



ROY CITY
Roy City Council Meeting Agenda
July 16, 2019 – 5:30 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 July 16, 2019 at 5:30 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
Councilmember Burrell
Councilmember Paul
Councilmember Saxton
Councilmember Tafoya
Councilmember Yeoman

City Manager, Matt Andrews
City Attorney, Andy Blackburn

Also present were: Police Chief, Carl Merino; Fire Chief, Jeff Comeau; Parks and Recreation Director, Travis Flint; Public Works Director, Ross Oliver; Management Services Director, Camille Cook; City Recorder, Morgan Langholf, Niki Higgs, Tonya Littlefield, Cassi Barlow, Marci Estes, Jeanne Hall, James Ebert, Karlee Stoker, Glenda Moore, Jamie Larsen, Braeden Stander, Karla Laird, Brenda Wheelwright, Ann Jackson, Trent Wilkins, Justin Barlow, Kay Buckley, Anne Williams, Brett Slater, John Cordova, Trina Favero, Heather Larsen, Ashley Larsen, Dianne Wilson, Toby Gonzales, Beverly Gonzales, Wendy Packer, Cory & Trudy Crossley, Dustee T, Mike Wagstaff

A. Welcome & Roll Call

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

B. Moment of Silence

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

C. Pledge of Allegiance

Councilmember Saxton 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 consent item, that item may be removed from the consent agenda and considered separately.)

1. Approval of the June 4 & June 16, 2019 City Council Minutes, Approving the reappointment of Planning Commissioners, as well as approval of Subdivision

Councilmember Yeoman motioned to approve the June 4 & June 16, 2019 City Council Minutes, Approving the reappointment of Planning Commissioners, as well as approval of Subdivision. Councilmember Saxton seconded the motion. All Councilmembers voted “Aye.” The motion carried.

E. Presentations

1. Employee of the Month

Management Services Director, Camille Cook, presented the June 2019 Employee of the month to Cassi Barlow as nominated by Mandie Barnes. Additionally, she presented the July 2019 Employee of the Month to Tonya Littlefield, commending her for her above and beyond preparations and assistance with the Audit.

2. Boys & Girls Club

Director James Ebert was introduced to the Council. An organization representative thanked the Council for the years of continued support from Roy City, and expressed excitement in welcoming Mr. Ebert to the board. Mr. Ebert introduced himself and said his goal was to address poverty in the community. He thanked everyone for the opportunity to serve.

3. UDOT

Brett Slater presented the I-15 Express Lane project and allowed for questions from the Council regarding the impact it would have on Roy City and its residents. He explained what improvements they planned and how they would divert traffic. It was suggested to enter I-15 further south to avoid traffic delays. Mr. Slater noted they had put up sensors to collect traffic data.

When asked when UDOT planned on finishing the project, Mr. Slater said they were working with a two-year timeframe. Mr. Slater also noted that the 1800 West project would begin in 2024.

F. Action Items

1. PUBLIC HEARING - Consideration of Ordinance 19-9; to amend the Zoning Map from LM (Light Manufacturing) to RE-20 (Residential Estates) for properties located at approximately 5149 South 2700 West

Councilmember Paul motioned to go into Public Hearing. Councilmember Tafoya seconded the motion. All Councilmembers voted “Aye.” The motion carried.

Steve Parkinson, City Planner, presented Ordinance 19-9 to amend the zoning map from LM (light manufacturing) to RE-20 for properties located at approximately 5149 South 2700 West. He explained that a resident wanted to build a garage on their property and a rezone was necessary in order to do so. He noted the Planning Commission discussed this issue and there were some concerns about animal rights. He noted that these rights were grandfathered into the area.

Councilmember Tafoya said this rezone made sense as there was no light manufacturing developing.

Councilmember Tafoya made a motion to go out of Public Hearing. Councilmember Burrell seconded the motion. All Councilmembers voted “Aye.” The motion carried.

Councilmember Yeoman made a motion to approve Ordinance 19-9 amending the Zoning Map from LM to RE-20 for properties located at 5149 South 2700 West. Councilmember Burrell seconded the motion. All Councilmembers voted “Aye.” The motion carried.

