



## ROY CITY COUNCIL MEETING AGENDA (ELECTRONIC)

**AUGUST 18, 2020 – 5:30 P.M.**

**No physical meeting location will be available.** This meeting will be streamed live on the Roy City YouTube channel. <https://www.youtube.com/channel/UC6zdmDzxdOSW6veb2XpzCNA>

**A. Welcome & Roll Call**

**B. Moment of Silence**

**C. 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 June 16, July 7 and July 21, 2020 Roy City Council Meeting Minutes
2. Sale of Surplus 2020 Ford F150 VIN#1FTEW1E47LKD1222, 2018 Chevrolet Silverado 1500 VIN#3GCUKSECOJG111638
3. Consider a request for Preliminary Subdivision approval of Frandsen Farms Subdivision, located at approximately 4514 South 3100 West

**E. Action Items**

**1. PUBLIC HEARING- FY 2021 BUDGET**

- a. Consideration of Resolution 20-30 approving adjustments to the FY 2021 Budget

**F. Public Comments** *If you would like to make a comment during this portion of our meeting on ANY topic you will need to email [admin@royutah.org](mailto:admin@royutah.org) to request access to the ZOOM chat. Otherwise please join us by watching the live streaming at <https://www.youtube.com/channel/UC6zdmDzxdOSW6veb2XpzCNA>*

*This is an opportunity to address the Council regarding concerns or ideas on any topic. To help allow everyone attending this meeting to voice their concerns or ideas, please consider limiting the amount of time you take. We welcome all input and recognize some topics make take a little more time than others. If you feel your message is complicated and requires a lot of time to explain, then feel free to email your thoughts to [admin@royutah.org](mailto:admin@royutah.org). Your information will be forwarded to all council members and a response will be provided.*

**G. Presentations**

- a. Margaret Rose - YCC

**H. City Manager & Council Report**

**I. Discussion**

- a. SWOT Analysis

**J. Adjournment**

*In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1020 or by email: [admin@royutah.org](mailto:admin@royutah.org) at least 48 hours in advance of the meeting.*



***Public meetings will be held electronically in accordance with Code 52-4-210 et seq., Open and Public Meetings Act. Pursuant to a written determination by the Mayor finding that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present due to infectious and potentially dangerous nature of COVID -19 virus appropriate physical distancing in City Council Chambers is not achievable at this time accordingly the meeting will be held electronically***

***Pursuant to Section 52-4-7.8 (1)(e) and (3)(B)(ii) "Electronic Meetings" of the Open and Public Meetings Law, Any Councilmember may participate in the meeting via teleconference, and such electronic means will provide the public body the ability to communicate via the teleconference.***

#### **Certificate of Posting**

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this 14<sup>th</sup> of August, 2020. A copy was also provided to the Standard Examiner and posted on the Roy City Website and Utah Public Notice Website on the 14<sup>th</sup> of August, 2020.

**Morgan Langholf**  
City Recorder

Visit the Roy City Web Site @ [www.royutah.org](http://www.royutah.org)  
Roy City Council Agenda Information – (801) 774-1020



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## **ROY CITY COUNCIL MEETING AGENDA**

**JUNE 16, 2020 – 5:30 P.M.**

**ZOOM WEBINAR WITH LIVE STREAMING ON YOUTUBE**

### **A. Welcome & Roll Call**

Mayor Dandoy called the meeting to order and took roll.

### **B. Moment of Silence**

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

### **C. Pledge of Allegiance**

Councilmember Wilson led the audience through the Pledge of Allegiance.

### **D. Consent Items**

1. Approval of the February 18, April 21 and May 5, 2020 Roy City Council Meeting Minutes

Councilmember Jackson pointed that there were a few typographical errors as well as name changes and pointed that she had discussed these changes with Morgan Langholf.

**Councilmember Paul moved to approve the all consent items. Councilmember Saxton seconded the motion. All Councilmember voted “Aye.” The motion passed.**

### **E. Action Items**

1. PUBLIC HEARING- Consideration of Resolution 20-13 of the Roy City Council approving Enterprise Fund Transfer

Management Services Director, Camille Cook, presented the proposed transfer. She explained that this public hearing had become a new State requirement in 2017 with the purpose of presenting an accounting of how the money in the Enterprise Fund was used to cover administrative overhead cost attributable to the operation of the Fund and receive public input. She continued that Roy City’s General Fund, Information Technology Fund, and Risk Management Fund currently provided the administrative, clerical, maintenance, and other support of the City’s Utility Fund. She continued that the personnel included the City Manager, City Recorder, City Attorney, Legal and Risk Management Staff, Public Works Director and Staff, Management Services Director, and Accounting, Payroll, HR, and Utility Billing Staff, IT professionals, and Equipment Operators. She mentioned that these positions were split between the General Fund and the Enterprise Fund and added that the money transferred from the Utility Enterprise Fund was proportional to the amount of time these positions spent working on the Utility Enterprise Fund. Ms. Cook pointed that this was reviewed each year with the budget and that time spent was used to calculate the percentages for transfers. She pointed that money for cost not associated with the Management of the Enterprise Fund was transferred.

Ms. Cook listed the amount as followed: \$921,777 from the Water and Sewer Utility Fund to cover administrative support from the General Fund, IT Fund and Risk management Fund; she continued that \$127,958 would be pulled from the Storm Water Fund to cover administrative support from the General Fund as well as IT Fund and Risk



Management Fund. She continued that \$5795 would be pulled from the Storm and Water Utility Fund to cover clerical and labor support from the Water and Sewer Utility Fund; \$240,884 would be taken from the Solid Waste Utility Fund to cover administrative support from the General Fund, IT Fund and Risk Management Fund. She continued that \$16,392 would be pulled from the Solid Waste Utility Fund to cover clerical and labor support for the Water and Sewer Utility Fund along with \$2566 from the Solid Waste Utility Fund to cover labor provided by the Storm Utility Fund.

Ms. Cook recommended that the Council receive public input on these transfers and consider approval of the Resolution.

**Councilmember Burrell motioned to go into a public hearing. Councilmember Jackson seconded the motion. All members voted “Aye” the motion carried.**

Morgan Langholf stated that there were two requests to speak during this public hearing but added that neither individuals were in the meeting at the time of the hearing.

**Councilmember Wilson motioned to go out of public hearing. Councilmember Burrell seconded the motion. All members voted “Aye”. The motion carried.**

Councilmember Burrell stated that it was important for the public to understand that the amount transferred was proportional to the work accomplished for utilities.

**Councilmember Wilson moved to approve Resolution 20-13. Councilmember Jackson seconded the motion. A roll call vote was taken. All Councilmember voted “Aye.” The motion passed.**

## **2. PUBLIC HEARING- Consideration of Resolution 20-14 approving adjustments to the Fiscal Year 2020 Budget**

Ms. Cook explained that this resolution was meant to amend the current year: FY 2020 budget. She pointed that information had been provided to councilmembers in their respective packets. She added that this resolution would increase the previously approved FY 2020 Budget by \$3,259,392. She explained that that City had received several grants and added that the revenue and corresponding expenses needed to be recognized. She pointed that the Police Department had received \$10,500 in grant funding from the Police Asset Forfeiture as well as another grant. Another \$10,166 of beer tax funds needed to be carried forward. She continued that the Dire Department had received \$18,830 in CARES Act funding to cover cost related to ambulance transports during the pandemic. Ms. Cook continued by recognizing \$30,000 in delinquent tax revenue. She pointed that the County had collected these funds and that Staff was unsure of what the total amount would be until the property distribution which usually took place in March of each year. She continued that there was a proposed truing up the budget for the previous year’s Roy Days. She mentioned that each year the budget from the previous year was studied to assess excess fees and private donations received. The fees, she pointed, had come in at \$7,950 higher than budgeted and private contributions had come in with approximately \$35,000. She explained that these amounts offset expenses that the City used to prepare the venue, cover employee overtime, and host the celebration. She added that the amount received would also be used to cover the Miss Roy scholarship award.

Ms. Cook continued that money had been received from large building permits and plan check fees related to the Mida project. She pointed that these revenues would be received one time only and would not be collected in the future. This revenue was about \$600,000 over budget estimate. She added that there had been a surplus of multiple fixed assets as the City had sold these extra fixed assets bringing \$100,000. She added that based on the current economic impact of COVID-19, Staff proposed to transfer excess revenues to the Capital Project Fund for future allocation. She continued that the transfer would be held in Fund Balance until capital projects were presented to Council for funding consideration during FY 2021. She mentioned that the use of Fund Balance had been increased to offset any decrease in revenues due to the COVID-19 crisis and to account for the transfer to the Capital Projects Funds. Ms. Cook explained that the final amount transferred would be presented to the City Council later in the year

once all amounts were finalized. She added that an increase for Storm Sewer Development Fund and Park Development Fund had been included based on impact fees collected. She explained that impact fees in these funds were restricted to be spent on developing the storm sewer system as well as continued development and enhancement of parks. She added that the Storm Development Fund would be increased by \$57,000 while the Park Development Fund would be increased by \$70,200.

Ms. Cook recommended that the Council receive public input on these transfers and consider approval of the Resolution.

**Councilmember Burrell motioned to go into public hearing. Councilmember Paul seconded the motion. All members voted “Aye.” The motion carried.**

There were no public comments.

**Councilmember Wilson motioned to go out of public hearing. Councilmember Jackson seconded the motion. All members voted “Aye.” The motion carried.**

Councilmember Burrell commented that audits had always been clean. Therefore, when the Accounting Department recommended a transfer, it was for the benefit of the citizens and the Council.

Mayor Dandoy pointed that the worksheet showed an increase of \$1.5 million in Capital Project Funds. He asked whether this fund required specific project expenditures to be individually identified and listed. Ms. Cook stated that, at this time, there was no need for specific projects to be listed: the fund could be held in Fund Balance and in FY 2021, once revenues stabilized, specific purchases and projects would be requested. Mayor Dandoy stated that there was funding in place for purchases. Councilmember Wilson reminded councilmembers that she was new to the Council and asked for examples of Capital Projects. Matt Andrews stated that it would be any asset used over a long period of time. Mayor Dandoy asked whether purchasing land for a new cemetery would fall in that category. He was told this would be the case.

Councilmember Paul stated that one idea had been to do a quarterly budget review. He explained that with the current situation, he wished to see such a regular review to make adjustments. Mayor Dandoy stated that there would be a budget review during the first Council meeting in July due to the CARES funds coming in.

**Councilmember Paul moved to approve Resolution 20-14. Councilmember Burrell seconded the motion. A roll call vote was taken. All Councilmember voted “Aye.” The motion passed.**

### 3. PUBLIC HEARING- Consideration of Ordinance 20-7 adopting the Fiscal Year 2021 Budget

Ms. Cook stated that the FY 2021 Budget had been presented on May 5, 2020, with a total General Fund Budget of \$17,807,711. On June 2, 2020, she continued, a budget session had been held with great dialogue. She reminded the Council of the reduction put in place because of COVID-19 as well as the plan put in place to amend the budget when needed. She added that no additional feedback had been received from citizens and continued that no changes were being proposed at this time. The final budget adoption, she commented, was the same as the budget presented on May 5, 2020. She continued that the certified tax rate was 0.001959% as provided by the Weber County auditor. Ms. Cook recommended that the Council receive public input on these transfers and consider approval of the Resolution.

**Councilmember Wilson motioned to go into public hearing. Councilmember Jackson seconded the motion. All councilmembers voted “Aye.” The motion carried.**

There were no public comments.

**Councilmember Burrell motioned to go out of public hearing. Councilmember Jackson seconded the motion.**

**All members voted “Aye.” The motion carried.**

Councilmember Wilson asked a question regarding the budget and how it was being affected by the opening of the Complex. She continued that she believed it would change the budget proposition and asked for details. Ms. Cook answered that in the budget work session, two options had been discussed. The first one, she explained, would be to amend the budget from the beginning or do a budget adjustment in August or September once numbers of sales tax revenue were clearer. She explained that, at this point, it could be decided whether the funds would come from Sales Tax or Fund Balance and added that Administration had assumed that Council would prefer to wait to make that adjustments.

**Councilmember Wilson motioned to approve Ordinance 20-7. Councilmember Paul seconded the motion. A roll call vote was taken all members voted “Aye.” The motion carried.**

4. Consideration of Resolution 20-15 Amending the Roy City Personnel Policy and Procedures Manual.

Management Services Director, Camille Cook, presented the Resolution. Ms. Cook explained that the Department Managers followed the Personnel Policy and Manual as adopted by City Council while looking for ways to improve policies. She explained that the pandemic had required to act quickly to protect policies and continued that there was no teleworking policy. She added that the changes were meant to create such a policy in the event that similar circumstances arise again while setting expectations for employees and protecting City resources. She pointed that teleworking would not be available to all employees and was not intended to occur regularly for all employees but would be used as circumstances arose. She continued that the policy set in place created ways to measure performance output and that the policy set out guidelines for checking out IT equipment along with creating an agreement for expectations for employees. She mentioned that all teleworking would need to be done on City equipment and that the teleworking agreement had to be approved by both Department Director and City Manager.

Ms. Cook explained that a change to the Employee Conduct Section was proposed to establish a Fraud and Ethics Hotline in order to report suspected fraud, waste, misuse of City resources, or abuse of a position. The Hotline was the same number as HR office, she pointed. She continued that the Use of City Supplies and Property clarified that all official social media posts must be approved prior to posting and added that there were a few changes regarding the Drug Free Workplace section. She explained that the use of medical cannabis was addressed in accordance with the Utah Medical Cannabis Act. Ms. Cook added that there would be a change in the drug and alcohol testing to remove pre-employment drug testing for regular employees, but that drug testing would still be required for public safety employees and CDL license holders. She continued that testing would also be allowed based on reasonable suspicion. Ms. Cook recommended that the Council consider approving the Resolution.

Councilmember Paul stated that the teleworking was not meant to be a long-term solution, but rather an “as needed” one. Councilmember Jackson stated that all studies showed that, in some positions, teleworking created a more productive work environment. She explained that the resolution should not limit possibilities but rather create checks and balances with Directors and City Manager involved in the decision to prevent misuse of teleworking. Councilmember Paul stated that he agreed with Councilmember Jackson but pointed that teleworking was not appropriate for all positions.

Mayor Dandoy stated that the Resolution was meant to address another instance of a pandemic creating policies to allow operation under a teleworking strategy. He added that he was also hearing that it might be in the City’s best interest to allow teleworking as a routine strategy if there had been increased productivity. He added that there were 10 to 20 individuals in the City who might be able to work from home and asked whether the City would want to look into the benefits of teleworking.

Matt Andrews stated that this situation could be taken case by case as the City serviced the public. He pointed that most positions in the City could not allow teleworking. He continued that these types of positions could give the City a competitive advantage as well as help moral. Councilmember Jackson stated that her three children were working from home with two out of three getting more done while working from home as they were not interrupted.

Councilmember Burrell pointed that teleworking should be an option, not a guarantee. Councilmember Paul agreed. Councilmember Saxton agreed that this should be left as an option as it gave Mr. Andrews final say on whether to allow this depending on the circumstances.

Councilmember Wilson asked whether she was correct that Staff could not use their own equipment. She pointed that later in the Resolution, there was a statement that the City was not required to provide materials for teleworking. She asked for clarification. Ms. Cook stated that the City did not want employees doing work on their personal computers. She continued that the City would provide things such as laptops but would not provide internet service, a telephone, etc. Some of the office equipment would also be the responsibility of the employee.

Councilmember Wilson stated that in the Drug and Alcohol Testing section, Section Two, there was a mention that testing would be required of the “driver” after any accident. She added that she would like to see the word changed to “employee” as she believed there were other positions that could have accidents not related to driving.

Mr. Blackburn, legal counsel, stated that the changes made were meant to address pre-employment and reasonable suspicion. He added that there had been no changes made on the driving portion of the text. Ms. Cook pointed that no changes had been proposed to Section Two. Mr. Blackburn stated that he could take a look at this section. Councilmember Jackson asked whether all City employees were randomly drug tested. Mr. Blackburn stated that this was not the case. He pointed that there had been cases in several states where pre-employment testing without reasonable suspicion had been viewed as a violation of the Fourth Amendment. He continued that with CDL, there was testing but that with regular employees, there would be issues if there was no suspicion involved. He stated that the City had had only two pre-employment positives in the many years the tests had been completed. He added that a lot of money was spent on testing and that it was unnecessary.

Mayor Dandoy pointed to the portion of the resolution about approving social media posts before they were shared. He stated assuming that the posts concerned government websites. Ms. Cook stated that the resolution concerned only the City’s social media outlets. Mayor Dandoy asked Mr. Blackburn to address the issue of volunteer positions working for the City and posting for the City. He asked whether the City had the right to review these individuals posts as well. Mr. Blackburn stated that he would prefer for it to be the case. Councilmember Saxton stated he agreed with Mr. Blackburn. Mat Andrews stated that recommendations had come out of a PIO class. He continued that while cities tried to create valuable information for the public, one bad post could cause many issues. Councilmember Saxton stated that it would be important to speak to groups involved with projects benefitting the City about this change.

**Councilmember Burrell motioned to approve Resolution 20-15. Councilmember Wilson seconded the motion. A roll call vote was taken all members voted “Aye.” The motion carried.**

5. Consideration of Resolution 20-17 Accepting a Special Warranty Deed from the Roy City RDA for a parcel of real property

Mayor Dandoy asked Ms. Cook to discuss the resolution. Ms. Cook explained that as discussed in the redevelopment Board a few weeks prior, there was a parcel of property north of George Wahlen park. She added that the RDA board had approved the sale of the parcel to the City. The special warranty deed, she continued, would accept the property from the RDA and the City at the purchase price of \$10.

**Councilmember Paul motioned to approve Resolution 20-17. Councilmember Saxton seconded the motion. A roll call vote was taken all members voted “Aye.” The motion carried.**

6. Consideration of Resolution 20-18 Interlocal Agreement with Hill Air Force Base for Fire Protection Services.

Fire Chief, Craig Golden, presented this Resolution. He explained that it was the first time he was addressing the Mayor and Council since he had been hired and that he was glad to be doing so. He pointed that the local agreement

was specifically addressing the Mida agreement, South of the Falcon Hill Enhanced Use Lease project. He added this was different from the interlocal agreement and that Hill Air Force Base had tried to work this agreement through US Code 1856 A to enter into a reciprocal agreement. He added that the reimbursement side fell under Defense and Support of Civil Authorities. That agreement, he added, covered larger events such as aircraft crashes, hazardous materials, technical rescues, etc. In short, he continued, it covered long term events. The Fire Chief explained that there was an agreement in place since 2010 but that this particular agreement provided ambulance and ALS transport, though Roy had not done much on the North end of the Base as the gate was closed. The current agreement, he continued, had been reviewed and was set up to be reviewed annually while being valid for 20 years. He added that Hill Air Force Base was asking to make this agreement into automatic aid. He continued that the difference between Mutual Aid and Automatic Aid was that Mutual Aid required a call back to dispatch whether Automatic Aid required automatic dispatch. He added that after talking with Mr. Blackburn and Matt Andrews, he was tabling the resolution until the specifics were worked out. He added that he hoped to have clarified details and would be able to present the resolution to the Council in July 2020.

**Councilmember Paul motioned to table Resolution 20-18. Councilmember Wilson seconded the motion. All members voted “Aye.” The motion carried.**

#### 7. Consideration of Resolution 20-19 Interlocal Agreement with Clinton City for Fire Protection Services

Fire Chief, Craig Golden, presented this Resolution. He explained that the agreement also ran into an Automatic Aid agreement. He added that there sometimes were concerns about whether one municipality benefitted more than the other. After doing some research, he pointed not having found this to be the case and explained that over the last 18 months, Clinton had provided a lot for Roy. He added that this included paramedic services provided for Clinton. He recommended that the resolution be approved. Councilmember Wilson asked whether the person transported in an ambulance would be the one charged and which city would do the billing. Fire Chief Golden explained that Roy services would still be the ones working on billing.

Councilmember Jackson asked how far North or South the services went. Fire Chief Golden explained that services could go into the boundaries of Clearfield. He further explained that on rare occasions, they also went to West Point. He pointed that Roy also had agreement with Davis and went on to say that services could go anywhere in Clinton. He added that the rescue could also travel to Brigham but pointed that Brigham now had their own rescue service.

Mayor Dandoy clarified that the challenge was providing a Fire Protection Service on which there was no reimbursement. He added that when looking at the numbers, Roy offered more service outside of Roy than what it received. He added that any damage under \$50,000 would not be covered by insurance and would be the City's responsibility. He added that he did not wish to enter a conversation about the cost of human life.

Councilmember Burrell asked whether there was a correlation between police services and fire services in interlocal agreements. Chief Golden stated that he believed the police department had similar agreements. Councilmember Burrell explained that while Roy provided more services when it came to fire, they might find a balance with the services they receive for police. The Police Chief stated that there were no such agreements for police though there were some crime scenes as well as homicide task forces. Councilmember Burrell stated that Roy benefitted from the help provided by neighboring cities. Mayor Dandoy stated that data should be the deciding factor. He used the example of the proposal for heavy lifts and stated that Roy City may ask to offset the cost of a heavy lift. He explained that all municipalities sharing in that service should contribute to the cost and added that everything should be put in perspective. He continued that it was not uncommon for the first officers to respond to an emergency in Hooper to come from the Roy City Police force. The Police Chief pointed out that 90% of the time, Roy Police were the first responder in emergency situations in Hooper and West Haven.

Mayor Dandoy emphasized that informed decisions had to be made based on data points. He disclosed a personal experience his family had had with first responders and mentioned that it was important for whoever could respond the fastest to be there, but continued that cost could not, however, be neglected.



Councilmember Wilson asked whether the funds distributed by the County could be negotiated and reallocated. Mayor Dandoy stated that he wished to have that conversation with the County and fellow mayors: if Roy City provided a sizeable amount of service outside of Roy, more funds should be allocated. The Fire Chief mentioned that the agreement for the fees was driven by data and the information would be received soon.

**Councilmember Wilson motioned to approve Resolution 20-19. Councilmember Paul seconded the motion. A roll call vote was taken all members voted “Aye.” The motion carried.**

8. Consideration of Resolution 20-20 An Agreement with PACIFICORP for lease of property

Travis Flint explained that this property, which was located on 5700 South and 3260 West with a size of 2.98 acres, was primarily meant to be a detention basin. He continued that the agreement would last 5 years, and he recommended approval.

Councilmember Burrell stated that she believed that if the City bought a retention pond, the cost would be significant. Mr. Flint stated that such a pond would cost between \$300,000 and \$1 million. Councilmember Burrell asked whether approving the Resolution would save money. She was told that it would be the case. Councilmember Paul asked whether there should be a name, description, and location listed with the property. He was told there a legal description of the property was on the last page of the document.

Mayor Dandoy asked for an explanation of where the property was located. It was explained that the property was located along the power corridor around 3260 West behind Lindquist Mortuary. Councilmember Wilson stated that PacifiCorp had its own set cost and there was no room for negotiation. She added that though there might be \$1000 increase every year, the option of having the City create its own retention pond was cost prohibitive. Councilmember Paul stated that the name of the City Manager needed to be updated on the document.

**Councilmember Wilson motioned to approve Ordinance 20-7. Councilmember Paul seconded the motion. A roll call vote was taken all members voted “Aye.” The motion carried.**

9. Consideration of Resolution 20-21 and Agreement with Jordan Valley Water Conservancy District

Travis Flint explained that this Resolution dealt with an area North of the property discussed during the prior resolution. He added that the City took care of the property and that there were family activities taking place there. He pointed that the agreement did not require any rent to be paid to Jordan Valley and that the City merely had to maintain the space.

Councilmember Burrell asked whether there was any liability involved with the space. Mr. Flint stated that there were few structures on the land which reduced liability. He continued that Mr. Blackburn had added sections to the resolutions in order to protect the City. Councilmember Wilson clarified the location. Councilmember Paul asked for the official name to be specified. Mayor Dandoy stated that the Jordan Valley Water Conservancy District owned the land. He added that reliable sources had stated that, in order to bring water to the Wasatch Front, there would be lines off the Bear River to bring the water through the powerlines.

**Councilmember Burrell motioned to approve Ordinance 20-7. Councilmember Wilson seconded the motion. A roll call vote was taken all members voted “Aye.” The motion carried.**

**F. Public Comments**

1. Kevin Homer

Mr. Homer stated he was in support of the Enterprise Fund transfer. He mentioned that he had some comment about item 20-15. He asked whether the social media screening would include all Facebook pages. It was confirmed that this would be the case. He asked whether, along with filtering posts, the City would have any responsibility. He

explained that it would be good to specify who would be in charge of reviewing content to be posted. He asked whether all social media submissions would be archived. He was told that the City subscribed to a service called social archives.

Mr. Homer asked about the cost of teleworking. He stated that ten city employees participating in the program and requiring the City to buy additional laptops would mean a significant amount of money spent, since laptops were between \$1500 and \$2000. He pointed that this could cost \$15,000 to \$20,000 to the City. He proposed that the employees use the desktops that were in City offices. Matt Andrews explained that the latest computers bought had docking stations allowing employees to use them both at the office and at home.

#### **G. City Manager's Report**

Mr. Andrews stated that the Splash Pad was open. He added that the hand sanitizer station had not lasted exceptionally long. Mr. Andrews explained that the Complex also opened during the current week. He mentioned that residents were happy to come back and that numbers were coming in. Mr. Andrews stated that the 2200 West Construction was near complete. Mr. Andrews mentioned that the Municipal Park's fitness stations were ready to be used. He added that there was a fence around said stations to avoid accidents but continued that the fence should be removed shortly. Mr. Andrews explained that the fixed assets sold, as agreed during a prior Council meeting, had generated over \$100,000. Mr. Andrews stated that there had been a small leak a few days prior in front of the Fire Station located on 1900 West. He added that this would be fixed during the current week. Mr. Andrews explained that the CARES Act funding was being worked on. He pointed that about \$3 million might be disbursed to Roy City but continued that he did not have many details as of yet and anticipated the budget to be amended. He added that the first \$1.2 million would need to be spent by the end of July and that more information would soon be available. Mr. Andrews stated that the last Council Meeting of FY 2020 had taken place. He thanked the employees who made the City feel like a big family and added that the new budget year was starting he hoped it would not be as unique as the prior one.

#### **H. Mayor & Council Report**

Councilmember Burrell stated she wished to express that the City Council supported and appreciated all that Public Safety did for the City. She explained that the Council threw its confidence behind its Public Safety Department. Mayor Dandoy joked that other cities were talking about defunding their police department. Councilmember Wilson mentioned that she was curious about the Roy Police Department's policies on choke holds and knee-to-neck procedures. She mentioned that she could talk directly to the Police Chief about this. Mayor Dandoy stated that he would let the Police Chief speak for himself on the issue.

The Police Chief stated that calling what officers did a 'chokehold' was a misnomer. He explained that, when done right, the hold applied pressure to the sides of the neck and restricted blood flow to the brain. He continued that this hold could be applied for ten seconds which would cause the individual to pass out, allowing police to place handcuffs and gain control of said individual. He added that the so-called chokehold had been life saving for police when needing to control individuals who might be on drugs or mentally ill and, as a result, were belligerent and not responding to directives. He pointed that everybody responded to the chokehold. He added that there had been no instances in the nation where the hold had been an issue when applied correctly. He continued that arm bars or knees to the neck were not taught and mentioned that no policemen were taught the latter two tactics. He further argued that they should be punishing improper methods. He added that the Governor had placed an executive order banning police from using neck holds and mentioned that the legislation was taking action during its current session to eliminate the possibility of police using neck holds. He stated that he understood why legislation was being passed considering the current environment. The Police Chief further argued that the forbidding of neck holds would result in additional people being killed. He added that when fighting for one's life and not having access to means to incapacitate an opponent, police would move to lethal force. He continued that neck holds did not have residual effects when done properly. Mayor Dandoy thanked the Police Chief for his comments. Councilmember Wilson stated that she supported the Roy Police and appreciated everything they did. Councilmember Paul echoed these feelings. He added that we all needed to stand up for Public Safety workers. Councilmember Burrell stated she

agreed. Mayor Dandoy stated that there had been two resolutions that had been tabled and added that needed to be revisited once more information was received.

Mr. Andrews stated that during the Business Advisory Board, the topic of banners had to be discussed. Councilmember Saxton stated that he would let Mr. Andrews speak on the topic and would add to anything he felt needed to be expanded upon. Mr. Andrews stated that the BAB had suggested some Shop Local banners. He added that streetlights on 1900 West had banners and that there were about 120 poles where banners could be placed. He continued that banners could be installed every three to five poles. He mentioned that there were four different banners, which he described. He added that these banners could be under the category of Live Work Play banners and that 24 to 40 banners would be needed at a cost of \$1,500 to \$2,400. He continued that he was asking the Council whether the banners could be purchased. From an administration standpoint, he continued, the current state of the economy required for the banners to be bought soon. He mentioned that there had been many cuts made to the next year budget but that there were funds available in the current year budget through the Beautification Committee. He continued that direction from the Council was needed.

Councilmember Burrell asked if this question needed to be answered as a motion of a mere recommendation. She was told it needed to be a recommendation. Councilmember Burrell stated she was in support of the idea if the funding was available. Councilmember Wilson stated she was also was in agreement. Mayor Dandoy stated that with businesses currently struggling, anything bringing awareness to them would be helpful and stimulate local shopping. Councilmember Saxton explained that it would be helpful to know where the Council stood on the number of banners that could be purchased. Mr. Andrews added that the cost would be between \$1,500 and \$2,400 and that the cost had been estimated based off the last time the City had purchased banners, in 2017. He further mentioned he did not anticipate that the banners would be much more expensive. Councilmember Saxton stated that the banners would be vinyl ones and would be double sided. Councilmember Burrell pointed that she did not see a large difference in cost. Councilmember Wilson stated that she was conservative with expenses. She pointed that the Complex had been opened up at quite a cost though it served few individuals and added that the banners would be a great service for businesses and the community. As a result, she stated wanting to have banners every third pole. Councilmember Burrell agreed. Mayor Dandoy stated that the Council seemed to be in agreement and recommended for 40 banners to be purchased in the current fiscal year. He added he hoped the banners would be placed in July 2020.

## **I. Adjournment**

**Councilmember Wilson moved to adjourn the meeting. Councilmember Jackson seconded the motion. All Councilmember voted “Aye.” The meeting was adjourned at 7:00 PM.**

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Robert Dandoy, Mayor

Attest:

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Morgan Langholf, City Recorder



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## **ROY CITY COUNCIL MEETING AGENDA**

**JULY 7, 2020 – 5:30 P.M.**

**ZOOM WEBINAR WITH LIVE STREAMING ON YOUTUBE**

### **A. Welcome & Roll Call**

Mayor Dandoy called the meeting to order and took roll.

### **B. Moment of Silence**

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

### **C. Pledge of Allegiance**

Councilmember Paul led the audience through the pledge of allegiance.

### **D. Consent Items**

1. Approval of the June 2, 2020, Roy City Council Meeting Minutes, and tabling of the May 19 and June 16, 2020 Minutes

Councilmember Wilson mentioned that there needed to be a few adjustments made due to name typos.

**Councilmember Burrell moved to approve the all consent items. Councilmember Wilson seconded the motion. All Councilmember voted “Aye.” The motion passed.**

### **E. Action Items**

1. Consideration of Ordinance 20-6 amending the Roy City noise control ordinance by adding section 4-4-3.5 to prohibit engine braking on Utah State Road (SR) 97 from 1900 West to 4300 West, except for the overpass on SR 108 from Hinckley Drive to 3500 West

City Manager, Matt Andrews, presented the Ordinance. He explained that there had been complaints about engine breaks on some State roads. He continued that to enforce regulations on State road, a resolution had to be adopted through the Council. UDOT subsequently would put up a sign. He added that this had been discussed during the prior meeting but had been tabled. Mr. Andrews explained that he had reached out to UDOT and had been told that the City could either enforce the ordinance or choose not to have one: there could not be exceptions made for muffled engine breaks.

Councilmember Burrell thanked Councilmember Wilson for the information she had collected. Councilmember Wilson stated that other vehicles had much higher decibel ratings. As a result, she did not believe engine breaks did presented an issue. Councilmember Burrell stated that if commercial traffic increased, the ordinance could be revisited. Councilmember Wilson pointed that with traffic being backed, trucks would have to go unusually slowly in order to avoid using engine breaks and pointed that this seemed excessive. Councilmember Jackson stated that she disagreed with what had been stated.

Mayor Dandoy read the current ordinance: only 90 decibels of noise were allowed. Councilmember Wilson stated that having used a reader, she had found that most vehicles were under the limit of 90 decibels.



Mayor Dandoy stated that the data should be kept for the public record.

Councilmember Burrell stated that creating an ordinance that required enforcement would increase stress on the Police Force.

**No motion was made. The Ordinance died.**

2. Consideration of Resolution 20-18 A Resolution of the Roy City Council ratifying the July 25, 2015 Interlocal Cooperation Agreement for mutual aid and fire emergency services with Hill Air Force Base and amending it to include automatic aid services.

Fire Chief, Craig Golden, presented this Resolution. He stated having worked with Mr. Blackburn, legal counsel, to understand the legal details of the resolution. Mr. Golden explained where the agreement stood and added that he wanted to convert the memo from Hill Air Force Base into an automatic agreement. He continued that both agencies would benefit and would better meet time requirements.

**Councilmember Paul moved to approve Resolution 20-18. Councilmember Burrell seconded the motion. A roll call vote was taken. All Councilmember voted "Aye." The motion passed.**

3. PUBLIC HEARING- Resolution 20-22 approving adjustments to the FY 2021 budget

Management Services Director, Camille Cook presented the proposed transfer. She explained that the resolution would increase the previously approved budget by \$1,153,848 to account for the CARE Act funds received by the City. She added that the aforementioned funding could only be used for expenditures made necessary by the current public health emergency. She continued that the City Administration had met to prioritize the CARES Act funding and would fully fund each department's Phase One requests. The resolution, she continued increased the grant revenue received by the City and expenditures increases. The Police Department, she explained, would receive \$68 in CARES Act expenses for a portable Ozone machine. The Fire Department, she went on, would receive \$59,817 to cover expenses related to an air purifying system for Fire Station 31 and 32, as well as touchless plumbing, portable air purifiers, emergency patient relief covers, radios, and PPE. The Public Works Department, she continued, would receive \$3,000 for crowd barriers. She added that the Parks and Recreation Department would receive \$52,500 for face shields, crowd control fencing, touchless plumbing, locker room upgrades, and electrostatic disinfectant. Ms. Cook went on to explain that the transfer to Weber County would be increased by \$1,038,463 to fund the amended agreement that that Council would later review. She concluded stating that any extra funding received for Phase Two would be reviewed in a later budget opening.

**Councilmember Wilson motioned to go into a public hearing. Councilmember Jackson seconded the motion. All members voted "Aye." The motion carried.**

Mr. Kevin Homer

Mr. Homer thanked the Council for the opportunity to speak about Resolution 20-22 though he explained that he wished to comment on Item 9. This item, he added, did not have a public hearing comment section but he hoped the Council would add this when the item came up. He continued that he would otherwise comment for Item F. Mayor Dandoy agreed.

**Councilmember Burrell motioned to go out of public hearing. Councilmember Wilson seconded the motion. All members voted "Aye." The motion carried.**

Councilmember Burrell stated that it would be important to remember that budget reviews would be required regularly throughout the year.

**Councilmember Paul moved to approve Resolution 20-22. Councilmember Burrell seconded the motion. A**

**roll call vote was taken. All Councilmember voted “Aye.” The motion passed.**

4. Consideration of Resolution 20-24 approving a fee for the provision of Roy City Administration records

City Attorney, Andy Blackburn presented the Resolution. Mr. Blackburn stated that State Law allowed the City to charge a fee for record requests. He continued that, by resolution, all departments had different fees, though there was none for administrative records. He explained that the fee for records would be set at \$25. He mentioned that the cost was consistent with the charge applied by other cities and that fees could be changed if needed. He mentioned that if the cost for a customer came to be higher than \$50, Staff would give the customer an estimate ahead of time.

Councilmember Wilson stated needing clarifications about easy requests and asked whether this should be part of the resolution or whether it should merely be mentioned at the bottom of the web page. She pointed that a simple prompt to call Staff could solve this. Mr. Blackburn asked whether Councilmember Wilson was suggesting that Staff answer easy requests on the phone. Councilmember Wilson confirmed that providing a record would require paying the fee. Morgan Langholf stated that the application had a request for the fee to be waived in the event of a small and simple request. Mr. Blackburn stated that there were provisions in State law to waive the fee.

