



## ROY CITY COUNCIL MEETING AGENDA (ELECTRONIC)

**DECEMBER 1, 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 October 20, 2020 Roy City Council Work Session Minutes
2. Request for approval of an alcoholic beverage license for So Delicious Japanese Wasabi, located at 1780 W. 5600 S.

**E. Action Items**

1. **Resolution 20-37** Approving 2021 City Council Meetings Dates
2. **Ordinance 20-13** to amend the General Plan (Future Land Use Map) from Mixed Use to Light Industrial/Warehouse.
3. **Ordinance 20-14** to amend the Zoning Map from RE-20 (Residential Estates) to LM (Light Manufacturing)
4. **Resolution 20-38** Changing one Deputy Chief into on Battalion Chief position within the Roy City Fire Department

**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 may 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. Presentation**

1. Fiscal Year 2020 Audit Report

**H. City Manager & Council Report**

**I. 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 Utah Code Section 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 the 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 with no anchor location.***

***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 25<sup>th</sup> of November, 2020. A copy was also provided to the Standard Examiner and posted on the Roy City Website and Utah Public Notice Website on the 25<sup>th</sup> of November, 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



**ROY CITY**  
**Roy City Council Meeting Minutes**  
**October 20, 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 September 15, 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 Paul  
Councilmember Saxton  
Councilmember Wilson  
Councilmember Jackson  
Councilmember Burrell

City Manager, Matt Andrews  
City Attorney, Andy Blackburn

Also present were: Management Services Director, Camille Cook; Police Chief, Carl Merino; Parks and Recreation Director, Travis Flint; Public Works Director, Ross Oliver, Morgan Langholf, Brandon Edwards, Steve Parkinson, Randy Sant

**A. Welcome & Roll Call**

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

**B. Moment of Silence**

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

**C. Pledge of Allegiance**

Councilmember Jackson lead the audience in reciting the Pledge of Allegiance.

Mayor Dandoy read the Mayor's Determination to Hold Electronic Meetings.

**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 April 21, 2020 Roy City Council Work Session and the August 18 and September 15, 2020 Roy City Council Meeting Minutes**

**Councilmember Paul motioned to approve the Consent Items, with changes to minutes as noted. Councilmember Wilson seconded the motion. All Councilmembers voted "aye". The motion carried.**

**E. Action Items**

1. Consideration of Resolution 20-34 approving and interlocal agreement between Roy City, Weber Fire District and Riverdale City for EMS first responder services

Fire Chief Craig Golden presented this Resolution to the Council. He suggested that there be an established work session where he could present numbers, response times, and capabilities to be able to better understand interlocal agreements.

Councilmember Burrell asked whether there would be a time when the City would need a reciprocating service from another agency. Chief Golden stated that this was what the agencies bordering Roy had been focused on. He continued by stating that Ogden had more personnel than Roy did and were therefore self-sustainable. He added that the only agency that warranted a reciprocating agreement would be the City of South Ogden as all other agencies were too far away to fulfill the first response. Councilmember Burrell clarified whether the City already had agreements with said cities, which, Chief Golden explained, was the case.

Councilmember Wilson asked whether Roy City agencies would be paid if they went to Riverdale. She was answered that if agencies went as medical or rescue, they would be reimbursed through billing.

Mayor Dandoy stated that one of the paramedic units was paid for by the County. One of the issues that might come up, he continued, was that the County did have an EMS unit in Roy that could handle and be reimbursed for County rescue issues. Chief Golden explained that the contract had recently been renegotiated with an increased in cost to offset the paramedics. The agency, he continued responded throughout the County. Mayor Dandoy stated that one issue to consider was whether the City was fairly compensated. He added that the Council needed to talk about any time when the firetruck would be used and how this was compensated. Chief Golden stated that that there might be other ways to be reimbursed but added that at the moment, there was no staffing to fulfill these situations and no training or certification to reach out to these types of reimbursements.

Mayor Dandoy stated that a work session should be set up in the coming weeks to discuss this issue from a public safety angle.

Councilmember Wilson stated that she was happy that Chief Golden was looking good after everything he had gone through. She added she was proud of his recovery. The rest of the Council agreed.

**Councilmember Paul motioned to approve Resolution 20-34 Approving an Interlocal Agreement between Roy City, Weber Fire District and Riverdale City for EMS first responder services. Councilmember Jackson seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.**

1. Consideration of Ordinance 20-12 amending Title 10 – Zoning Regulations; CH 19 – Off-Street Parking and Loading, Amending 10-19-2 8) a) ii) – Access to Parking – Residential Property – Drive Approach “Curb Cut” location to side property line.

City Planner Steve Parkinson presented this Resolution to the Council and shared his screen. He stated that this would concern curb cuts in terms of their spacing and location. He mentioned that in July 2020, the Council had asked the Planning Commission to take a look at the ordinance and decide whether it should be amended along with some recommendations. Pointing to the slide, he showed the portion of the ordinance being discussed and explained the cul-de-sac exception. Mr. Parkinson showed a specific house to describe the difference between what existed and what with what was being proposed. He outlined that the Planning Commission had set two work sessions on this resolution and had gone through several other cities’ ordinances to create the information that was presented in the report. The Planning commission, he continued, had had the City’s engineering firm create a list of pros and cons to eliminate or keep the ordinance as it was. He presented this list. He explained that the State had changed some regulations which had to be applied to new subdivisions: the park strips would be wider than 4.5 feet due to the way the

snowstorm drain system was expected to work, forcing the water to be forced through the strip and kept clean.

Mr. Parkinson explained that the ordinance the Planning Commission had crafted was being presented to the Council. He described the different colors on his slides and what they represented. He continued by discussing the utility boxes, which, at present, sat on property lines between properties. Allowing the curb cut all the way to a property line might have created an issue in protecting utilities, but Mr. Parkinson explained that in the event of the utility box in the area, an approval would be required from the utility company which could also provide recommendations.

Mr. Parkinson described the second part of the Ordinance which, he explained, pertained to readability. The wording, he continued, made the ordinance clearer.

Councilmember Burrell clarified that the verbiage would not lead people to believe that their property would become part of the extended line. Mr. Parkinson clarified and confirmed it would not.

Mayor Dandoy asked whether there were any questions. There were none.

**Councilmember Jackson motioned to approve Ordinance 12-12 12 amending Title 10 – Zoning Regulations; CH 19 – Off-Street Parking and Loading, Amending 10-19-2 8) a) ii) – Access to Parking – Residential Property – Drive Approach “Curb Cut” location to side property line. Councilmember Burrell seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.**

#### **F. Presentations**

##### **1. Chapter 13 Mixed Use Downtown Business District Presentation**

Steve Parkinson presented this Chapter. He explained that he did not want to go in complete details about this ordinance as this would require a work session. He added that citizens had concerns about Form Based Code as it had been presented in February 2020 and that he would discussed citizens’ concerns along with how they have been addressed.

He discussed general concerns about time frame, as some citizens had felt the process was moving too fast. He explained that the City had received a grant from Weber City and Wasatch Front to survey two areas in the City: Frontrunner and Downtown. He added the plan had been adopted in September 2017, a process that had taken 18 months from start to the adoption of Focus Roy. He pointed that this had resulted in a Mixed-Use ordinance and a general plan. These documents, he pointed, were online to allow public comments. He added hoping that COVID-19 restrictions would be lifted to allow a public meeting. The Code, he continued, had been more than four years in the making. He then explained that Focus Roy had received about 27 recommendations, eight of which had been accomplished by the general plan update and Mixed-Use ordinance.

Mr. Parkinson explained that there was a property owner who was interested in investing to improve their property. For the mixed-use code however, Mr. Parkinson stated, they had to wait for everything to be finalized. He added that the State had placed restrictions on how Imminent Domain could be used and pointed that zoning code did not lead Imminent Domain. He added that concerns about infrastructures had been expressed and mentioned that Rocky Mountain Power would be responsible for the power grid. Mr. Parkinson explained that each developer would have to help pay for the improvements necessary. In the case of Rocky Mountain Power, there would be a similar system to what had been done for the sewer system: if lines required upgrades, the developers would be responsible for the cost.

He explained that he had decided to highlight landscape ordinances and pointed to what had been removed. He added that the City needed to be aware of UDOT's vision for medians.

Mr. Parkinson explained that there had been concerns about properties on 5700 South not being included in the mixed-use zone. He pointed that there were zoning maps in the code and that suggestions had been heard and included. Mr. Parkinson showed a map to explain the boundaries of the zones and described, with the use of the map, the changes that had been made.

Mr. Parkinson explained that the concerns regarding mixed-use development were similar. He pointed that FBC still looked at how a building related to a street, not merely at the uses. He added that he FBC had been integrated with traditional code and that the current code had been reviewed to create these new guidelines.

Mr. Parkinson then discussed building features (namely facades) which, he explained, had requirements about the limited uses of materials. The proposed new code, he continued, had a wider variety of options. He pointed that every city had a commercial code dictating what could be done. He added that the PC had gone through concerns about building height. He compared the current zoning with the new one and pointed that no building could be taller than 40 feet and explained that since backyards are against residential, there should not be tall buildings. He pointed that there were some variations: if buildings were further from residential, they could be higher. Mr. Parkinson reminded the Council that in some areas, buildings could go up to 60-feet tall and, near the freeway, buildings could go up to 80-feet. The height limits, he continued, included towers.

Mr. Parkinson discussed landscaping and explained that a number of options had been created. He added that feedback would be provided depending on the kinds of projects that were presented and that this ordinance could be re-written as new challenges came up.

Mr. Parkinson discussed the issue of parking. He explained that the Committee had wanted for enough parking to be available but added that too much parking would be an issue. To create this ordinance, he continued, the Committee had looked at other cities. He pointed that parking did cost developers but that parking was part of the considerations offered to residents.

Mr. Parkinson discussed the issue of signs and explained that the current code had been working well: residents had not complained.

Mr. Parkinson discussed the issue of non-conformities which happened when there was a change in the code. He explained that the current code had worked well thus far. He went on to talk about uses which allowed for a variety of different materials to be used. He pointed to a specific building which had a poor looking material and had been replaced by a new surface.

Mr. Parkinson discussed some of the point of uses, explaining that if a building made a change, they would go from non-conforming to conforming. He concluded that a work session was required to discuss the details of FBC.

The Mayor offered another presentation with data. Morgan Langholf navigated his charts. After finding the proper slide, Mayor Dandoy discussed the different factors businesses looked at before coming to a city. He pointed that businesses looked at a number of things when choosing to settle, including tax incentives, affordable housing for employees, foot traffic, accessibility, parking, etc. He continued that ordinances also played a role for businesses to decide to settle. He continued that businesses also often looked for skilled labor, crime rate, recreational opportunities, transportation connections (such as I-5), as well as

utilities and other costs. He added that businesses also considered elected and appointed leaders as well as the City Council as it would influence economic development. He also pointed that local businesses and traffic count were a factor as businesses wanted to know which other businesses were close to them. Demographics (number of nearby households and their average incomes) also factored into the decision.

Mayor Dandoy discussed the City streams of revenue and their sources. He explained that at the moment, most of Roy City's revenue came from taxes: property tax, sales tax, franchise tax, and fees on utilities, permits, and motor vehicles. He added that tax brought 71% of all the funds the City received to operate the general fund. He continued by explaining that the property tax system was set up so that Roy City received the same amount of taxes it did the prior year if no tax increase was proposed: because of new buildings and businesses, the tax rate would actually go down while the total property value would increase. He discussed a past property tax increase which had created a \$600,000 infusion. He explained that all the information presented was part of the budget. He continued by explaining that the America First Credit Union Office sat on 16.4 acres. The 2020 taxable value of this property, he added was \$21 million and provided the City with \$261,000 in property tax of which \$42,000 for Roy City. He compared this to Harmons which sat on 6.45 acres with a taxable value of \$4.8 million and a total county property tax of \$59,000 and \$9,000 for Roy.

Mayor Dandoy explained the certified tax rate and pointed that it had decreased since 2016, which was something that businesses looked for. He added, however, that Roy City property tax rate was higher than any other city in Weber County with the exception of Ogden, South Ogden, and Washington Terrace. He continued that it appeared that Clearfield, Kaysville and, at one time, Ogden and South Ogden, were managing their certified tax rate. Mayor Dandoy explained that during their truth in taxation meeting, these cities froze their rate: the rate did not self-adjust. He explained that this was a tool for Councilmembers to address property tax rate.

There was some discussion regarding the difference between 2016 and 2017. It was noted that taxes in Weber County also seemed to have gone down.

Mayor Dandoy then discussed the total of sales taxes by city and mentioned the population of each city. He pointed that Roy used to be ahead of Clearfield, Farmington, and Kaysville. He added that the City used to make progress in its total taxable sale. In 2009, he pointed, Clearfield and Farmington had improved and came ahead. Mayor Dandoy also discussed South Ogden which, in 1998, had a taxable sales base of \$161 million while South Ogden had \$129 million. Currently, he continued, South Ogden was \$100 million ahead of Roy when it came taxable sales. Roy was still growing, he explained, but was doing so at a slower rate. Kaysville, he continued, was also growing which might be due to the effort made on the West side of the freeway.

Mayor Dandoy continued discussing the tax leakage study that had taken place. He explained that the direct taxable sales for food and beverages was at \$100 million of taxable sales. He added that the State had mentioned that Roy was supposed to be closer to \$50 million based on its population. He explained that the big grocery stores were helping bring in people who lived outside of the City. Even the gas stations, he added, were projected to come in at 116% of expectations. He noted that a Sinclair gas station had been closed, however. Mayor Dandoy added that in other categories Roy was doing well, but that because it might not have certain kinds of businesses, there could be a loss of about \$311 million worth of taxable sales. Strengthening any of these categories would be helpful, he added.

Mayor Dandoy then discussed the tax distribution of which sales tax was an important part. He explained that for Roy this revenue was still increasing though it was doing so at slower pace: over the last five years there had been a drop of 8%. He continued that this supported the numbers of taxable sales. In 2016, Mayor Dandoy continued, the legislation had passed a tax on fuel which was listed as the local

transportation tax on the chart. He explained that this had been a boom for Roy City with a 99% increase in local transportation tax. Mayor Dandoy added that the Parks and Recreation had put these funds to good use and that these funds could only be used there. He also explained that the liquor tax had dropped over the past five years by 11%. The telecom tax, he continued, had been impacted by individuals no longer having landlines in their homes. He concluded that while sales tax had been a big part of revenue, it had dropped.

Mayor Dandoy explained that the amount the City received from sales tax was determined by public law. He went on to say that the Utah code stated that 50% of each dollar collected was distributed to each city, county, and town on the basis of the percentage of the population of that city against the population of the State. The remaining 50% was based on where the transaction occurred. He explained that if a Roy City resident bought something in Riverdale, Roy City would get some of that money back, but Riverdale would also get 50% of that money. He also pointed that Roy was the second most populous city in the County. In fiscal year 2020, he continued, the total of sales tax collected in Roy by the State was \$3,500,000. Roy City's portion based on the State calculation was \$4,274,000. He broke down the numbers commenting that Roy got \$1.7 million in sales tax in Roy City but had received \$4.2 based on the population. The total amount, he continued was \$6 million in sales tax. He pointed that of that \$6 million, 30% was given to Roy because a point of sale occurrence, while 70% of that was based on population numbers. When it came to population, however, Mayor Dandoy stated that the growth was going to slow down as West Haven was growing and becoming the second largest city in Weber County in the next 10 to 30 years. Hopper, he continued, was also still growing. Riverdale, however, was not growing at a rapid pace. Clinton and Ogden would continue to grow while South Ogden would slow down, he concluded.

Mayor Dandoy pointed to his next chart and explained that he had no authority in knowing what sales tax was provided by every business in Roy. He explained that the City Manager and Chief financial Officer did have access to these figures. He showed categories in terms of sales for 2020 and explained that there were 34 businesses doing auto repairs with the highest paying business paying \$34,000 of sales tax while the lowest paid \$14. The highest tax payer for groceries, he continued, generated \$400,000 while the lowest generated \$4,000. Mayor Dandoy explained that sales tax could be collected on online sales if the business had a presence in Utah. He pointed to the numbers with a total sales tax on online purchases of \$917,000. He further explained the average annual revenue the City could receive from a business in each category. The impact of businesses in Roy was sizable, he continued, and developments would have to be large to compete with sales tax.

Mayor Dandoy stated that the UDOT Director would finalize his assessment and approve the study. He added that the businesses UDOT's report had listed as impacted by the development currently generated \$20,000 in property tax.

Mayor Dandoy then discussed residents. According to the study, he continued, there were 63 residents along the South side of the 5600 corridor with a few residents on the North side as well. He mentioned having listed the businesses in the area as well and explained that Roy collected \$14,000 in property tax. The County, he added, collected \$89,000 in property tax on the 63 residential units.

Mayor Dandoy explained that UDOT engineers had mentioned they could make some changes to traffic immediately to mitigate the impact to Roy City. He added that the proposal was part of the current study and that the lane adjustments would be started in 2022. He concluded that the Council needed to think about how to mitigate this.

Mayor Dandoy explained he would discuss affordable housing, which was important as it was an issue in Utah: the State was 41,000 homes short, he noted. He added that rental units increased the cost of living. To rent a two-bedroom apartment in Utah, he continued, a family would need a full time job paying



\$19.83/hour. Utah, he pointed, had more young adults than the national average. He continued that Weber County had an estimated mean hour wage of \$11.65, which was not enough to afford a two-bedroom apartment, and therefore required two incomes. Looking at Roy itself, there appeared to be no affordable housing because higher wage learners occupied these affordable housing units, he added. Extreme low income, which was about 30% of the median household income, had no options for housing in Roy, the Mayor explained. The take-away, he continued, was for the City to find ways to provide affordable housing.

Mayor Dandoy explained that SB 34- 2019 directed cities to address moderate income housing. He pointed that a plan needed to be put together, with 23 strategies recommended by the bill: all cities had to pick three of the strategies proposed. He discussed a couple of the strategies. SB 50, he continued, had reinforced what had been discussed in SB 34, established a .5 mile around the train station, and discussed development. Compliance failure, he added, would allow the State of Utah to withdraw funds to widen 5600 South, creating a traffic nightmare.

Mayor Dandoy reminded that Council of their approval of a resolution where support had been pledged to provide affordable housing. He discussed the different points addressed in the resolution and added that the City had stepped up to make it happen. He added that funds from the Community Reinvestment Agency could be used for moderate-cost housing and continued that the general plan would also allow higher density or moderate-income residential development in commercial and mixed-use zones. He added that the transit and reinvestment corridor had also been recommended for moderate-cost housing to be built. He added that parking requirements would be eliminated or reduced, implementing zoning incentives for low and moderate-income units. With that plan, he continued, the City would be compliant with SB 34.

Mayor Dandoy explained that, in the proposal, the area had been broken down into three districts: core A, core B, and General. He explained that names had to be given instead of using the words such as "core". He discussed the different requirements for each zone and explained that the styles of buildings were recommendations with different directions to follow (some of which were word for word from the current ordinance). He added that the major change to the zoning was that in some areas, residential had been blended with commercial and had changed the height of the building from 60 to 80 feet.

Mayor Dandoy stated that Roy was one of the few large cities in the County that did not have a mixed-use ordinance allowing residential developments with commercial. He asked that the Council look at Clinton's ordinance for what was called performance standard zone. All other major cities had such an ordinance to give the property owner the right to choose. The height of the building had already been made clear, he continued, and Core B had not changed. The latest downtown business review had mitigated most if not all the issues voiced by residents and business owners. Finally he added that property owners would have the right to choose whether they wished to redevelop their property and how. He concluded that this ordinance gave property owners options.

Mayor Dandoy explained that he would discuss projected needs. He explained that City Staff had worked a long time to compile these numbers. He mentioned that Roy needed to generate \$443,000 every year to meet the basic requirements of the impact of a 4.9% inflation factor. He added that a lot of that was paying for employee salaries, including the annual merit increase (2% to 3.75% for public safety and public employees). He pointed that during the budget session, \$178,000 had been set aside in the event that taxes returned higher than projected, allowing some of the employees' merits raises to be approved. He added that there had been a 4.5% increase in healthcare premiums and an increase in retirement for public safety personnel. He added that steel products and lumber had increased and that most of the purchases planned belonged to Class C. He continued that a source of additional revenue had to be found and that the current budget had been adjusted down to account for the loss of funds caused by COVID-19. He continued that a 2.4% inflation rate would be likely in Utah and concluded by showing an office building situated in Ogden. This building he explained, had a taxable value of \$23 million. He added that the County received \$338,000

every year for this building and pointed that it would be difficult to reach the same amount with residential buildings. Finally he continued that the redevelopment opportunities could generate sizable tax increases.

Mayor Dandoy continued by discussing the benefits of Roy for businesses. He explained that updating the zoning ordinances was the last step and added that under the current proposal, property owners had a right to choose. He continued that 70% of the sales tax revenue was generated based on the City's population and that it was the Council's responsibility to raise funds for the City. He mentioned that UDOT would widen 5600 South and that the City had to have a plan to recover the lost funds. There would also be a property tax revenue loss. Mayor Dandoy added that it was important to help businesses reestablish and stay in Roy. He continued that affordable housing was a requirement. He added that issues with FBC had been worked out and emphasized that the City needed the revenue to sustain current and projected services: thanks to the businesses coming into Roy, there had been some help, but a larger project needed to take place in order to cover over \$400,000 a year. Mayor Dandoy mentioned that the City had a right to decide who received incentives and who did not: the RDA Board and Council could make this decision. He reiterated that the staff needed to know what the Council would do and would need to know soon. He explained he hoped a vote would be done by the 17<sup>th</sup> of November and added that a decision had to be made before the general plan could proceed.

Mayor Dandoy explained that he had pulled the numbers from the tax commission site.

Councilmember Burrell asked whether there was a time requirement to update the general plan. Mayor Dandoy stated there was not. The City Manager added that the Staff was also still reviewing that plan. Mayor Dandoy stated that investors would need some decisions made to know the situation. Councilmember Burrell stated that she felt she needed to review the slides and ask more questions.

Councilmember Saxton stated that a townhall would do the Council a lot of good and stated that it could be held November 5, 2020. He added that he believed the Council had moved away from the 80 foot buildings but that he felt dismayed about the businesses that would have to be displaced. He added that he was concerned with the 80-foot high-rise. Mayor Dandoy stated that the original plan the Council had considered had high rises closer to 120 feet. He believed that the 80-feet height was a compromise and added that with that being the case, the height had not been used in Roy during the past 20 years. He mentioned that the missing link was mixed use.

Councilmember Paul stated that he hoped some of the displaced businesses could be relocated in the new developments. Mayor Dandoy stated that unfortunately, there was no space for these businesses to go to at the moment. He added that some businesses might want a look that Roy could not offer.

Councilmember Wilson stated that the meeting could not be a mere presentation, it needed to be interactive. She added that the items on Focus Roy had not stated the fundamental objectives. She pointed that the Mayor's presentation had focused on incoming revenue and SB 34, which, she explained, was not being covered by the current plan: new construction would not be affordable. She explained that she would like a work session for the Council only before talking to citizens.

Mayor Dandoy stated that one of the main concerns was affordable housing. He explained that some sites with affordable housing could be studied and added that the conditions offered by the cities for building such facilities was that affordable housing was favored. He pointed that 10% of the CRA had to be dedicated to affordable and moderate housing and explained that these funds could be used to incentivize developers. He mentioned that looking at other cities could provide some ways to think about how to enable moderate housing. Councilmember Burrell stated that she needed to understand the situation and needed to help her constituents understand it as well. She mentioned that the Council needed to have businesses understand the situation before adopting anything and added that the different businesses had to be part of

the conversation, so they understood their options and were included.