2. PUBLIC HEARING - Consideration of Resolution No. 19-10, to amend the zoning map from R-3 (Multi-Family Residential) to CC (Community Commercial) for properties located at

approximately 3926 South Midland Drive

Councilmember Paul motioned to go into Public Hearing for Ordinance 19-10 To amend the zoning map from R-3 (Multi-Family Residential) to CC (Community Commercial) for properties located at approximately 3926 South Midland Drive. Councilmember Yeoman seconded the motion. All Councilmembers voted “Aye.” The motion carried.

Steve Parkinson presented the staff report and explained that there were no current site plans or applications for the above-listed properties; however, staff they did anticipate them to come forward in the future. There was a public hearing in early July at which time several residents voiced concerns.

Mayor Robert Dandoy opened the floor for public comment.

Braeden Stander, resident, said he was not impacted by this item. However, he was impacted by a recent, similar item. He said there would be landlocked property that would become an eye sore. Mayor Dandoy explained the rezone could potentially open opportunities for this location.

Councilmember Tafoya motioned to leave the public hearing. The motion carried with unanimous consent from the Council.

The landlocked portion was discussed by the Council. The potential developments would block the property due to the lack of easements. There was some deliberation regarding how this property would be managed. Additionally, several Councilmembers were concerned about fire access and weed abatement. Mayor Dandoy stated that the land use would ultimately be determined by the Planning Commission.

Councilmember Tafoya motioned to approve Resolution No. 19-10 Approving To amend the zoning map from R-3 (Multi-Family Residential) to CC (Community Commercial) for properties located at approximately 3926 South Midland Drive. Councilmember Paul Seconded. All Councilmembers vote “Aye.” The motioned carried.

3. Consideration of Resolution No. 19-16 Approving an Interlocal Cooperation Agreement with MIDA to Provide Certain Municipal Services to the Falcon Hill Project Area.

Matt Andrews, City Manager, presented the staff report and explained that the City was asked to provide municipal services in the Falcon Hill project area. The City’s goal was to break even and not to make a profit.

The Council noted that this would bring a lot of office space to the City, which could potentially equate to high paying jobs. This would help facilitate economic growth. The Council also noted that this was not an interlocal agreement, as an interlocal agreement meant both parties would benefit. There was nothing in this agreement that immediately benefitted the City. It was stated communities that were growing needed to provide their own services.

Mayor Dandoy reiterated that this agreement would facilitate economic growth. The base provided \$3.4 billion to the community and this growth would happen with or without the City. The question was raised as to why the base did not provide fire and police for this community. Staff indicated that the City could back out of the agreement with a 90-day notice. There was subsequent discussion on the potential impacts this action would have on the City. It was noted that the Mayor of Clearfield had indicated that a similar interlocal agreement in their city did not overwhelm its services significantly.

Councilmember Yeoman motioned to approve Resolution No. 19-16 Approving an Interlocal

Cooperation Agreement with MIDA to provide certain Municipal Services to the Falcon hill Project Area. Councilmember Saxton seconded the motion. A roll call vote was taken. Councilmember Tafoya voted “nay,” and all other Councilmembers voted “Aye.” The motion carried.

4. Consideration of Resolution 19-17 Approving Ambulance Transportation Rates and Charges.

Jeff Comeau, Fire Chief, presented the staff report and explained that the State adjusted the rates once per year and this resolution would address this change.

Councilmember Tafoya motioned to approve Resolution 19-17 approving ambulance Transportation rates and charges. Councilmember Paul seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye.” The motion carried.

G. Public Comments

Mayor Dandoy opened floor for public comments.

Glenda Moore, resident, requested the City drop the fees for bee keeping. She explained bees were an important species and there needed to be more incentive for bee keeping. When asked how many beehives were operating in the City, Ms. Moore responded there were 22. She then presented the Council with a handout detailing beekeeping fees in other Utah cities.

Cory Crossley, resident, stated that there were numerous code violations at the Sunridge Assisted Living facility. He explained that the City approved a site plan that had these violations. He noted that he had provided the Council with these issues and had not heard back from the Council. He asked the City to address these violations. Lastly, Mr. Crossley suggested the public be allowed comment after the City reports.