**Councilmember Burrell motioned to approve Resolution 20-24. Councilmember Jackson seconded the motion. A roll call vote was taken all members voted “Aye.” The motion carried.**

5. Consideration of Resolution 20-25 approving ambulance transportation charges

Fire Chief, Craig Golden presented Resolution 20-25. He explained that the resolution dealt with rate changes as allowed by the Administrative Code. He pointed to the location of the information in the code and explained it showed how much an ambulance provider could charge. The rates, he pointed, were only applicable in the event someone was transported in the ambulance. He further mentioned that cost had gone up and added that the rules would be effective as of July 1, 2020.

Councilmember Wilson asked whether these rates could be lowered due to financial hardships. Fire Chief Golden explained that there were options allowing assistance to be provided when customers went through collections. Councilmember Jackson asked whether the ambulance fee was a flat fee or whether it varied based on mileage, services provided, and supplies used. She was told there were variations.

**Councilmember Wilson motioned to approve Resolution 20-25. Councilmember Saxton seconded the motion. A roll call vote was taken all members voted “Aye.” The motion carried.**

6. Consideration of Resolution 20-26 approving a contract with Post Construction Company for the 6000 South sidewalk, curb and gutter project

Public Works Deputy Director, Brandon Edwards, presented this Resolution. He explained that three companies had bid on the project. He listed the names of the three companies which had submitted bids with the lowest bid coming in at \$86,109.50.

Councilmember Jackson asked where the project would start. She was told that it would begin on 6000 South, on the West side of 2700 West, and would tie in to the existing curb and gutter by the walking trail.

**Councilmember Paul motioned to table Resolution 20-26. Councilmember Burrell seconded the motion. All members voted “Aye.” The motion carried.**

7. Consideration of Resolution 20-27 approving a contract with Post Construction Company for the 5500 South sidewalk, curb and gutter project

Public Works Deputy Director, Brandon Edwards, presented this Resolution. He explained that this had also been

given several bids and that the lowest bid had been selected. He added that the City had an \$85,000.00 grant from the State of Utah for a safe sidewalk.

Councilmember Burrell asked where Post Construction, the company that bid the lowest, was based. She was told the company was based out of Ogden City.

Mayor Dandoy asked where this project was located and was told it begun at the assisted living facility.

Councilmember Paul asked whether the Council should start including the exact location in the Resolution. Mayor Dandoy stated that it would be good to indicate when and where projects would happen in the discussion.

**Councilmember Saxton motioned to approve Resolution 20-27. Councilmember Wilson seconded the motion. A roll call vote was taken all members voted "Aye." The motion carried.**

8. Consideration of Resolution 20-28 approving a contract with Staker Parson Companies for the 2020 street maintenance project

Public Works Deputy Director, Brandon Edwards, presented this Resolution which addressed the street maintenance program. He continued that the lowest bid had come at \$540,808 and explained that the City was familiar with the winning company as they had been working with the City for 18 years.

Councilmember Saxton mentioned that the bids were close which is a good sign. Councilmember Burrell mentioned that Staker Parson had been very good to the community as well. Councilmember Jackson asked how roads were chosen as being most in need. Councilmember Saxton asked about the location of this project as well.

**Councilmember Wilson motioned to approve Resolution 20-28. Councilmember Jackson seconded the motion. A roll call vote was taken all members voted "Aye." The motion carried.**

1. Consideration of Ordinance 20-10 Repealing and reenacting Title 1 Chapter 6 Section 5 of the Roy City Code by re-organizing and updating meeting provisions including those relating to electronic meetings and city records; also amending Title 2 Chapter 1 by adding a new section 2-1-10 regarding planning commission meetings.

City Attorney, Andy Blackburn, presented this Ordinance. He explained that since the COVID-19 crisis had begun, meetings had had to change. He continued that when the Governor declared a State of emergency, he had been part of deciding how meetings would be conducted. He added that the order would remain in place until August 20, 2020 and added that the order might be extended. He pointed that HB 5002 had been passed, requiring electronic meetings. After reading the language, Mr. Blackburn had made sure that all code was updated to reflect these changes. He continued that the current section about meetings could be clarified and described the changes he was proposing along with the type of notice that should be provided for each meeting. He added that the Mayor could decide when meetings would present a risk to participants, in which case, there was no anchor location. He mentioned that the City would need to provide a means for the public to view and participate in the meeting. He also pointed that he had added a provision for a potential increase in the cost of providing records. He explained that customers would be provided with an estimate before the time of purchase. He continued that Planning Commission meetings had been added to the resolution.

Mr. Homer requested that meetings continue to be held electronically or that the public be allowed to attend meetings that way. He pointed to changes in the language that would allow this. Councilmember Paul explained that using Zoom was easier than calling in meetings.

Councilmember Burrell asked whether it was legal to continue holding meetings via Zoom. Andy Blackburn stated he had made sure to fashion requirements in accordance with State Code. He continued that all meetings were televised on YouTube which allowed anyone to attend. Morgan Langholf confirmed the way in which meetings

could be attended. Councilmember Wilson asked whether, when offering electronic options to citizens, meetings could be held with a combination of telephone, Zoom, and YouTube. Mayor Dandoy stated that meetings had to be held live to allow for comments. He continued that transparency would be paramount and would be defined as any medium through which public could participate to a live session. He added that, at the moment, residents could send lengthier questions and comments in text form. He explained that he did not believe there was a call-in option for participants. Mr. Blackburn confirmed that there was not but added that he was leery of going outside what the governor had stipulated.

Councilmember Burrell reminded the Council of a heated discussion that had taken place in the past and explained that if such a discussion was required, the technology used would be a problem. Councilmember Paul asked whether, in the event of a Councilmember being unable to attend, there could be a Zoom meeting. Mr. Blackburn stated that this was an option. Mayor Dandoy stated that the question was whether the technology would be maintained beyond the current crisis. He continued that allowing people to join in via Zoom allowed as much transparency as could be offered.

Councilmember Burrell stated that Mr. Blackburn did not feel comfortable with the legality of changing the language from “may” to should”. Mr. Blackburn confirmed that this was the case as he did not want to go beyond what the Governor had approved. Mayor Dandoy pointed to the shift in productivity that had taken place due to the virus. Councilmember Wilson thanked Mr. Blackburn for his work. Mr. Blackburn pointed to a small clerical error in the Ordinance and stated it would be corrected.

**Councilmember Wilson motioned to approve Ordinance 20-10. Councilmember Paul seconded the motion. A roll call vote was taken all members voted “Aye.” The motion carried.**

*\*NOTE: Councilmember Paul excused himself from the meeting.*

1. Consideration of Resolution 20-29 reapproving the interlocal cooperation agreement for the distribution of CARES act funding between Roy City, Weber County and various Weber County Cities, with the deletion of section 10

City Manager, Matt Andrews, presented this Resolution. He explained that the Resolution concerned Section 2, paragraph 10 of the Resolution. He added that the intent was to help local businesses and pointed that the paragraph discussed helping individuals who had been furloughed or laid off. He continued that the intent of the agreement was to help businesses. As a result, he went on, the paragraph had been stricken. Mr. Andrews recommended approval.

Councilmember Burrell explained that in Phase Two and Three, some of these funds might go to non-profits and other entities. Mr. Andrews confirmed that, at the moment, the funds were only intended for small businesses.

Mayor Dandoy asked Mr. Blackburn if it was possible to pass the motion with 4 Councilmembers. He was told it was.

**Councilmember Jackson motioned to approve Resolution 20-29. Councilmember Saxton seconded the motion. A roll call vote was taken all members voted “Aye.” The motion carried.**

Councilmember Burrell mentioned that the local businesses were grateful to have received the information about these possibilities. Mayor Dandoy explained that businesses owners were surprised to see Councilmembers and the Mayor walking the street, distributing flyers.

#### **F. Public Comments**

There were no public comments.



## **G. Discussion**

### **1. Off Street Parking**

Mayor Dandoy pointed that this discussion item dealt with the Roy City Ordinance Title 10, Chapter 19. He explained that an individual who cut their curb to access parking on their property would be required to have 4.5 feet of space between the property line and the cut. He added that there had been a number of residents who did not have space on their cut. He explained this discussion would explore what to do moving forward. This portion of the ordinance, he went on, had been changed on March 7, 2017 and that the date of the change explained the discrepancy in some of the cuts: they were legal non-conforming. He concluded that these cuts looked good but were in violation of the ordinance.

Councilmember Wilson asked why it had been an imperative to change this in 2017. Mayor Dandoy explained that this portion of the ordinance had been incorporated in about 26 pages worth of changes. He continued that this had been as a result of Irma with a legal authority providing a briefing. He added that the ordinance change had been presented as something that would take the Council out of some of the decision making. He explained that Councilmembers sometimes made decisions based on a political basis and not consistency. He continued that, on occasion, cities had been sued and mentioned that Irma had allowed a compelling argument to take some of the ordinance issues out of the Council's hands and into the hands of the Planning Commission. He added that many issues had been addressed at the time and continued that there had not been anything prior dictating the space required for a cut. Mayor Dandoy explained that some "Fix It" tickets had been issued. Mr. Andrews confirmed that code enforcement personnel investigated and issued citations. The difficulty, he continued, was to know what was in violation versus legal non-conforming.

Councilmember Burrell clarified the difference between non-compliant and legal non-conforming. Mr. Andrews explained that the determination could be made based on the date of the permits was filed. He mentioned that as this was a fee-less permit, some people had done the work without filing, in which case it was challenging to track when the cut had been made. Mr. Andrews pointed that the curb and sidewalk were City property.

Mayor Dandoy explained that the City had poured the sidewalk on both sides of 4975 South and had inadvertently violated the current ordinance. He added that the sidewalks could be fixed, though he did not know the cost. He added that the City might not need to fix the issue and explained that the ordinance could be revisited by the Planning Commission to decide if it was worth keeping it. Based on the PC's decision, the City would decide whether to fix the sidewalk.

Mr. Blackburn asked how current applications would be handled. Mayor Dandoy stated that the City could not tell residents to violate the ordinance while also not knowing whether the ordinance would be maintained. Mayor Dandoy explained he would prefer residents currently applying be held to the current ordinance. Councilmember Wilson stated that residents could be told the ordinance was under review. She asked about the benefits of the ordinance. Mr. Blackburn explained that sometimes cuts were too close and create a large space with concrete. He added this was an aesthetics issue. He pointed that most cities also had exceptions for cul-de-sac. Councilmember Wilson stated that this might not be of great importance.

Brandon Edwards explained that he preferred the curb cut to other options.

The Council agreed let the Planning Commission review the ordinance and place a hold on further decision.

### **2. No Soliciting Policy**

Mayor Dandoy stated that the issue had been discussed with different councilmembers. He added there had been a decision made in August 2019. The pamphlet provided, he continued, had some recommendations. He clarified that Layton and Syracuse had been used as examples of different solicitation ordinances.

Councilmember Wilson stated she liked the second point which focused on product sales. She continued that there were other times when solicitation might be welcomed. She added that the most concerning solicitation was sales. Mayor Dandoy stated that he had gone to knock on doors with the Air Force to inform residents about the chemical plume in the City. He continued that a very strict ordinance would have prevented this service from being provided to residents. He added that there was a fundamental difference between no-trespassing and no-solicitation. He continued a no-trespassing sign would prevent anyone from entering the property while a no-solicitation sign would prevent people trying to sell something from entering the property. He added that solicitation was a selling issue, not a visiting one.

Mr. Blackburn explained that the topic was complicated and pointed that San Diego had a good grasp of the problem. He explained that some solicitation was of the religious kind. He continued by stating that he was working on a comprehensive overhaul of the business licensing and, as a result, would like to focus on solicitation afterwards. He added that he understood if the Council felt that the issue was not moving fast enough. He continued that working from home, he had been able to do more, and that he was hoping to soon be able to turn his attention to this matter.

Mayor Dandoy asked whether the Council approved of waiting to have Mr. Blackburn take care of the ordinance. Councilmember Wilson stated she had polled citizens asking them what they believed “no-solicitation” meant. She pointed that they had said it meant no sales attempts. Councilmember Jackson stated that anyone selling something would need to have a permit. She added that solicitors sometimes targeted older individuals on purpose. Mr. Blackburn stated that some ordinances could require that anyone selling anything would have to show their sales permit. Mayor Dandoy stated that the current ordinance was vague but mentioned that any resident who asked to be left alone was entitled to be left alone. He pointed that some sellers were very aggressive.

#### **H. City Manager’s Report**

Mr. Andrews stated that applications were open for Weber CARES and added that over 130 applications had been submitted for the entire County. He continued that a few more businesses would have applied the day of the Council meeting as well. He mentioned that an employee or two might be allocated to help with the process.

Mr. Andrews pointed that there had been a UDOT had a public hearing for the 5600 Corridor before the Council meeting and explained that the public hearing had taken place online. He added that the hearing had been more of a presentation and that UDOT would follow through the following day with another public hearing, this one being held in person at Roy Elementary School. He explained that UDOT was seeking as many public comments as possible to be submitted electronically. This, he continued, was done to reduce the number of attendees.

#### **I. Mayor & Council Report**

Mayor Dandoy stated he would receive a weekly update on the CARES Act applications from Roy Businesses. Mayor Dandoy explained that the comments for the UDOT environmental assessment study had opened on June 23 and would close on July 23, 2020.

Councilmember Wilson asked if it would be important to have a representative from Roy to help with the CARES application process. She added that Roy had the greatest number of citizens. Mayor Dandoy stated that this was a concern he had shared but that after talking with the County about how the applications would be screened, and he felt mostly comfortable with the County handling the application. He pointed that he would, however, feel more comfortable with a Roy representative present. He continued that since Roy would pay for their employee to help the County, he did not want the employee merely waiting around and not actively allowed to help. Councilmember Burrell explained that it was important to have the appropriate representation. Mr. Andrews stated he could easily send an employee to assist. Councilmember Wilson stated that she would be happy to volunteer her time to help with that process.

Councilmember Jackson asked whether the application process was on a first come first served or whether all applications received in the allotted window of time would be equally considered. Mayor Dandoy stated that some

guidelines had been created for applications. He explained that in terms of screening applications, the first ones would be prioritized. He further explained that a lot of businesses were shut down based on the Health Department decree that some functions were not allowed and added that these businesses would be prioritized on the list. He continued that there were three priority lists and that the County had been clear on how the priorities were set. Mayor Dandoy stated that his largest concern was that businesses did not apply to the program as they might find the application too cumbersome. He further stated that he wanted businesses to take advantage of this great opportunity. He concluded stating that when the funding ran out, businesses would have to wait for Phase Two funds to be released.

Councilmember Jackson stated that part of the application required for some documents to be scanned, which, she added, might not be feasible for all businesses. Mayor Dandoy explained that the City of Roy had invested in a scanner and added that residents could make arrangements to use these items for City business. Mayor Dandoy added that some businesses had told him they had lost so much during the crisis that they would not be able to reopen.

Councilmember Wilson stated that she wished to share her COVID-19 graph. She explained that the Mayor had discussed the importance of showing caution though the numbers were looking good for the City. She added that there might a second and even a third wave and explained that things were not looking good. Councilmember Wilson emphasized the importance of wearing masks: she pointed that it was important to wear a mask to protect others and the community. She pointed further that the elderly was at great risk and that masks must be worn to protect them. Mayor Dandoy asked whether Councilmembers would consider using their own social media to share numbers and encourage people to be aware of the need for safety. He added that it was important to share information and that councilmembers could share Councilmember Wilson's document.

Councilmember Jackson asked when 5600 would be completed, to which it was noted that the project would not be completed until 2021. Councilmember Jackson asked about the sewer line replacement. She was told that 2500 would be re-opened in a somewhat near future but that the rest of the project would be completed in 2021. Councilmember Jackson stated she wished to know about 2200's completion date as her shortcuts were being closed. She was told it would take time to replace the water line in that location.

Councilmember Saxton stated that the Intermountain Roy Clinic had a portion being demolished while the new clinic was in use. He added that the landscape would be updated and recommended that councilmembers visit the space. Councilmember Saxton congratulated Mayor Dandoy for becoming a grandfather again. He explained that the Mayor now had a granddaughter. Mayor Dandoy stated the wished his son had been here to welcome his child. The weight of the child was discussed. Mayor Dandoy stated that the mother of the child was doing well and was home.

## **J. Adjournment**

**Councilmember Burrell moved to adjourn the meeting. Councilmember Wilson seconded the motion. All Councilmember voted "Aye." The meeting was adjourned at 7:20 PM.**

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Robert Dandoy, Mayor

Attest:

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Morgan Langholf, City Recorder



**ROY CITY**  
**Roy City Council Meeting Minutes**  
**July 21, 2020 – 5:30 p.m.**  
Roy City Council  
Electronic Zoom Meeting

Minutes of the Roy City Council Meeting held electronically via Zoom and YouTube on July 21, 2020 at 5:30 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 Jan Burrell  
Councilmember Joe Paul  
Councilmember Bryon Saxton  
Councilmember Diane Wilson

City Manager, Matt Andrews  
City Attorney, Andy Blackburn

Also present were: Management Services Director, Camille Cook; Police Chief, Carl Merino; Fire Chief, Craig Golden; Parks and Recreation Director, Travis Flint; Public Works Director, Ross Oliver; Jodi Call, Morgan Langholf, Brandon Edwards, Steve Parkinson, Scott Wynn

**A. Welcome & Roll Call**

Mayor Dandoy welcomed those in attendance and noted Councilmembers Burrell, Paul, Saxton, Wilson were present. He excused Councilmember Jackson.

**B. Moment of Silence**

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

**C. Pledge of Allegiance**

Mayor Dandoy 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 May 19 and June 16, 2020 Roy City Council Meeting Minutes**
- 2. Sale of Surplus 2019 F150**
- 3. Re-appointment of Planning Commission members**

Mayor Dandoy explained that the first consent item was the approval of previous City Council Meeting Minutes. He noted that the June 16, 2020 Meeting minutes were not included and asked that their approval be tabled.

Councilmember Wilson made mention that she had submitted a few changes to the May 19, 2020, meeting minutes.

Matt Andrews, City Manager, explained that during the budget process it was necessary to remove a lot of

the capital assets from the budget. He furthered that typically the City will sell an older vehicle and take those proceeds to purchase a newer vehicle because the City gets such a good deal on the purchase price. Because of this, staff want to sell a 2019 F150 as it appears that the City could make some profit off its sale. If the truck were sold, staff would need to bring a budget adjustment back to the Council to purchase a new vehicle, as it was not a vehicle the City could just do away with. The advantage for selling the vehicle would be to prevent the City from being responsible for any on-going maintenance.

Council Member Wilson asked how much they anticipated it would cost to purchase a new vehicle.

Matt Andrews, City Manager, said that the prices fluctuate from year to year. Staff try and sell vehicles within \$1,000 of what they purchased them for. Even if they sell for \$1,000 less, that loss is offset by the maintenance expenses the City avoids needing to pay down the road.

It was noted that staff had talked with Ross and Brandon, from Public Works, about the purchase of the vehicle. He explained that the model that they wanted to purchase made a lot of sense. They were looking for a daily driver without any specialized beds or features making the trucks easy to resell and break even or earn a profit.

Councilmember Burrell asked if Councilmember Wilson had any questions about those being appointed to the Planning Commission. Councilmember Wilson said that she was wondering if the Council was provided a list of who was being reappointed and the length of their terms. Steve Parkinson, City Planner, asked if the Council had not received the memo. Several Councilmembers stated that they did not see the names included on the memo.

Steve Parkinson, City Planner, said that the two individuals were Claud Payne and Don Ashby who were looking to be reappointed. He added that Claud Payne had been part of the Planning Commission since August 11, 2015 and had just finished his second term. Claud Payne's attendance for his last term was 94% in 2017, 91% in 2018, 84% in 2019 with a total attendance record just shy of 90%. Don Ashby had been on the Planning Commission since February 13, 2018 as an alternate and became a voting member in November of 2019. His attendance in 2018 was 100% and just shy of 90% in 2019. His overall term attendance was just shy of 88%. He explained that Mr. Payne had one more term that he could serve and Mr. Ashby had two more terms that he could serve.

Councilmember Wilson asked how long the term was. Mr. Parkinson said they were three-year terms and members could serve three terms.

**Councilmember Paul motioned to approve the Consent Items with the proposed changes to the minutes. Councilmember Saxton seconded the motion. All Councilmembers voted "Aye." The motion carried.**

#### **E. Action Items**

1. Employee of the Month- Armondo Perez

Stuart Hackworth, Police Officer, addressed the Council with the nomination for Armondo Perez for Employee of the Month. Mr. Hackworth said that he had submitted a letter to nominate Sargent Perez for Roy City Employee of the Month. He then read the letter that he had written that communicated two different incidents that displayed Sargent Perez's professionalism and dedication to Roy City. Officer Hackworth's letter read:

On Saturday May 30, 2020, officers from Roy City and surrounding law enforcement agencies

were called to assist Ogden City to maintain peace and order during a scheduled lawful protest. Information provided as well as protests that had turned to violent rioting in Salt Lake had Ogden City prepared for the lawful protest to turn violent. I [Stuart Hackworth] was among many officers from the Roy City police department, including Sargent Perez, who volunteered to respond to assist Ogden City and the citizens of Ogden. The scene was dynamic and chaotic. I [Stuart Hackworth] was one of the first officers to arrive on the scene with many officers from other jurisdictions. Upon Sargent Perez's arrival, his services were sought out by Ogden Police Department administrators and was given the crucial role of organizing and evaluating the scene of the actual protests in downtown Salt Lake. Officer Hackworth noted that Sargent Perez's expertise was chosen above actual Ogden Police Department personnel where the protest was taking place. One deployed, Sargent Perez could be heard communicating with the Ogden Police Department by radio updating the situation and employing officers as appropriate adjustments were needed. During this time, Sargent Perez was making tactical changes in manning and positions of officers deployed. This included Roy City Police, Ogden City Police, and every other agency in Weber County. Command was asking for Sargent Perez's advice on how to best handle the ongoing situation. Sargent Perez continually re-evaluated the current conditions and made several critical observations about several doors to the city municipal building that were not properly manned and asked for additional officers as they arrived. The protest continued for several hours during which time Sargent Perez continued to check the protestors', officers', and overall scene security. The protest concluded peacefully with only one arrest made for disorderly conduct despite some of the anger and hostility that was being shown by the protestors. Without some of Sargent Perez's experience and leadership it is probable that protestors might have taken advantage of crime opportunity and escalated what was already a dynamic and dangerous situation. Only hours after the Ogden protest was complete, the Salt Lake Police department requested an immediate response from any agency who could send officers to assist with the violent riots in downtown Salt Lake. Sargent Perez again volunteered to respond. I [Stuart Hackworth] was deployed in a riot control situation very close to Sargent Perez. During this violent encounter that lasted for hours with constant profanity; insults being yelled; rocks, glass bottles and other items being thrown at police, Sargent Perez again stepped up and directed officers from other agencies to address threats safely and successfully. Sargent Perez gave clear, decisive directions to both surrounding officers and rioters alike. The Salt Lake Police Department and officers at the riot commented on the confident, professional, and heroic actions of the Roy City Police Department. Sargent Perez is no doubt a part of the courageous and professional actions observed. The above two scenarios are just a glimpse into Sargent Perez's leadership and professionalism and his involvement in leadership in these situations helped to ensure the safety of citizens and officers involved. He also has many other tasks and assignments with the Roy City Police Department at which he excels. He is the Roy City Police Department Training Coordinator, has made many improvements to the training programs and our officers. The actions of Sargent Perez in these two incidences are grand enough for acknowledge. However, Sargent Perez's overall contribution and leadership to the citizens of Roy and the Roy City Police Department are vast and incalculable. It is my [Stuart Hackworth's] hope that Sargent Perez will be recognized by Roy City as Roy City Employee of the Month.

Carl Merino, Police Chief, added that Sargent Perez was asked to manage the protests shortly after an Ogden Police Officer was shot and killed suggesting a great deal of trust in Sargent Perez. He added that it spoke volumes of Sargent Perez that he was able to keep the Ogden protest civil and at times help protesters calm down. At both protests where there were other captains and sergeants with considerably greater rank than Sargent Perez, it was because of his extensive tactical background that those people differed to him. He said that this was a remarkable display of Sargent Perez.

Sargent Perez received a plaque in recognition of the award.

The Council expressed admiration for Sargent Perez's leadership and reiterated the significance that another City requested his services. It was also noted that Sargent Perez has gained the respect of both fellow police officers, but also the community. They Mayor added how much it was appreciated that Sargent Perez was able to remain cool under fire.

Sargent Perez thanked the Council for their support. He said that others have no idea how it feels to have the support of the City when other agencies and his friends are going through a different situation. He concluded by saying thank you very much.

Mayor Dandoy said that Sargent Perez was correct: Roy City stood behind their police officers and their employees as they do so much for the community and the community outside of Roy.

2. Consideration of Resolution 20-29 approving a contract with Stark Brothers Inc. for the 2020 concrete maintenance project.

Brandon Edwards, Public Works Deputy Director, presented the contract to the council. He first noted that Morgan Langholf, City Recorder had informed him that the resolution would actually be number 20-30. He explained that there were two contractors who offered bids on the project the first being the Stark Brothers who is bid totaled \$103,110 and Zeps Co Contractors whose bid came in at \$229,098. Mr. Edwards said that they were hoping to move forward with the contract. He said that the City had worked with the Stark Brothers for the last 18 years and have always had a good relationship.

Councilmember Burrell asked where the concrete would be located.

Brandon Edwards, Public Works Deputy Director explained that it was the City's concrete contract. The contract would last three years and would have Stark Brothers take care of any miscellaneous concrete projects that arose for the City during the term of the contract.

Councilmember Wilson had a question regarding the budget. Because there were not specific projects outlined, but rather the contract was for whatever came up, she wanted to know what would happen if the needed projects overspent the estimated bid. She wanted to know if the City would just re-budget at that time or if a whole new contract would need to be written.

Brandon Edwards, Public Works Director, explained that funds for these types of capital improvements came out of the City's Class C Fund. He explained that they try and maintain a surplus of money in the account as opposed to spending it out each year. In the past the City has tried to keep their cement costs between \$100,000-\$200,000. They have had no problem maintaining spending within that range. It was then noted that the contract allows the City to complete small projects without having to bid everyone out.

Councilmember Paul noted that Stark Brothers was appreciated as a good company who had done a lot of good work for the City over the years. It was said that it was amazing that they were able to offer a bid at half of what a competing company offered as a result of their investment in the City.

**Councilmember Paul motioned to approve Resolution No. 20-29 a contract with Star Brothers Inc. for the 2020 concrete maintenance project. Councilmember Burrell seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye." The motion carried.**

3. Consideration of Ordinance 20-11 Request to amend the Zoning Map from R-1-10 (Single Family Residential) to R-1-7 (Single Family Residential) for the property located at approximately 4712 South 4300 West.

Scott Wynn, the proponent, presented his request for a zone change to the Council. He said that he was the owner and contractor of Windruff Construction. He said that he was a patio home video. He shared his screen to display some images of the patio home he constructions for seniors, retirees, and empty nesters. He said that the company was looking to rezone because most of his customers do not appreciate a large lot to maintain but prefer smaller lots that are easier to maintain. Mr. Wynn noted that there was a property adjacent to the east that was also zoned R-1-7.

In response to questions from the Council, Scott Wynn, the proponent, responded that he typically builds to suit. This means that they pre-sell the lots and build to meet the buyer's wants.

Councilmember Saxton asked how many lots would be in the development. Scott Wynn, the proponent, said that they estimate that there would be 17 lots. On one of the lots, however, there was an existing home on the property that the proponent was in the process of purchasing from the landowner. That would be the 17 lot, the other 16 which would be built by Mr. Wynn. Councilmember Saxton asked what the average square footage of the homes was. Scott Wynn, developer, said that they range from ~1,600-22,050 square feet. He explained that they were all single level homes built for seniors and retirees. Councilmember Saxton asked what the price range on these properties was. Scott Wynn, developer, said that it was a little early to determine the sale price. However, he estimated that they would sell for ~\$360,000-\$400,000. Councilmember Saxton asked if Scott Wynn, developer, had built something similar in the City. Scott Wynn, developer, said that he had not build in Roy previously, but that he had built a lot in West Haven, Clinton, Riverdale, and South Ogden. He explained that they were a family owned company who had been in business for over 40 years. He said that he inherited the business from his dad about seven years ago and had been working in the industry for about 20 years.

Councilmember Paul said that it seemed like the re-zone would allow for one more lot than was currently allowed. He asked Steve Parkinson, City Planner, if that was correct.

Steve Parkinson, City Planner, said that it all depended on how the property was designed. He explained that with the number of access roads the developer would be limited to one or two culs-du-sac. Councilmember Burrell said it seemed that there was a call or request for patio homes in Roy.

Steve Parkinson, City Planner, reiterated that this was a request to change the zoning map from R-1-10 to R-1-7 at 4712 South 4300 West. He noted that the Rocky Mountain Junior High was to the west of the property. The area to the south was zoned R-1-20, rather large lots that he did not think would develop otherwise. To the north, there was a similar 10-acre parcel to the north that the property owner had no interest in selling at the moment but could be developed later.

Councilmember Burrell asked in 4300 West had plenty of traffic access as well as 4800 South. She wanted to make sure that there would not be a traffic issue. Steve Parkinson, City Planner, said no. The road was built for these types of densities. He also displayed the zoning map and land use maps so that the Council could see that Mr. Wynn was not asking for a zoning label that differed from the area. Mr. Parkinson said that the General Plan defined anything from R-1-6 to R-1-10 as medium density. He noted that the Planning Commission did hold a public hearing and that there were no citizens in attendance who requested to comment on the item. The Planning Commission voted 7-0 to recommend approval for the zoning request.

**Councilmember Burrell motioned to approve Ordinance 20-11 to amend the Zoning Map from R-1-10 (Single Family Residential) to R-1-7 (Single Family Residential) for the property located at approximately 4712 South 4300 West. Councilmember Paul seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye." The motion carried.**



**F. Public Comments**

Mayor Dandoy opened floor for public comments. When no requests were submitted for public comments Mayor Dandoy closed the floor for public comments.

The Mayor then noted that the City received an email about Roy City's bee keeping ordinance. Because the Council prefers to have the citizen with a concern be present for public comment so that the Council can ask questions, Mayor Dandoy asked if staff could reach out to the individual and direct them to participate in the public comment during the next Council Meeting.

Morgan Langholf, City Recorder, said that she could reach out to the resident. She noted that Steve Parkinson, City Planner, had already responded to the email to answer a few of the questions.

Mayor Dandoy said that because it seemed clear that the resident had some opinions about the ordinance, it would be best if those views could be expressed and documented in the public record.

**G. Presentations**

1. Fraud Risk Assessment - Camille Cook

Camille Cook, Management Services Director, said that the State Auditor's Office developed a five-level assessment score that was intended to communicate an entities risk of fraud, abuse, and non-compliance. She explained that the levels were based on points assigned to each of the recommended measures. Because some of the measures were more effective than others, the most effective measures were assigned the most points. As the measure were adopted the scores improve. Thus, the higher the score, the lower the risk. Roy City's score for the fiscal year 2019-2020 was 335. This score placed Roy in the low risk level. She noted that over the past year staff had worked to put together and implement policies and procedures to form a more comprehensive framework and protect the city's assets to reduce the risk of fraud, misuse, and abuse. The policy updates had helped the City reach the low risk level. Ms. Cook, said that some of the older measures would need to be updated if the City wanted to move to the very low risk category. She explained that many of the recommended measures called for the separation of duties and having internal controls in place to ensure that one person does not have ability to modify all financial transactions. The assessment also considered the City's formal policies as well as staff's qualifications and recommendations for the governing board. Ms. Cook stated that the City Management Team takes this issue very seriously with the goal to get to the very low risk category. She noted that some of the recommendations were not feasible at this point for Roy and would require that the City hire more staff to be able to perform the internal audit functions. However, staff were working on the other major recommendations. When those recommendations are in place, an audit committee meeting will be scheduled to review the assessment in depth and to outline a plan to move the City into the very low risk category. She said that this would be an ongoing implementation in conjunction with the audit committee over the years with annual reports to the City Council.

There were no questions from the Council.

**H. Discussion**

1. Sponsored Park Benches

Jodi Call, Public Works Administrative Assistant, explained that she was asked by the beautification committee to present on a new program they would like to offer to the community. The program would be a joint effort between the Parks and Recreation staff and the beautification committee. The proposed adopt

a bench program would give the City an opportunity to partner with community members to add customized benches throughout the parks and walking trails throughout the community. An interested applicant would submit an online application through royutah.org. As part of the application they would be able to pick an area of interest that staff have identified. These areas include Roy West Park, George Wallen North Park, Emma Russell Park, Municipal Park and on the Denver and Rio Grande Western Trail. Those areas were selected by staff as there was a need for more benches and were areas that would be maintenance friendly for the parks department. Applicants could request a bench in a location outside of these areas, but approval would be based upon staff's decision. To sponsor a bench, applicants would pay a \$300 fee that would include the customized engraved bench and its installation. Staff anticipate that the process for approval and installation of bench applications would be about two months and intend to communicate with applicants where the City is in the process. Ms. Call noted that the City had been in the process of installing more benches. She and staff felt that the sponsorship program would be a great opportunity to offset some of the costs of installation.

Councilmember Paul said that he thought that it was a great idea and asked if there was a limit to the number of benches that could be sponsored.

Jodi Call, Public Works Administrative Assistant, said regulating the number of bench installations was part of the reason why they wanted to evaluate applications on a case by case basis as she was unsure if a particular area would get a disproportionate number of requests. With the benches on the DNRG Trail limited to trail entry points, there would be a cap on those benches. She added that staff intend to use funds from the Adopt a Tree Program budget as the program had fizzled out to support the sponsored bench program for the first year.

Councilmember Paul asked if the benches would be near the walking trails at the parks or if they would also be placed near the playgrounds as well. Jodi Call said that the City had seen a great response of people using the benches near playgrounds. Because of this that would be an area where staff would prioritize putting benches. She noted that staff were intending to install a cement pad with the bench to keep the area cleaner and reduce maintenance.

Councilmember Burrell asked if the \$300 accounted for future maintenance of the benches. Jodi Call responded that the benches that staff have moved to are a rubber coated metal bench reducing the amount of maintenance required and adding to their lifespan.

Councilmember Saxton said that he felt that the park benches looked great.

Councilmember Burrell noted that people support what they help create. She said that programs like these create community involvement and help generate a sense of ownership of their own communities.

Mayor Dandoy asked that Jodi Call communicate with the Council when the application became active on the website so that they could help advertise the program to their friends and neighbors.

To conclude, Ms. Call highlighted the variety of Adopt a \_\_\_\_\_ programs throughout the City: adopt a tree, adopt a bench, Memorial Park Bears, and adopt a trail. She said that they are currently working on revamping that section of the website to make sure that there was information on all of the different programs.

## **I. Reports**

### **1. City Manager Report**

Matt Andrews, City Manager reported that the football registration was complete for the Fall. The City was working with the Weber County Health Department to be able to play recreation football. He noted that they would follow all of the Utah Highschool Activities Associations guidelines. In addition, they would only be playing teams in their own health department area to abide by current health standards in the county.

2. Mayor and Council Report

Councilmember Saxton asked about adding an additional sentence to the ordinance approved by the Council a couple of weeks previously regarding the fees associated with GRAMA requests. He said that he was concerned that the City might take \$25 out of someone's pocket who really did not have \$25 to spare. He wanted to make sure that the ordinance was such that the City was protected as well. In response, Andy Blackburn, City Attorney, said that there was already a provision in the ordinance that talked about waiver that was for anyone who could not afford the fee.

Councilmember Burrell noted the wonderful Miss Roy pageant. She said that it was a beautiful event in an unprecedented time. She wanted to thank everyone who sponsored the event put work into its implementation.

Mayor Dandoy noted that Thursday, July 23<sup>rd</sup> was the last day to submit public comment for the 5600 South environmental assessment study. He said that residents could make public comment through the royutah.org website. Following the end of the period of public comment, responses will be forwarded through UDOT leadership for final approval. He said that Roy City was working on a comment to submit to address areas of concern the City had regarding the 5600 South study.