Mayor Dandoy stated that these were interesting points and added that he wished to know how much engagement was wanted when it came to which businesses came to the City and explained that the economic development director could be such a facilitator. He pointed that fifteen businesses were concerned and mentioned that giving business owners too much of a say would create a policy where property owners were the ones deciding on behalf of the City. He explained that at some point in time, the decision had to be made to be able to move forward on other aspects that hinged on the decision. Mayor Dandoy pointed that he was concerned by the fact that when cities talked about changing ordinances, they did not entertain proposals for any new development in the interim. He explained that the Statute stated this period of time could be up to 6 months, a time frame that Roy City was well past. As a result, he explained, if someone wished to come to Roy and develop, they could do so meeting the current code, though it might not be what the future code would have required.

Councilmember Burrell asked for a specific example of what the Mayor was referring to. He explained that, for example, if someone decided to place tall storage units in the area, they would be able to. Councilmember Burrell asked if such a building had been undertaken in the past 20 years. Mr. Parkinson stated that in the regional commercial zone, which was downtown, storage units had been allowed and removed out of the ordinance about ten years prior. The result, he continued, was that there were several storage units in the downtown commercial units with many other inquiring to be added. At the moment, he continued, the downtown area was not protected. Mayor Dandoy pointed that the community had elected the Council to represent their interests. He explained that he knew Councilmember Burrell wanted to understand what her constituents thought and wished for.

**Councilmember Paul made a motion that November 5, 2020, be set as a work session.**

Councilmember Burrell asked if this would be an open work session, which Mayor Dandoy confirmed as such and pointed that the public could make comments. Councilmember Burrell asked whether the meeting would take place in a physical space or on Zoom.

**Councilmember Burrell made the amendment that the work session take place on Zoom with public comments made possible. Councilmember Jackson seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.**

Councilmember Wilson stated that this work session should not take the place of townhall meetings. Councilmember Burrell asked whether public comments could be limited. Mayor Dandoy stated that comments could be limited to three minutes. Mr. Parkinson stated that the City was still working on the survey. He added that the RFP was written.

#### **G. Public Comments**

Mayor Dandoy opened floor for public comments. There were none, so he closed the floor for public comments.

#### **H. Discussion Items**

##### **1. Waste Voucher**

City Manager Matt Andrews explained that this item came from the Beautification Committee. He mentioned that some of the dumpster regulations were about to change in January 2021. The idea, he continued, was to create \$10 waste vouchers obtained by coming into the City offices: these vouchers would

allow residents to dump up to 480 lbs. A neighborhood could also combine vouchers, he pointed. Mr. Andrews stated that he was looking for guidance from the Council to be able to test the vouchers. He further mentioned that if the cost at Weber County was more than \$10, the customer would pay the excess amount. He added that he understood that \$5,000 was a significant amount but pointed that these funds had been set aside in the solid waste funds.

Councilmember Jackson asked whether these vouchers were also available to businesses and whether they had an expiration date. Mr. Andrews stated that these were possible options and added that he wanted to be able to track the vouchers. Councilmember Burrell asked how the vouchers were comparing to the cost of open dumpsters. Mr. Andrews explained that the vouchers allowed to reach a wider base of residents and provided a range of costs. Councilmember Jackson added that the vouchers allowed residents to plan for a specific day. She added that this would be a good project to try and decide if it worked for citizens. She also pointed that it was cheaper.

Mayor Dandoy stated that he believed the Council seemed in favor and added that once residents heard about the vouchers during the next Council meeting, the plan could move forward.

## 2. Roy City Sign

Mr. Andrews stated that this information item also came from the Beautification Committee. He explained that the Beautification Committee had a budget of \$10,000. He mentioned that some banners had been created the year prior by Roy's Shop Local campaign. With the current \$10,000, he continued, the BC wanted to place two "Roy" signs up: one on the North side and one on the South side of 1900 West. He continued that Rock Signs was the company suggested. The BC, he added, had recommended that Staff take the lead on the design of the sign. He mentioned that the sign would need to respect the ordinance and be approved by UDOT. Mr. Andrews added that the sign would have the Roy City symbol and mentioned other such signs throughout the City.

Councilmember Jackson discussed the details of the signs. Councilmember Burrell added that she wanted for the new signs to be compatible with the existing signs.

## 3. YCC Donation

Mayor Dandoy explained that the Council had been providing for this organization for the past few years. He added that he had sent the latest information he had received from Chief of Police Merino. He pointed that the contribution was not mandatory and not automatically put in the budget. Mr. Andrews stated that the previous year, FY 20, no funds had been donated. The year before that, however, \$8,000 had been donated, though the request had been for \$16,000. Mayor Dandoy asked whether the Council wished to make a donation to the YCC.

Councilmember Wilson stated that the YCC offered a great service but added that the current year would demand holding off on the donation. She continued that there had to be a promotion of independent donations.

Councilmember Burrell asked how the Council could support the YCC without a donating. She added that there could be in-kind donations made as well. Mayor Dandoy explained that the Council had heard presentations about this topic. He pointed that the Council had also received evidence about how Roy citizens used the YCC. He added, however, that often the YCC helped residents for all the wrong reasons. He mentioned, however, that the Council did share resources with the Boys and Girls Club or with the local high school.

Councilmember Burrell added that sometimes what the City offered were in-kind donations. She added that this could be a way to support the YCC in lieu of providing a direct donation.

Mayor Dandoy asked whether the City had paid for half of the Community that Cares luncheon at the High School. Mr. Andrews stated he believed Councilmember Burrell was mentioning was an example of providing something that was not a cash donation. In the instance of the luncheon, he added, it had been food. He explained that when the City did something for Roy High, it was often in the form of a dinner. Mayor Dandoy mentioned Roy Days and pointed that the revenue generated in the booth went to Roy High. Mr. Andrews explained that Roy High facilitated the booth rentals, in exchange, they collected the funds from the event. Councilmember Burrell stated that other kinds of donations could be provided and explained that a proposal had been made. Mayor Dandoy reminded the Council of the presentation from the YCC director and pointed that there was a need for such donations. He continued that Mr. Andrews could let the Council know what the sources of revenue looked like at the moment as he believed that the City would come ahead of its predictions due to sales taxes.