Ross Oliver, resident, stated that the City had recently approved a cost of living raise for one department in the City. He said this was not fair to the other departments and they should consider the other departments. It was then noted that the department salaries were evaluated in prior budgets.

Carla Laird, resident, commented on the Sunridge Assisted Living facility next to her home, explaining that there were some privacy issues that she hoped the City would address by building a fence.

Jamie Larsen, resident, noted that she was also a neighbor to the Sunridge Assisted Living facility. She said she also had some privacy issues. Additionally, there was garbage from the facility that made its way onto her property. She expressed concerns with the code violations occurring on the property.

Trudy Crossley, resident, reiterated concerns pertaining to the code violations of Sunridge Assisted Living Facility. She said they were bound by the law to comply with these codes.

Mayor Dandoy closed the floor for public comments.

H. Reports and Discussion

1. City Manager Report

Mr. Andrews reported on the following:

- Flashing stop signs would soon be installed in a few locations throughout the City.

- The City purchased two feedback signs and staff was trying to find a place to put them.
- The Roy Days Schedule was reviewed.

2. Mayor and Council Report

The following reports were given:

- The old Chinese Gourmet restaurant was torn down.
- There would be a service project in mid-August. Volunteers would meet at the aquatic center and provide service throughout the City.

Next, staff and elected officials discussed the Sunridge Assisted Living facility. Mr. Andrews was invited to discuss the facts of the development. He explained that they wanted to find a way to move the dumpster as well as fund the construction of a solid masonry fence around the property. This was not the City's property and therefore they needed the facility's permission for these actions to take place. The facility was unwilling to move the dumpster. They were asked to move it to another location which would cost more money and possibly cause draining issues. Furthermore, a six-foot fence would cost \$150,000 for a six-foot fence, and even more for a taller fence. The fence height, cost and material type were subsequently discussed.

Ms. Laird remarked that a six-foot fence would not be enough. Mayor Dandoy said they would need to change the ordinance to allow taller fences. Ms. Laird asked why the dumpster could stay while it was in violation of the City's code. Mr. Andrews stated that the other location options would also be violations.

Mr. Crossley asked how much money was still held for this project; however, the amount of the bond was not known. The suggestion was made that bond funds be used to address the code violations. Mr. Andrews explained why the bond funds could not be used.

Braeden Stander, resident, stated that he was frustrated with this issue. The drainage in their neighborhood were terrible due to the facility. The development should be responsible for the code violations, not the City. He continued to explain there were ways they could mitigate these problems. Mr. Andrews stated that compromises needed to be made because the other option was to take these matters to court. The City would no longer be able to mitigate these issues if they were in a legal battle with the facility. There was further deliberation on which party—the City or the facility—was responsible for addressing the concerns with the property.

Toby Gonzales, resident, stated that this was a problem from the start, and now there were more problems than they could fix and make everyone happy. He stressed the importance of finding the best solutions possible.

Mr. Andrews explained how the fence became a problem. He noted there was ambiguity of which material would be used to build the fence; this ambiguity would favor the landowner. He continued to read from the code to explain the facility land use. There was subsequent discussion on the site plans regarding the fence.

Mr. Crossley stated that this development was presented to the City as a commercial facility; the facility was no being discussed as a residential. He said this was being done for the developer's convenience. He asked that they create some barrier between the facility and the neighborhood. Mr. Andrews said there was consensus the residents wanted an eight-foot fence. He noted this type of fence would be a large engineering project. The suggestion was made that more neighbors get involved.

Councilmember Yeomen asked if the fence could be paid for with insurance money, to which she was given

a negative answer. Councilmember Yeoman asked if the developer was willing to discuss this issue with the City. Mr. Andrews said staff was unsure. They would speak with the landowner to attend a meeting.

I. Adjournment

Councilmember Paul Motioned to Adjourn the City Council meeting at 8:33 p.m. Councilmember Tafoya seconded the motion. All Councilmembers voted “Aye.” The motion carried.

Robert Dandoy
Mayor

Attest:

Morgan Langholf
City Recorder

dc: