City had needed these services.

Glenda Moore, 2088 West 3825 South, stated that she was thinking ahead and would like to ask that a dumpster be placed at the City Public Works location after Christmas. She explained that this would prevent the churches from being impacted with all the garbage being thrown out. She added that every year there were multiple Facebook messages with individuals asking where they could dispose of all the packaging and other garbage. She continued that people would then show photos of school dumpsters overflowing with garbage, as well as churches. Since the Council was scheduled to meet with Waste Management the following week, she suggested tackling the issue of Christmas's increase of garbage early.

Councilmember Yeoman asked if Public Works had addressed this issue. Ross Oliver stated that there were added dumpsters the day after Christmas until the end of the year. Mayor Dandoy clarified that Public Works did offer extra dumpsters for citizens to get rid of Christmas trees and extra garbage. He continued by stating that the message needed to be made clearer. Mrs. Moore added that this information ought to be mentioned on the website.

Councilmember Paul asked if it would be possible to extend the extra dumpsters availability for another week, as many individuals did not take their tree down until after the New Year. Ross Oliver stated this was possible.

Mayor Dandoy closed the floor for public comments.

G. Presentations

1. Julee Smith - YCC

Mrs. Smith provided a handout listing the statistics and reports that had been requested. She began by thanking the Council for everything that they had done, and stated she was impressed by how concerned for the residents' well-being the Council was. She explained that the person who put the statistics together goes to court with victims of domestic violence and rape and acts as "feet on the ground." Mrs. Smith stated that this person was in attendance in the meeting audience. She added that the financial officer and a member of the board of directors were also in attendance. Mrs. Smith explained that within the last year, the YCC had served 140 individuals from Roy. She continued that these 140 individuals were only individuals who had been willing to share their addresses, as some wished not to. Mrs. Smith explained that it was crucial for the YCC to have services available when individuals needed them, which was 24/7. She added that some of the staff sometimes went out in the middle of the night taking calls, connecting with victims, and helping individuals who were terrified. Mrs. Smith stated that in such crises, victims' trust level was sometimes nonexistent: these individuals felt no place was safe. She continued by stating that the YCC wanted to extend a helping hand, welcome these individuals, and assist them in rebuilding their lives. She stated that the Oaks foundation had come to the YCC management to offer scholarships to single mothers. Mrs. Smith told the Council that one scholarship recipient had cried in her office, saying that they had never considered themselves eligible to go to college. After being called dumb, stupid, and worthless, this individual found great fulfillment in knowing they would be able to attend college. Mrs. Smith

explained that the change in this individual's demeanor was stunning. She added that when the scholarship recipient told their children, this was also a very uplifting moment for them. She continued that by saying that the children's lives would also be changed, as they now had hope and a future in the long-term. She stated that seeing their residents succeed was the staff's payday. Mrs. Smith explained that this was why the YCC wanted to continue extending a hand out to the citizens of Weber County and Roy. She added that the YCC was the second largest shelter in the State, and most diversified. She listed several classes such as self-esteem classes, children classes, and other resources to help stop the cycle of abuse. She continued that the YCC's mission was to help children not become abusers or victims of abuse themselves. Mrs. Smith explained that the goal was for individuals to walk out of the YCC and see a difference and a future without violence. She continued by stating the YCC had received money for prevention to talk in schools and help students build the foundations of healthy relationships. Mrs. Smith thanked the Mayor for everything he had done and stated that the YCC wanted to make Roy a safe place for all. She asked if the Council had any questions or comments.

A member of the board of directors came up and stated that he had been acting in this capacity for a few months. He added he had seen lives changed. He had seen women who had been dealt many difficulties be lifted up. He stated that some of the sweetest people he had met were the women and children who sought out the YCC. He explained that case workers were assigned to all the children, which he felt was an amazing resource. The women who came with nothing after having had their and their children's lives threatened could find help at the YCC. He added however that sometimes the YCC was limited in the help it could provide by the amount of funding available. He stated that the people working in the halls of the YCC were angels. He concluded stating that everything the City could do was greatly appreciated.

Mayor Dandoy asked if the Council had any comments.

Councilmember Yeoman stated that she knew the staff had requested figures about how many individuals from Roy had been helped by the YCC. She explained that those figures helped the Council when it was time to ask for donations. Mayor Dandy thanked the YCC member of the board of directors for his contribution to this discussion.