Councilmember Jackson stated that \$8,000 might be too great a sum and asked whether the YCC depended on donations from other cities. He also asked how the program would be affected. She added that it could be helpful to find out what the funds were used for. Mayor Dandoy stated that the question was whether Roy residents were actually helped by this donation. He continued that YCC had been able to show the correlation between the donation and the help provided to Roy residents. He added that, as Councilmember Jackson had noted, the Council had to make that decision. He continued that the environment was sensitive and that individuals went to this institution because there were challenges and problems within the community. He added that this might be the only source where such help was provided.

Councilmember Wilson stated that violence had risen due to the pandemic. She added that she felt torn because she believed the Council should provide something though she was not sure how much.

Chief Merino stated that the YCC received funding through the County. He continued that up to three years prior, the City did not provide any additional funds. However, he continued, the YCC had lost a \$100,000 grant. He continued that he was not privy to the fundraising and financial management of the YCC. He mentioned that the City did receive benefits from the organization, though it did have its own victim advocates. He explained that the YCC helped victims receive housing, though the YCC was often full of individuals from Ogden, forcing the PD to send victims to Kaysville. He added that the citizens of Roy made donations to the YCC through the County, but he wondered how much of the \$100,000 donation could be made up.

Councilmember Burrell stated that there grants that had deeper pockets than the City did. She asked whether the City was supplanting that money when the YCC could be seeking other grants. She added that the Police was already helping the YCC. Mayor Dandoy stated that the issue was still whether the Council wished to make an in-kind donation. He continued that the YCC provided an invaluable service to the Roy residents. He added that such organizations existed because of donations and that Roy City had placed Roy City residents in the YCC facility. He added that the facility helped residents for long periods of time. He mentioned that Councils past had felt that the YCC brought enough value to warrant legislative funds for a modest donation. He explained that if the Council no longer wished to help fund the YCC, it needed to state so. Councilmember Burrell stated that this was not what she was saying. Mayor Dandoy stated that the Council just needed to make a clear decision.

**Councilmember Saxton motioned to provide the YCC with an \$8,000 donation. Councilmember Paul seconded the motion.**

Councilmember Wilson attempted to make an amendment that instead of cash, the Council made an in-kind donation and that it amounted to less than \$8,000. Mayor Dandoy stated that the in-kind donation would have to be in the form of time donation to the amount of \$8,000.

**The vote was called without the amendment. A roll call was taken.**

**Councilmember Jackson voted “Aye”**

**Councilmember Paul voted “Aye”**

**Councilmember Saxton voted “Aye”**

**Councilmember Wilson voted “Nay”**

**Councilmember Burrell voted “Nay”**

**The motion carried.**

4. Crossing Guards at 4800 W 3500 S

Chief Merino explained that he had sent an email to the Council discussing the covert monitoring devices that had been installed. He pointed that the devices would be angled West to catch the eastbound traffic. He explained that the device had been placed West of the intersection to catch the number of cars coming through the area with access to the Bridge Academy. He stated that during the school opening and closing times, there were 1900 vehicles per hour coming from the West. He explained that a smaller number of these vehicles were traveling West in the morning and the numbers reversed in the afternoon. He added that the number of cars coming from the West multiplied and averaged at about 110 vehicles per minute. He added that there would need to be two crossing guards at the location, kitty corner from each other. The traffic coming there, he continued, should imply lower speed numbers, as cars had to slow down to cross the intersection or to turn. However, he pointed, 85% of vehicles at the intersection averaged 31 mph, which, he added, was a fast speed for such an intersection. He continued that adding civilian crossing guards to handle that volume of traffic made him uncomfortable. He added that it had been irresponsible to place an elementary school in this location. He added that there were around 7 children coming from the East. He continued that the volume of traffic and the confusion of the intersection created a situation where he did not feel comfortable placing a crossing guard. He continued that the Bridge Academy would have to be a vehicle drop-off school only.

Councilmember Wilson stated that this area was a nightmare and added that she agreed that a school should not have been placed there. Councilmember Paul stated that he too did not think should have been placed there. Mayor Dandoy explained that the Council was the only body that had the authority to decide what establishment went where. He continued that when looking at all the space available for development, the Council could decide where a school could and should go. He added that when the Council realized that there were many carwashes in Roy, it had been decided to no longer have that much space open to carwashes. With vacant land, he continued, the Council needed to make decisions beforehand. Mayor Dandoy further stated that the Council could ask for the list of establishments allowed in a specific zone ahead of time and ask the Planning Commission to re-evaluate. The time to fix things was not after the fact, but before, he concluded.

Councilmember Wilson pointed that an assisted living facility had been approved near the school, which would compound traffic issues. Mayor Dandoy stated that the assisted living facility had been perfectly legal with the current zoning ordinance. He asked whether the Council wished to declare the particular school to be a drop-off only school and added that this could be done in writing. City Attorney, Andy Blackburn, stated that 3500 and 4800 were State roads and continued that there were not enough students crossing there to designate the crossing as a school crossing. He added that it was then up to the Council whether to place crossing guards. Councilmember Jackson stated that she had never seen a child cross the

road and added that the school was likely to already be used as a drop-off only.

Chief Merino stated that after monitoring the school, he had seen little children cross the intersection. He continued that the parents could be notified that it was unsafe to let children cross the intersection alone. Councilmember Saxton asked whether the Council could lead now or whether the Staff needed to provide a document first. Mr. Andrews stated that the PD could specify that the school was a drop-off school only and continued that a resolution was not needed. Councilmember Burrell recused her comment due to her affiliation with schools. Councilmember Wilson asked whether the City would pay for a crossing guard. She was told that it would be the case. She further asked whether having a crossing guard would require flashing signs. She was also told that this would be the case. Mr. Andrews explained that the signs were called Hawkeyes and added that though there were two on 5600 South, two crossing guards had been hit. Councilmember Wilson added that he believed 3500 was more dangerous than 5600.

Mr. Andrews explained that Chief Merino had stated the Hawkeyes had been provided by the City at the cost of \$150,000 each. Councilmember Burrell explained that the school was not designed to serve the neighborhood. Councilmember Paul stated that the administration of the school chose the location and could now deal with being a drop-off only school.

Mayor Dandoy explained that he believed a direction had been cast.

## **I. Reports**

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

Matt Andrews, City Manager, reported on the following:

- **City's Trick or Treat BINGO**

Mr. Andrews mentioned that on Oct 26, 2020, the Halloween Bingo event would take place. He added that this would not be a walk-in event and that people would have to stay in their vehicles. He continued that there were different locations and that participants would be in and out quickly to avoid public roadway congestions. He continued that there would be 1400 prepackaged bags in total. He continued that the Council would be together at Emma Russell Park and that the Council could pick a theme for clothing. He mentioned that Council members had to arrive around 4 p.m. at that location. Mr. Andrews pointed that there had been a conflicting email about another meeting. Mayor Dandoy explained that there was a regional assessment at the same time and that he needed to support the Wasatch front regional Council.

- **Christmas Lighting Ceremony**

Mr. Andrews explained that it was difficult to have any group events. He pointed that there would be no choir, no Santa Claus, and no Art Council programs. He stated that he wished to place an emphasis on the Christmas lights, which everyone could attend on their own time. This, he explained, could be advertised on social media and done live on Facebook. Councilmember Burrell agreed as did Councilmember Wilson. Mayor Dandoy stated that a child could be made to flip the switch. Councilmember Burrell suggested that there had been an idea for a Grand Marshall for the Roy Days parade and added that this person could be the one flipping the switch.

- **Doxy**

Mr. Andrews explained that Doxy was a service that individuals could supposedly use to pay their utilities through he added that the funds did not come to Roy City. He continued that the only approved third-party

vendor was Xpress Bill Pay. He recommended that residents find it through the City's website.

- Employees Breakfast

Mr. Andrews explained that a light traveling breakfast would be provided the following Thursday for those Councilmembers who wished to join at the Fire Department to thank employees at 7:45 a.m.

2. Mayor and Council Report

No comments were made

**J. Adjournment**

**Councilmember Paul motioned to adjourn the City Council meeting at 8:45 p.m. Councilmember Saxton seconded the motion. All Councilmembers voted "Aye". The motion carried.**

---

Robert Dandoy  
Mayor

Attest:

---

Morgan Langholf  
City Recorder

dc:



**2020 ALCOHOLIC BEVERAGE LICENSE**  
 TO BE APPROVED BY THE  
 CITY COUNCIL  
 On December 1, 2020

<u>LICENSE #</u>	<u>BUSINESS NAME/ ADDRESS</u>	<u>OWNER</u>	<u>CLASSIFICATION</u>	<u>YEAR TO APPROVE</u>
8874	So Delicious Japanese Wasabi 1780 W 5600 S	Guojin, Jimmy Wu	Class A Beer	2020

RETAIL LICENSE CLASSIFICATIONS

<u>BEER CLASSIFICATION</u>		<u>LIQUOR CLASSIFICATION</u>	
Class A	Off premises consumption	Class A	Private Club
Class B	On premises consumption - restaurant	Class B	Restaurant
Class C	On premises consumption - tavern	Class C	Temporary
Class D	Temporary license		
Class E	Private club license		

Mayor • Robert Dandoy  
City Manager • Matt Andrews



City Council • Ann Jackson  
• Diane Wilson  
• Jan Burrell  
• Bryan Saxton  
• Joe Paul

---

November 10, 2020

Mayor and City Council Members

Re: So Delicious Japanese Wasabi Application for Alcoholic Beverage License

Mayor and Council

After reviewing the criminal record of the applicant there is nothing in their criminal history that would disqualify them from having an alcohol license here in Roy.

Best,

Brody E. Flint  
Roy City Assistant Attorney  
[bflint@royutah.org](mailto:bflint@royutah.org)  
801-774-1000



# Roy City Fire

## MEMO

Deputy Chief Leroy Gleichmann

**To:** Tammy Nelson  
**Date:** 11/12/2020  
**Subject:** Alcoholic Beverage Application/Inspection

### **So Delicious Japanese Wasabi**

**1780 W. 5600 S. Roy, UT**

We have inspected the building and premise located above and found that the proposed premise does comply with all applicable laws, ordinances and regulations relating to safety in the event of fire or panic, and that this location is reasonably safe for use as a licensed premise for the license applied for.

Any questions please get with me. Thanks.



To: Mayor Dandoy and City Council Members  
From: Tammy Nelson  
Date: November 18, 2020  
Subject: So Delicious 1780 W 5600 S - Alcoholic Beverage License

So Delicious Japanese Wasabi restaurant is in the process of remodeling and moving to a new location, located at 1780 W 5600 S. Inspections will be conducted to ensure that they are compliant with the building and safety codes. Approval for occupancy will be subject to the final inspection when the remodel is finished.

I recommend approval of a Class B beer license and a Class B liquor license, subject to approval on the final building and fire inspections.

Respectfully,

Tammy Nelson  
Community Development  
Office Manager

**RESOLUTION NO. 20-37**

**A RESOLUTION ESTABLISHING 2021 CITY COUNCIL MEETING DATES**

**BE IT HEREBY RESOLVED** that pursuant to Roy City Code 1-6-5 (G)(6), and the Utah State Code 52-3-202(2), the Roy City Council will hold its regular Council Meetings in the Roy City Municipal Building on the first and third Tuesdays of each month commencing January 1, 2021, at 5:30 p.m., excluding holidays:

**2021**

January 5	July 6
January 19	July 20
February 2	August 3
February 16	August 17
March 2	September 7
March 16	September 21
April 6	October 5
April 20	October 19
May 4	November 16
May 18	December 7
June 1	December 21
June 15	

Passed this 1<sup>st</sup> of December, 2020.