**COUNCILMEMBER WILSON MOTIONED TO GO INTO A CLOSED MEETING VIA ZOOM TO DISCUSS PENDING OR IMMINENT LITIGATION. COUNCILMEMBER PAUL SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN. ALL MEMBERS VOTED "AYE." THE MOTION CARRIED.**

J. Adjournment

**Councilmember Wilson Motioned to Adjourn the City Council meeting at 7:34 p.m. Councilmember Paul 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



# STAFF REPORT

City Council

August 18, 2020

## SYNOPSIS

### Application Information

Applicant: P. Clayton Wolf III  
Request: Consider a request for Preliminary Subdivision approval of Frandsen Farms Subdivision.  
Address: 4514 South 3100 West

### Land Use Information

Current Zoning: R-1-8; Single-Family Residential  
Adjacent Zoning: North: R-1-8; Single-Family Residential South: R-1-8; Single-Family Residential  
East: R-1-8; Single-Family Residential West: RE-20; Residential Estates

### Staff

Report By: Steve Parkinson  
Recommendation: Recommends approval with conditions

## APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 10 (General Property Development Standards)
- Roy City Subdivision Ordinance Title 11, Chapter 3 (Preliminary Subdivision Application)
- Roy City Subdivision Ordinance Title 11, Chapter 9 (Subdivision Development Standards)

## PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing on August 11, 2020, the hearing was opened – the Public made the following comments:

- No Public comment was made

With no public comments the public hearing was closed.

With no additional questions or discussion, the Planning Commission voted 7-0; to forward to the City Council a recommendation of approval for Preliminary Subdivision approval of Frandsen Farms Subdivision.

## ANALYSIS

The property is located west of West Park on the East side of 3100 West. Currently the property has one (1) single-family home on the northern portion of the property.

**Subdivision:** The proposed subdivision is to subdivide the 2 acres (87,120 sq.-ft.) into seven (7) individual parcels (see Exhibit “B”). The current single-family dwelling will be removed.

**Zoning:** There are two (2) zones that surround in this parcel, to the North it is R-1-8, to the East, South and North and RE-20 to the West.

**Vehicle Access:** As required by ordinance each parcel will have access to a public street. In this case those will be off of a new road coming off of 3100 West.

**Improvements / Utilities:** All utilities will be accessible to each lot.

**DRC Review:** The DRC's memo is attached

**Summary:** This seven (7) lot subdivision can meet all aspects of the Zoning Code and Subdivision Code.



## **CONDITIONS OF APPROVAL**

1. Compliance to any conditions within this report or stated by the Planning Commission.
2. Compliance to the requirements and recommendations as outline by the DRC.

## **FINDINGS**

1. The proposed subdivision can meet all of the requirements of the Zoning Ordinance.
2. The proposed subdivision can meet all of the requirements of the Subdivision Ordinance

## **ALTERNATIVE ACTIONS**

The Planning Commission can recommend Approval, Approval with conditions, Deny or Table.

## **RECOMMENDATION**

Staff recommends approval of the Preliminary Subdivision of Glen Jenkins Subdivision located at approximately 4514 South 3100 West, with the conditions as stated within this report.

## **EXHIBITS**

- A. Aerial Map
- B. Preliminary Subdivision Plat



**EXHIBIT "A" – AERIAL MAP**



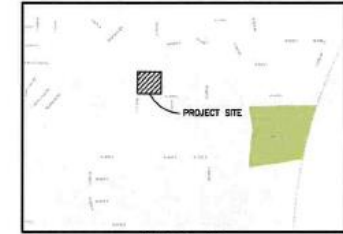
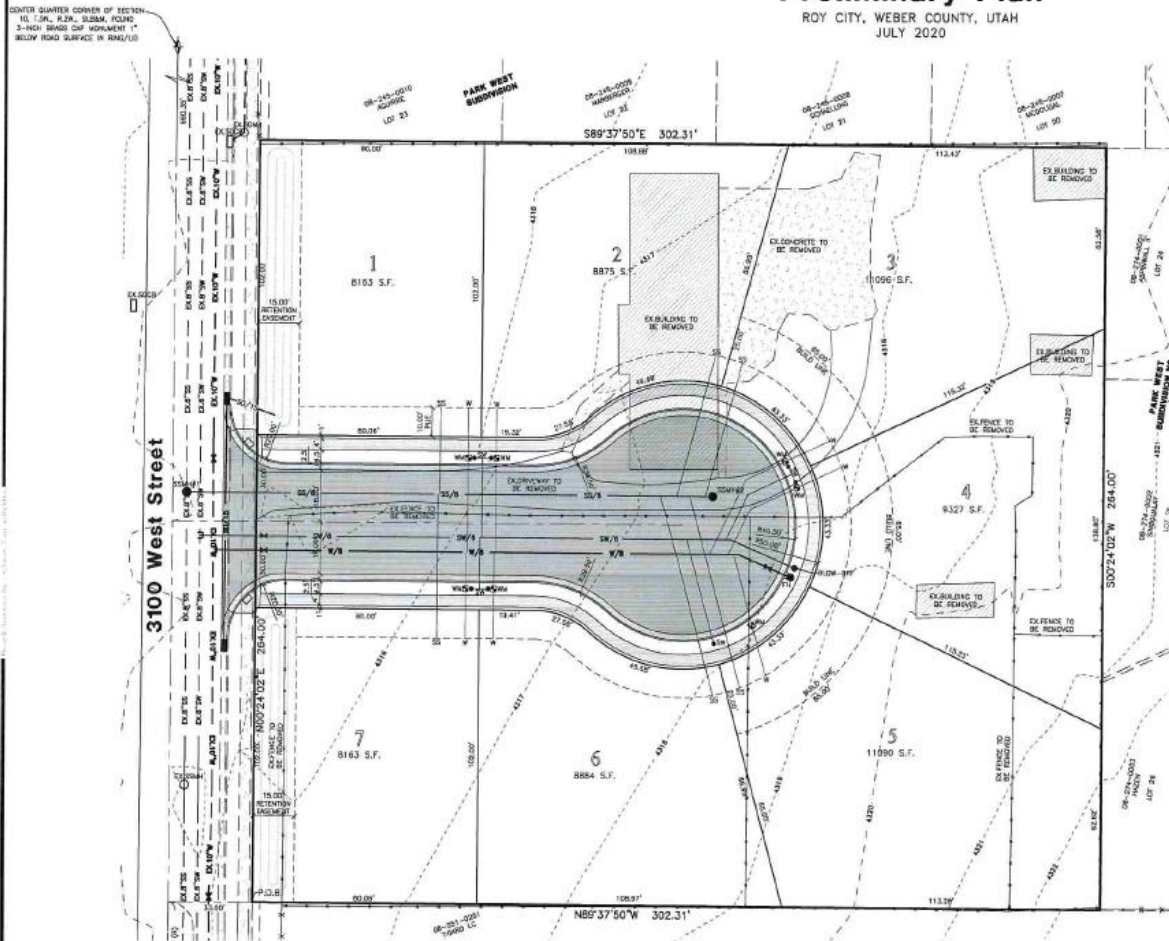


## EXHIBIT "B" – PROPOSED SUBDIVISION PLAT

# Frandsen Farm Subdivision

## Preliminary Plan

ROY CITY, WEBER COUNTY, UTAH  
JULY 2020



**Vicinity Map**  
NOT TO SCALE

### Legend

- |     |  |    |  |
|-----|--|----|--|
| SS  | = PROPOSED SANITARY SEWER LINE                 | I  | = PROPOSED GATE VALVE                                    |
| CS  | = EXISTING SANITARY SEWER LINE                 | W  | = PLUG W/ 2" BLOW-OFF                                    |
| IR  | = PROPOSED IRRIGATION WATER LINE               | S  | = PROPOSED STORM DRAIN MANHOLE                           |
| EUR | = EXISTING IRRIGATION WATER LINE (SIZE VARIES) | SG | = PROPOSED SINGLE GRATE CATCH BASIN WITH BICYCLE-SAFE GR |
| EW  | = PROPOSED CULINARY WATER LINE (SIZE VARIES)   | R  | = PROPOSED REDUCERS                                      |
| EXW | = EXISTING CULINARY WATER LINE                 | LB | = PLUG & BLOCK   |
| SD  | = PROPOSED STORM DRAIN (SIZE VARIES)           | AA | = AIR-VAE ASSEMBLY                                       |
| ESD | = EXISTING STORM DRAIN                         | AS | = EXISTING ASPHALT SURFACE                               |
| F   | = EXISTING FENCE LINE                          | AS | = PROPOSED ASPHALT SURFACE                               |
| FH  | = PROPOSED FIRE HYDRANT                        |    |  |
| FS  | = PROPOSED SANITARY SEWER MANHOLE              |    |  |

**DESCRIPTION**

PART OF THE SOUTHEAST QUARTER OF SECTION 10,  
TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND  
MERIDIAN, FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE QUARTER SECTION LINE OF SAID SECTION 10, SAID POINT BEING 1,718.22 FEET N002°4'02"E ALONG THE QUARTER SECTION LINE FROM THE SOUTH-QUARTER CORNER OF SAID SECTION 10, AND RUNNING THENCE S89°37'50"E 33.00 FEET, THENCE N002°4'02"E 264.00 FEET, THENCE S89°37'50"E 302.31 FEET ALONG THE SOUTHERLY LINE OF THE PARK WEST SUBDIVISION, AND PROJECTION THEREOF, TO THE NORTHWEST CORNER OF PARK WEST SUBDIVISION NO. 2; THENCE S00°24'02"W 264.00 FEET TO THE SOUTHWEST CORNER OF SAID PARK WEST SUBDIVISION NO. 2; THENCE N89°37'50"W 302.31 FEET TO THE POINT OF BEGINNING.

CONTAINING 79,809 SQUARE FEET OR 1.832 ACRES, MORE OR LESS.



### Storm Runoff Calculations

The following search calculations are based on the Florida Intensity (EI) 2011 Academic Curve for the Rep City area taken from the NCSEA ASES 14 database. (Calculations were performed for the 10/24 to 11/24 term only. Some additional data has been calculated for a fully developed state and limited to the state file 03/24 class).

The calculations are as follows:

Divorcee's net		1.81 years prior	76,820 CF	
Type asset				
Personal-use assets				
House		11,150	2	0-1.8
Car		2	1	0-1.8
Life insurance		55,075	0	0-1.8
Investment assets				
Stocks				
Bond				
Real estate				
Other				
Liabilities				
Marital debt				
Personal debt				
Net worth				

Value of each CF (10% Present Factor)

Year	CF	Present Factor	Value	Difference
0	0	1.000000	0	0
1	0	0.909091	0	0
2	0	0.826446	0	0
3	0	0.751315	0	0
4	0	0.683013	0	0
5	0	0.620921	0	0
6	0	0.564474	0	0
7	0	0.513116	0	0
8	0	0.466838	0	0
9	0	0.425061	0	0
10	0	0.387816	0	0
11	0	0.355214	0	0
12	0	0.326446	0	0
13	0	0.299999	0	0
14	0	0.275561	0	0
15	0	0.252941	0	0
16	0	0.231855	0	0
17	0	0.212167	0	0
18	0	0.193750	0	0
19	0	0.176486	0	0
20	0	0.160256	0	0
21	0	0.145032	0	0
22	0	0.130793	0	0
23	0	0.117529	0	0
24	0	0.105127	0	0
25	0	0.093590	0	0
26	0	0.082809	0	0
27	0	0.072776	0	0
28	0	0.063483	0	0
29	0	0.054824	0	0
30	0	0.046793	0	0
31	0	0.039386	0	0
32	0	0.032509	0	0
33	0	0.026167	0	0
34	0	0.020264	0	0
35	0	0.014806	0	0
36	0	0.009793	0	0
37	0	0.005225	0	0
38	0	0.002123	0	0
39	0	0.000893	0	0
40	0	0.000376	0	0
41	0	0.000161	0	0
42	0	0.000068	0	0
43	0	0.000029	0	0
44	0	0.000012	0	0
45	0	0.000005	0	0
46	0	0.000002	0	0
47	0	0.000001	0	0
48	0	0.000000	0	0
49	0	0.000000	0	0
50	0	0.000000	0	0
51	0	0.000000	0	0
52	0	0.000000	0	0
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54	0	0.000000	0	0
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59	0	0.000000	0	0
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62	0	0.000000	0	0
63	0	0.000000	0	0
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66	0	0.000000	0	0
67	0	0.000000	0	0
68	0	0.000000	0	0
69	0	0.000000	0	0
70	0	0.000000	0	0
71	0	0.000000	0	0
72	0	0.000000	0	0
73	0	0.000000	0	0
74	0	0.000000	0	0
75	0	0.000000	0	0
76	0	0.000000	0	0
77	0	0.000000	0	0
78	0	0.000000	0	0
79	0	0.000000	0	0
80	0	0.000000	0	0
81	0	0.000000	0	0
82	0	0.000000	0	0
83	0	0.000000	0	0
84	0	0.000000	0	0
85	0	0.000000	0	0
86	0	0.000000	0	0
87	0	0.000000	0	0
88	0	0.000000	0	0
89	0	0.000000	0	0
90	0	0.000000	0	0
91	0	0.000000	0	0
92	0	0.000000	0	0
93	0	0.000000	0	0
94	0	0.000000	0	0
95	0	0.000000	0	0
96	0	0.000000	0	0
97	0	0.000000	0	0
98	0	0.000000	0	0
99	0	0.000000	0	0
100	0	0.000000	0	0

<b>SUMMARY:</b>			
The required 196-yr storage volume is	1,893	cubic ft	
Gravel area is	3.1	acres	



## SITE DATA

PARCEL #:	080-51-0019
PARCEL AREA:	79,809 S.F. (1.83 ACRES)
HARDSURFACE AREA:	11,730 S.F. 15.0%
ROOF AREA:	17,500 S.F. 22.0%
LANDSCAPE AREA:	50,579 S.F. 63.0%

**ZONING - R-1-8**

FRONT SETBACK: 25 FEET  
SIDE SETBACK: 8 FEET  
REAR SETBACK: 25 FEET  
MINIMUM LOT AREA 8,000 SQ. FT.

## BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS  
BETWEEN FOUND BRASS CAP MONUMENTS  
MARKING THE CENTER QUARTER CORNER  
AND SOUTH QUARTER CORNER OF SECTION  
10, T.5N., R.2W., S.1B&M., SHOWN HEREDIN  
AS: N00°24'02"E

**NOTES:**

1. CONTOURS ARE SHOWN WITH A ONE FOOT INTERVAL.



**Developer Contact:**

Clayton Wolf  
PO Box 1071  
Orem, UT, 84059  
PH: (801) 836-7498

**RA**  
**Reeve & Associates, Inc.**  
FMS 2000 5000 MED. RETAIL, OHIO

**Frandsen Farm Subdivision**  
OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 5 NORTH,  
RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY

### Preliminary Site

**Project Info.**  
Engineer: Jeremy Droper P.E.  
Draftsman: K. Foxe  
Begin Date: July 2020  
Name: FRANZEN FARM  
SUBMISSION  
Number: 7460-01

Sheet	1
1	Sheets

# REQUEST FOR COUNCIL ACTION

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**DATE:** August 10, 2020  
**TO:** Mayor and City Council  
**FROM:** Camille Cook  
**RE:** Adjustments to the FY2021 Budget

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**Ordinance** ☐      **Resolution** ☒      **Motion** ☐      **Information** ☐

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## **Executive Summary**

The following items have been requested for adjustment due to additional revenue sources and increased expenditures in the FY2021 budget.

### General Fund –

#### Revenue:

- Increase the Sale of Fixed Assets Revenue by \$78,000 based on the approval of consent items to surplus the Public Works Director and Parks & Recreation Director vehicles.
- Increase the budgeted use of fund balance reserves by \$281,094 for all expenditures listed below that aren't funded by the additional revenue items. This amount includes the carryforward amount from FY2020 remaining budget for the purchase of 4 police vehicles.

#### Expenditures:

- Increase the Recreation Building and Ground Maintenance account by \$20,000 for unexpected mold remediation expenses. Mold was caused by a leak in an old air conditioning unit at the new Recreation Building.
- Increase the Police Department Capital Assets account to carry forward \$256,094 remaining from the FY 2020 approved budget for the purchase of 4 police vehicles. These vehicles have been ordered, but due to manufacturing timelines, the vehicles will not be available until later this fall.
- Increase the Public Works Department Capital Assets by \$47,000 to purchase a new vehicle to replace the surplus of the Public Works Deputy Director's vehicle.
- Increase the Parks & Recreation Department Capital Assets by \$36,000 to purchase a new vehicle to replace the surplus of the Parks & Recreation Director's vehicle.

### Capital Projects Fund –

#### Revenue:

- Increase the budgeted use of fund balance reserves by \$184,255 to carry forward the Park & Recreational Facilities capital projects budget from FY 2020.



- Increase the budgeted use of fund balance reserves set aside for Fire Equipment by \$133,000 for the purchase of turnout personal protective gear.

Expenditures:

- Increase the Park & Recreation Facilities capital projects budget by \$184,255. Due to timing of the projects, the remaining funding from FY 2020 will need to be carried forward into FY 2021 to complete the previously approved projects.
- Increase the Fire Equipment capital budget by \$133,000 to purchase fire turnouts. Turnouts are the protective ensembles used for structural fire fighting. This budgeted amount includes the purchase of 43 sets of turnouts comprised of jacket, pants, boots, gloves, and hood as well as 86 turnout duffel bags.

Water & Sewer Utility Enterprise Fund –

Revenue:

- Increase the budgeted use of fund balance reserves by \$47,000 for the purchase of a new vehicle to replace the surplus of the Public Works Director's vehicle.

Expenditures:

- Increase the Capital Assets – Vehicle budget by \$47,000 for the purchase of a new vehicle to replace the surplus of the Public Works Director's vehicle.

Risk Management Fund –

Revenue:

- Increase the budgeted use of fund balance reserves by \$11,800 to cover the unplanned expense of removing expired firefighting foam.

Expenditures:

- Increase the General Risk Management account by \$11,800 to cover the disposal of 400 pounds of AFFF (Aqueous Film Forming Foam) used for aircraft firefighting. This foam has been in the City's possession for over 15 years and has expired for use in firefighting. This budget includes the costs for a hazardous waste company to dispose of all the AFFF the City has onsite.

Park Development Fund –

Revenue:

- Increase the budgeted use of fund balance reserves by \$313,976 to carry forward prior budgeted amounts.

Expenditures:

- Increase the Park Development Capital Projects budget by \$313,976 to carry forward the remaining budget from FY 2020 for the continuation of previously approved capital projects.

## **Recommendation**

We recommend that the City Council approve the adjustments as shown above. Resolution No. 20-30 has been prepared for your consideration.

## **Fiscal Impact**

The impact to the General Fund, overall, is an increase to revenues and expenditures of \$359,094. Recognition of sale of fixed assets and revenue from fund balance is necessary to balance the expenditures.

For the Capital Projects Fund, expenses increase by \$317,255. A draw from fund balance is necessary to cover these expenditures.

For the Water & Sewer Utility Enterprise Fund, expenses increase by \$47,000. A draw from fund balance is necessary to cover these expenditures.

For the Risk Management Internal Service Fund, expenses increase by \$11,800. A draw from fund balance is necessary to cover these expenditures.

For the Park Development Fund, expenses increase by \$313,976. A draw from fund balance is necessary to cover these expenditures.

**RESOLUTION NO. 20-30**  
**A Resolution of the Roy City Council**  
**Approving Adjustments to the Fiscal Year 2021 Budget**

Whereas, the City Council has received information regarding recommended modifications and adjustments to the budget, and

Whereas, the budgets for the General, Capital Projects, Water & Sewer Utility, Park Development, and Risk Management funds require adjustment due to additional revenue sources and increased expenditures; and

Whereas, the City Council finds it is in the best interest of the citizens of Roy to make the adjustments,

Now, therefore, be it resolved by the Roy City Council that the City budget be adjusted as follows:

<b>Fund</b>	<b>Previously Approved Budget</b>	<b>Increase (Decrease)</b>	<b>Adjusted Budget</b>
General Fund	\$17,032,559	\$359,094	\$17,391,653
Class C Road Fund	1,529,000	0	1,529,000
Transportation Infrastructure Fund	400,000	0	400,000
Capital Projects Fund	255,000	317,255	572,255
Water & Sewer Utility	10,083,078	47,000	10,130,078
Storm Water Utility	1,025,321	0	1,025,321
Solid Waste Utility	2,332,764	0	2,332,764
Storm Water Development	146,000	0	146,000
Park Development Fund	135,800	313,976	449,776
Cemetery Perpetual Fund	0	0	0
Total	\$32,939,522	\$1,037,325	\$33,976,847
Internal Service Funds:			
Information Technology	\$645,086	\$ 0	645,086
Risk Management	241,952	11,800	253,752
Total	\$887,038	\$ 11,800	\$898,838

Passed this 18<sup>th</sup> day of August, 2020.

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Robert Dandoy, Mayor

Attested and Recorded:

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Morgan Langholf, City Recorder

City Council Members Voting “Aye”

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City Council Members Voting “Nay”

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## **Roy City SWOT Analysis**

### **July 2020**

#### **Strengths**

- Well established departments, i.e., Police, Public Works, Fire, ....
- Numerous and well-maintained parks / green space
- Recreation facilities Aquatic Center, Hope Center, and fishing pond
- Talented / Skilled Workforce
- Great History – Ceremony events / outdoor activities / Boys & Girls Club
- Effective senior programs
- Effective Water supplies
- New Library
- Close to regional airport
- Close to medical facilities
- Close to I-15
- Close to Hill AFB
- Updated Transportation Plan
- Improved Communication between city government and residents (Social Media, Magazine)
- D&RG Rail Trail runs through city
- Effective K-12 Educational schools, new school buildings
- Diversity in residential living dwellings, single-family homes, townhouse, apartments, condos, mobile-homes, and assisted living facilities
- Business opportunities based on number of vehicles traffic and residential rooftops in the city
- Low crime rates

#### **Weakness / Challenges**

- Aging Recreation Complex
- Employee Retention Driven by Salaries
- Old / Outdated Ordinances and policies – No recent review or review process
- Outdated General Plan (In review currently) – No long-range development strategies.
- Trash / Junk / Weeds throughout the city - Lack of Code Enforcement
- Art Council – No funding source and no clear mission objective
- Beautification Committee – No clear mission objective
- Lack of development space – Almost Built out, only redevelopment opportunities
- Aging infrastructure and commercial facilities
- Retail sales mostly outside of city
- No process improvement program
- No resident / business complaint procedures / process
- City cemetery full
- Heavy traffic on 1900 West, 5600 South, 3500 West, 4800 South
- No high-speed internet
- Affordable housing
- No new revenue sources to off-set losses in General Fund

- Four Title 1 Schools (K-6) in the City

#### Opportunities

- Promoting water wise landscaping in public spaces
- Implementation of solar energy integration
- Vacant commercial buildings and properties for redevelopment
- Capitalizing on commercial property around Ogden Airport
- Development around Front Runner Station to improve ridership
- Establish Mixed Use Developments in the downtown business district
- Enhance Commercial development because of close proximity to Hill AFB and AF Museum
- UDOT 5600 South Environment Assessment Study to widen road and build new I-15 Interchange
- Establish High-Speed Internet Service
- Establish ordinance review / update policies
- Develop a hotel, theater, and office spaces
- Develop music in the park events
- Purchase land for a new cemetery.

#### Threats

- Shortfalls in revenue to sustain current services and the likelihood of property tax increases and/or service cuts.
- Increase demands for Roy Public safety responses outside of city with no revenue compensation.
- Higher cost of living including housing costs
- Loss of recycling program because of market changes – impacts to land fill and costs
- Skilled labor leaving for higher pay
- Increase population growth in Hooper and West Haven – Traffic and impact issues on state and city roads
- Commercial Development in neighboring cities pulling away sales tax revenue
- Continual traffic problems because of UDOT delays in making improvements to 1900 West, 5600 South, and 3500 West
- Changes in residential living patterns – moving from single-family dwellings to apartments / condos / townhouses
- Increase operating expenses including water, power, gas, waste, and sewer
- Chemical trichloroethylene (TCE) plume under city – health issues and property value impacts
- Changes in shopping patterns – Moving towards more on-line purchases, loss of sales tax revenue.
- Increases air-traffic over city from Ogden Airport – Potential increase of incidents
- Cost of living outpacing fixed income resident's income adjustments