Staff sought clarification regarding the number of individuals helped, which was previously stated as 140. The inquiry then was made as to the types of services provided to those individuals, and whether the services could be simple phone calls or housing. Mrs. Smith stated that all these things were listed under services. She then apologized for having to leave the Council meeting in order to go teach a marriage class at Weber State University.

Mayor Dandoy stated that the Council needed to finish this conversation during the next meeting to make a decision on how they would proceed.

H. Reports and Discussion

1. City Manager Report

Mr. Poulsen reported on the following:

- Scarecrow Extravaganza Event

This event, Mr. Poulsen explained, had been created for the Boys and Girls Club. He stated it was to take place on October 13, 2018, at 6:00 pm. He asked that Councilmembers send an email to explain who could assist with the event, as this would help coordinate the tables and attendees at the event. He continued by saying that the City had always supported this event.

- Announcement about the Trunk or Treat

Mr. Poulsen stated this event would take place on October 31, 2018, from 5:00 p.m. to 7:00 p.m. He added this was the second annual event. He explained the event would be larger this year and would include a Pumpkin Walk, a Scarecrow decorating contest, and food trucks. He continued by saying that there had been a lot of interest in the events, with many volunteers. Councilmember Yeoman stated she hoped they would all have their proper business licenses and site plans. Mr. Poulsen encouraged the Councilmembers to attend, stating the event would be a success.

- Reminder of the Make-a-Wish Candy Donation box

Mr. Poulsen explained the donations box was in the City Management Office. The benefits, he explained would go to Primary Children.

- Transportation Plan

Mr. Poulsen stated that the Transportation Plan was nearing its completion. He continued by saying that the City management would learn more about the Transportation Plan on September 20, 2018. He stated that things were going well and that the Plan would be brought to the Council for a first look in October, 2018.

- 4800 South Railroad crossing

Mr. Poulsen stated that this intersection was the fourth deadliest in the State. He added that initially, the intersection was supposed to go through an environmental impact study. He explained that the plan had been changed and hopefully the intersection would be worked on sooner. Mr. Poulsen continued that there would be a meeting with Ross Oliver, Public Works Director, on September 24, 2018, at 9:00 a.m.

Councilmember Paul explained he had been told that drivers would not be able to turn south on 2700 West. He continued that he believed the construction would open the turn going east across the tracks on 2675 West. He asked if this would create the same issue on the east side of the track as the City had had on the west side of the track. Mr. Poulsen stated it would not. He explained that this had been specifically discussed. When going west and turning south on 2700, he continued, there would be a different turn. The engineers, he explained, had stated that there would not be the same issue as the west side.

Mayor Dandoy asked if it could be possible to offer a recommendation to the engineers to not allow that turn to take place. He stated that this turn would be a reverse of the problem the residents are currently experiencing. Councilmember Paul explained that he had used this intersection regularly. He explained he did not see the same issue going north on 2675 West. Councilmember Tafoya explained the traffic volume was different depending on the direction. Mayor Dandoy stated that he agreed, but he wanted to look at the perspective of someone being stopped waiting to take the turn while being on the track. He added that in that case, there was no gate on the side which can leave cars in the way of the train. He continued that because of the work on this railroad crossing, the roundabout would see a lot more traffic.

Councilmember Paul explained that speed was also an issue, as drivers were coming downhill. Mayor Dandoy stated that the main issue about this intersection was safety and that Mr. Poulsen was correct when he mentioned that this was one of the deadliest intersections in the state. Since the issue was being fixed, he added he would like to see the issue fixed correctly the first time. Councilmember Paul stated that Ross Oliver should ask the question about the eastbound lane turning north.

Mayor Dandoy finally pointed there were two lanes coming off from the roundabout heading east. He explained that the turn lanes narrowed down to one. He continued that making the turn lane to 2700 West be available for drivers going west would help avoid routing all the drivers to the intersection. Mr. Poulsen stated that this had been discussed. He added that the engineers had mentioned recreating the island and making it thinner. He continued that Roy City had five to 10 feet of easement on the south side.

The easement, he added, would be taken out. Mr. Poulsen concluded that the whole intersection would be engineered significantly better and should flow well.

- Curbs and Gutters

Mr. Poulsen explained that curbs and gutters had been installed south of the Elementary School, on 5725 South and 2900 West. The work, he added, was nearing completion.

- Audit

Mr. Poulsen stated that the audit was currently taking place. The auditors had stated that thus far Roy City looked good and that all the employees had done well. He added that the auditors had mentioned that Matt Andrews, Management Services Director, was doing a great job.

- Veterans Day

Mr. Poulsen stated that Veterans Day would be celebrated on November 12, 2018, at either 5:00 p.m. or 6:00 p.m. This should be a significant event on the Council's calendar. George Whalen Park, he added, would be rededicated with the military, the Elementary School, and the Wahlen family. He added that the Park was looking good and that Councilmembers should take the time to visit it.

- Public Safety Open House

Mr. Poulsen stated that the Public Safety Open House would take place on October 10, 2018, from 6:00 p.m. to 8:00 p.m. The new ambulance, he added, had been completed and would be delivered in October, 2018.

- Recycling/ Waste Management

Mr. Poulsen stated that the recycling cost was going to increase as Waste Management itself was increasing the cost. He mentioned that the Council had known about this issue and had had several Work Sessions on the topic. Members of the City Management staff, he continued, had worked well with the Waste Management representative to help clean things up. The staff had met with the Waste Management representative as well as the regional director on September 18, 2018 to work on the details. Mr. Poulsen explained that the opt-out period would be from November 1, 2018, to November 30, 2018.

Councilmember Yeoman explained she believed the opt-out period was taking place in January, 2019. Because of the billing cycles, Mr. Poulsen explained, the opt-out period had been moved to November, 2018. Councilmember Yeoman asked how this opt-out period would be communicated to residents. Mr. Poulsen explained that the information had been included in the October utility bill which had come out on September 6, 2018. The information would be repeated on the bill arriving on November 6, 2018. Mr. Poulsen stated this would be added to the newsletter in October, November, and December, 2018. He clarified that the increase was taking place in January and that maybe there was no need to put the information in the December, 2018, newsletter. Councilmember Yeoman asked about the amount of the increase. Mr. Poulsen explained that it was \$1.23/month. On October 2, 2018, Mr. Poulsen added, the resolution would be brought to the Council for a vote.

Councilmember Paul asked whether there had been a renegotiation of the cost of dropping below the required percentage of clean recycling material. Mr. Poulsen explained that Waste Management had agreed to accept 50% clean material as opposed to the initial 75%. He added that Waste Management was genuinely working with the City to find solutions. Councilmember Yeoman asked if citizens could opt-out by calling the City staff during regular business hours. Mr. Poulsen explained this was the case.

Mr. Poulsen explained that if residents opted out and did not have recycling, the cost of solid waste would go up as the amount would increase. He added that if residents recycled properly, there should not be such a significant amount of solid waste. However, he pointed that the recycling could not be tainted with food.

Councilmember Saxton stated that the City would have to pay more, either for recycling or solid waste. Councilmember Yeoman asked how much the cost of solid waste would increase. Mr. Poulsen explained this would depend on the amount. Mayor Dandoy explained that there was a contract between Waste Management and the City. As a result, he explained, Waste Management could only increase prices when the contract was due to be renewed. Councilmember Paul pointed out that the contract was due to be renewed in 18 months. At this point, Mayor Dandoy added, the City could look for another company.

Councilmember Tafoya stated that residents who opted-out, would put more in their solid waste garbage, and eventually need another garbage can. Councilmember Saxton asked if the City was truly giving residents a saving if the recycling can was taken away but the cost of solid waste collection was increased. Mr. Poulsen explained that he was not sure this could be avoided. He explained this was not a Roy City issue, but one that all cities were facing. He explained that Roy could not continue absorbing these fees on behalf of residents. Councilmember Yeoman explained that there was a contract with Waste Management but that at the end of that contract, the City could look at working with a different company with a different cost.

Mr. Poulsen added that he did not believe anything could be done, as this was a nationwide problem. Councilmember Yeoman explained that there were private recycling companies and asked whether a resident could contract privately. Mr. Poulsen answered that residents were welcome to find their own avenues for recycling. Councilmember Tafoya explained that the Weber School District used to have a program recycling cardboard and newspaper but that it had been discontinued. He stated that everybody was backing away from recycling.

It was explained that the City staff had called about nine companies which charged substantially more than what the City was being charged now. A lot of these companies would allow residents to take their recycling to them, but would not pick it up. Councilmember Yeoman explained that her son, who lived in Layton, had two to three different recycling companies come to pick up residents' recycling.

- Traffic Studies

Mr. Poulsen explained that the City was doing a couple of internal traffic studies looking at 2500 West and 5173 South. He explained that Ross Oliver was currently doing a traffic count to ascertain whether the intersection required a four-way stop sign. Mr. Poulsen explained there were 900 cars a day traveling north and south on 2500 West. With this study completed, he stated that the next study would focus on 5700 South between 3500 West and the park. He explained that this area was also challenging, with a couple of bus stops along the way. When driving 5700 South, he added, there were no stops between the park and 3500 West. The Police Department, he added, had done good work patrolling the area. Mr. Poulsen also stated that the City had put mile markers and speed limit signs on the street.

Councilmember Tafoya explained that one of the issues was that nothing had been done before. He added that he had talked to individuals in that neighborhood, and that he had been surprised how much traffic took place on that road as well as the speeds drivers were traveling. He continued that he had watched a student walk across the street and almost get run over by somebody. Visibility, he explained, was an issue during the wee hours of the morning and there was nothing to slow traffic down. Councilmember Paul continued that there were two bus stops at the intersection: one on the east side of 5700 South and 3750 as well as one on the west side, North of 3750 West. He concluded that something needed to be done to protect the students in the area.

Mayor Dandoy asked if the Council had any comments. Councilmember Paul stated that he understood the need for traffic studies, but he felt that the City could just put the stop signs without them. Mr. Poulsen asked what the Council would like for the staff to do. Councilmember Paul stated that a citizen had spoken to the Council about the issues with this road. He continued that 3750 West and 5700 South had a church

on the southwest corner, and a bus stop on the southeast corner. He added the northwest corner also had a bus stop.

Councilmembers Paul added that a four-way stop would be a solution. Councilmember Paul asked if, when creating a new traffic pattern, anything was done to signal this to drivers, such as flashing lights. He asked for the cost of the flashing stop signs and was informed they cost \$3,000 each. With this information, Councilmember Paul stated that this was not advisable.

Mayor Dandoy explained that the temporary signs used for Roy Days could be used for a week before the permanent ones were installed on 5700 South. Councilmember Yeoman asked whether a patrol officer could be in the area for some time, and, while not issuing citations, inform drivers of the new traffic pattern.

Mayor Dandoy stated that this particular street needed new traffic patterns. He continued that he got very regular emails from residents concerning traffic challenges. He added that citizens often believed that there were only two solutions: a four-way stop or road dips to slow the speed of traffic. While these were viable options, Mayor Dandoy suggested that this might set a precedent for residents to ask for such changes to be made on their street. He continued stating that there was a mathematical approach to these issues, such as the one UDOT employs when doing assessments of traffic patterns. Mayor Dandoy stated that this might be a more objective approach to know if the changes asked for by citizens were required. He added that many people in the City believed that the only way to get a traffic light or a stop sign was if a resident got injured in an accident. Mayor Dandoy stated this was not the case, but that when such accidents happened, the City was prompted to act. He provided the example of two school guards being hit on 5600 South which had allowed for a signal light to be placed. Mayor Dandoy asked Mr. Poulsen if it were possible to set a policy where factual data gathering could be a criteria as to whether stop sign and/or traffic lights are warranted. He stated being concerned that some of these traffic decisions were done on emotion, not fact. He asked whether it would be possible to develop a policy that would help definitize where the real need was, versus the want. He added that having a definitive policy based on fact might help make these decisions. When this specific case was brought up, Mayor Dandoy added, no one would argue with the need for speed regulation. He continued that this might not always be the case. The City might add a stop sign in a location and later be told it was a mistake. Having the facts and a policy, he argued, would make this process less haphazard.

Councilmember Yeoman stated that this was how the location across from George Wahlen Park had been handled. She added that speed bumps had been added and later removed. Councilmember Paul asked whether the new process being proposed would apply to the current request. Mayor Dandoy stated it would not. Councilmember Yeoman stated she agreed with the Mayor in that a policy needed to be developed. Mayor Dandoy stated that Mr. Poulsen might be able to provide the City with experts to help make these decisions and develop a strategy.

It was explained that there were formulas that UDOT used to know which traffic solutions to implement. He added that having a citizen come in and express that there seemed to be an issue is a good place to start. Mayor Dandoy asked for some help understanding this as he felt residents sometimes came to elected officials with a need but without understanding there was an established process. He added that residents' requests needed to fit the requirements. Mr. Poulsen explained that he could help shaping such a policy with the Police Chief, the Public Works Director, the City Engineer, and UDOT. He stated agreeing with Mayor: not all residents want the same traffic regulations and situations similar to that if the curb and gutter across from the Elementary School might happen. A lot of residents were unhappy that the curb and gutter were added. Councilmember Tafoya stated that in any situation, some residents would be unhappy.

Councilmember Tafoya explained that the City had some hard decisions ahead, as was the case with America First. With conflicting feedback, decisions about that road had been made that were not

satisfactory.

2. Status of RFP General Plan

Staff explained that the RFP had been submitted during the week prior to the present meeting. The application would now be reviewed by the representative of the Wasatch Regional Council. The City would then be provided with a timeline. Mayor Dandoy reminded the Council that the Wasatch Regional Council provided a \$67,000 grant to help facilitate the purchase of the study. He concluded saying that in about one month from today's date the Council would be asked to look at annexation issues with the islands.

3. Possible Infrastructure improvements needed if the Council approves the Annexation of County Islands

Mayor Dandoy asked to have Weber County give the City an idea of some of the things they had been addressing. He added that those responsibilities could now be put back into the City's sphere of authority. Mr. Poulsen stated that Ross Oliver had a Power Point presentation on the topic. Mayor Dandoy stated that the Council needed to see the whole picture to make an informed decision.

I. Adjournment

Councilmember Tafoya Motioned to Adjourn the City Council meeting at 7:18 p.m. Councilmember Yeoman seconded the motion. All Councilmembers voted "Aye." The motion carried.

Robert Dandoy
Mayor

Attest:

Morgan Langholf
City Recorder

dc: 09-18-18

Roy City Redevelopment Agency Meeting Minutes

A. Welcome & Roll Call

Chair Dandoy welcomed those in attendance at 7:18 pm and noted Boardmembers Paul, Saxton, Tafoya and Yeoman were present.

B. Consent Items

1. Approval of the August 21, 2018, RDA Meeting Minutes

Boardmember Yeoman motioned to approve August 21, 2018, RDA Meeting Minutes. Boardmember Saxton seconded the motion. All Boardmembers voted “Aye.” The motion carried.

C. Action Items

1. Review and Approval of Resolution 18-3 Guidelines for the Roy City Economic Development Loan Fund and Authorize the budget expenditure of \$300,000.00 for the program

Randy Sant presented the Guidelines to the Board as discussed in August, 2018. He explained that the staff had prepared the loan guidelines for the Board and had provided Boardmembers with copies of both the guidelines and the application documents. He continued by saying that the timeline and the process had been outlined in the guidelines, as well as the requirements to be fulfilled by the applicants. He stated, for the public record, that anything that was to be requested outside of the guidelines would need to be brought before the Board. He added that he believed having captured all the comments. The guidelines, he added, stipulated the following: the maximum amount of loan available of \$30,000; the loan terms being up to seven years; the collateral including a personal guarantee; the interest rate of 2.5% on top of the interest rate the City was receiving on its investment funds; and the cap interest of 6%. Mr. Sant stated that the staff had prepared a resolution which, upon the approval from the Board, would set in motion the ability to take applications for funding. He added that he would meet with the Finance Director to find out the process to receive checks, as well as with the auditor. He continued by saying that the staff would make sure there was plenty of documentation. Mr. Sant also pointed to the potential legal documents needed, such as a promissory note, deed of trust etc. which would be obtained with the City’s attorney’s help. With this approval, he concluded, the City would be able to start the process of loaning money to businesses.

Boardmember Saxton asked when the funds could start being disbursed. Mr. Sant explained that if approved tonight, the staff could start processing loan applications as early as the following week. He continued that the funding might take a few more days. The loan application processing itself, he added, would take seven to ten days. He continued that a few documents still needed to be prepared. Mr. Sant added that anyone could apply for funds, but that there were guidelines stipulating what the money could be used for.

Boardmember Paul asked whether these loans were only meant as gap funding. Mr. Sant explained that this was the case. He mentioned there needed to be at least a 20% participation from the applicant, and any other funding necessary for the applicant would have to be submitted to show the funding was in place. Boardmember Paul asked if the language should be revised by taking out the terms “gap” and replacing it by the term “intent to provide funding”. Mr. Sant stated this would be a positive change.

Boardmember Paul mentioned that when discussing collateral, the document should include something about “commercial code financing” to allow for equipment and merchandize to be used

to secure the loan. Mr. Sant stated that the application listed collateral funding as real estate, equipment, UCC filings, and personal property. Mr. Sant agreed that this language should be added to the guidelines document. Boardmember Paul asked whether the rate should be capped at 6%. He explained that if interest rates climbed significantly, like they did in the 1970s and 1980s, the City should be able to raise the rate. If the funds were loaned at 2.5% above the City's investment funds, the 6% cap would pose a problem if the City rates were 4% and higher.

Boardmember Tafoya stated that the City was free to deny funding for any reason. Mr. Sant stated that this was the case and that there was no guarantee of funding. He explained that credit score and past payment history could prevent someone from being offered a loan. He added that applicants needed to qualify for the funding, and the qualifications required were clearly outlined. Mr. Sant explained that the only thing the City would not ask for was personal income tax returns and social security numbers. Mr. Sant added that applicants needed to provide a recent credit report as part of their application. He explained that if the applicant failed to provide their report, they could be asked to provide their social security number. A low credit score would mean an application denial. Mr. Sant added that the application had to be signed, and that under penalty of the law, any misrepresentation on the application could prompt prosecution. He continued by saying that the City Attorney would review the application.

Chair Dandoy explained that the motion could be approved with the changes discussed. Boardmember Paul stated he believed that taking the cap off would be a positive change. Mr. Sant stated he had added the cap after a conversation with the Board but that he also felt taking the cap off could be beneficial. Boardmember Paul asked if the City's rate was fixed or adjusted with the market. Mr. Sant explained that the cap should just be eliminated. He explained that if an applicant had good credit, good collateral, and had been successful with their business, the lower interest could be recommended. He stated that an applicant with no track record and a marginal credit score would present a risk. He added that the risk could be mitigated by asking for greater collateral or increasing the interest rate with an option to reduce it later.

Boardmember Tafoya stated he would like to take the cap out. Boardmember Yeoman agreed.

Boardmember Paul pointed to the "undue financial benefits." Mr. Sant explained that this meant "undue financial hardships" as well as significant benefits that could come to the applicant from a conflict of interest. He recommended the language be left as it was. He added this was part of the items reviewed as part of the application process. Mr. Sant pointed out that after being reviewed by the staff, an application would be recommended to the loan committee and that the loan committee was made up of the Economic development committee, which included two Councilmembers. If the committee had any questions, they could request for a specific application to be reviewed by the whole Board.

Boardmember Tafoya asked if the amount loaned could be the business capital contribution. Mr. Sant explained such a loan would not be approved as the committee needed to know the applicant had their own funds tied into their business. He also added that this would be looked at on a case by case basis.

Chair Dandoy asked if the Board had any questions. There were none. He explained that the Board needed to make sure the resolution include the three elements discussed.

Boardmember Saxton motioned to approve Resolution 18-3 Guidelines for the Roy City Economic Development Loan Fund and authorize the budget expenditure of \$300,000.00 for the program with amendments. Boardmember Tafoya seconded the motion. A roll call vote was taken. All Boardmembers voted “Aye.” The motion carried.

There was a brief discussion regarding the approval of the City Council (not the RDA) Meeting Minutes, which took place earlier in the evening.

Chair Dandoy explained there had been a confirmation regarding Burger King. Boardmember Paul explained the business had applied for its permit. Staff explained that the building would be torn down and rebuilt.

Boardmember Saxton announced a grand opening that would be taking place the following day with a noon to 2 p.m. luncheon. The space, he added, was located at 4400 South 1825 West. Both the Mayor and Councilmember Saxton planned on attending. Chair Dandoy added that the Weber Chamber of Commerce would also be in attendance.

D. Adjourn

Boardmember Paul made a motion to adjourn the meeting at 7:39 PM. Boardmember Yeoman seconded the motion. All Boardmembers voted “Aye.” The motion carried.

Robert Dandoy
Director

Attest:

Morgan Langholf