---

Robert Dandoy  
Mayor

Attest:

---

Morgan Langholf  
City Recorder

Voting:

Councilmember Saxton	_____
Councilmember Paul	_____
Councilmember Burrell	_____
Councilmember Wilson	_____
Councilmember Jackson	_____

**RESOLUTION NO. 20-38**

**A RESOLUTION OF THE ROY CITY COUNCIL CHANGING ONE DEPUTY CHIEF POSITION INTO ONE BATTALION CHIEF POSITION IN THE FIRE DEPARTMENT.**

**WHEREAS**, Roy City maintains job descriptions on all employee positions; and

**WHEREAS**, each job description identifies the supervision received, supervision exercised, essential functions, and minimum qualifications for the position; and

**WHEREAS**, the City uses job descriptions to determine the appropriate pay ranges for position; and

**WHEREAS**, the City uses the job description to advertise for and hire qualified individuals to fill open positions; and

**WHEREAS**, the Roy City Fire Department desires reorganize the organizational structure of the department by changing one Deputy Chief position to a Battalion Chief position.

**NOW THEREFORE**, be it resolved by the Roy City Council that the organizational structure of the Fire department by changing one Deputy Chief position to a Battalion Chief position.

Approved and adopted this \_\_\_\_ day of December, 2020

\_\_\_\_\_  
Robert Dandoy, Mayor

\_\_\_\_\_  
Morgan Langholf, Recorder

Councilwoman Burrell \_\_\_\_\_

Councilman Saxton \_\_\_\_\_

Councilman Paul \_\_\_\_\_

Councilman Jackson \_\_\_\_\_

Councilwoman Wilson \_\_\_\_\_

**ROY CITY CORPORATION**  
Job Description

<b>Title:</b>	Battalion Chief	<b>Code:</b>	???
<b>Division:</b>	Operations	<b>Effective Date:</b>	???
<b>Department:</b>	Fire & Rescue	<b>Last Revised:</b>	11/20

GENERAL PURPOSE

Directs and coordinates the activities of a fire suppression battalion or administrative support division within the Fire Department; provides staff support and assistance to the Fire Chief and the Deputy Fire Chief in managing the operations and administration of the Fire Department; Interacts with the community as a senior fire representative on matters relating to the effective delivery of City services; and performs other duties as assigned. The Battalion Chief may be rotated between shifts and between operations and staff assignments at the discretion of the Fire Chief.

SUPERVISION RECEIVED

Works under the broad policy guidance and direction from the Deputy Fire Chief and Fire Chief.

SUPERVISION EXERCISED

Assumes full responsibility of the department in the absence of the Deputy Fire Chief and Fire Chief. Provides general supervision to Shift Captain(s), Fire Fighters, Paramedics, and EMT's.

ESSENTIAL FUNCTIONS

Performs a variety of advanced training and supervisory relating to preparing firefighters for providing emergency services to the general public. Maintains complete and accurate training records for all employees. Ensures all employees receive required and adequate training to perform their duties safely and efficiently. Assures required certification levels are met and maintains a list of certifications for all employees. Coordinates daily training exercises with on duty personnel.

Responds to fires and performs as incident commander; directs department personnel in the performance of their duties; makes decisions concerning effective fire strategy, water source usage, overhaul, removal of property, and blockading streets or other entrances while a fire is in progress for the protection of life and property. May perform as incident commander or incident safety officer or other assigned functions on any incident.

Subject to recall on a 24/7 basis to perform as the incident commander, incident safety officer or other duties related to firefighting or emergency medical calls as assigned.

Works with Deputy Chief in preparing an annual budget for training, the department's Health & Safety program and other programs as assigned; recommends ordering of equipment and supplies; writes specifications and oversees purchasing processes; evaluates equipment options; collects and review bids and makes recommendation for purchase; assists to monitor expenditures to assure conformity to establish fiscal constraints; prepares and writes reports on department activity.

Evaluates, updates and authors policies and procedures as needed to provide for the health and wellness of department employees.

May be assigned shift work and perform as the shift supervisor; works closely with captains to ensure that all firefighting, emergency medical responses and other life safety related duties are carried out to protect the lives and property of the residents and guests of Roy City. Performs the administrative and managerial duties as needed to ensure the proper supervision of the day to day operations and activities of all shift personnel on duty.

As shift supervisor, oversee all stations and monitor the work of the captains; shift activities and work schedules; maintains staffing levels as per policy; assures quality of work performed; completes evaluations on captains and others assigned and makes recommendations in order to maintain an effective and efficient working department.

Conducts incident debriefings with fire crews to analyze the effectiveness of firefighting strategies; facilitates group feedback and discussion to determine ways to improve methods, processes, procedures, field communications, etc.

Exercises supervision over department personnel; implements policies, rules and regulation as deemed necessary and expedite for the department ; assigns and evaluates work; disciplines personnel when necessary; conducts periodic performance evaluation.

Assists with interviewing, screening and hiring of new department members; supervises and coordinates the training of new personnel; participates in the planning and implementation of fire drills; may conduct department training meeting; updates and informs personnel of new policy changes or procedures.

Directs departmental emergency response to fire and medical incidents; participates in and/or delegates investigation of fires (24 hours a day); determines the magnitude and needs of the fire to expedite suppression and minimize property loss.

Represents the city on various committees and task forces; serves as liaison to local emergency planning organization, Paramedic/EMT programs, EMS local and state committees, etc.

Participates in the department physical fitness program and completes the required physical fitness requirements.



Performs related duties as required.

## **MINIMUM QUALIFICATIONS**

---

### **1. Education and Experience**

- A) Graduation from an accredited University or College with an Associate of Applied Science or Associate Degree in Fire Science or a closely related field. Graduation from an accredited college or university with a Bachelor's degree is highly desirable;

AND

- B) Eight (8) years of full-time work experience, including three (3) years of administrative or supervisory experience at the level of a Fire Captain.

OR

- C) An equivalent combination of education and experience.

### **2. Required Knowledge, Skills, and Abilities**

Considerable knowledge of firefighting methods, techniques and procedures; maintenance requirements and practices of fire fighting equipment and apparatus; departmental rules, policies and regulation; city geography; emergency medical practices and procedures. Skill in the evaluation of tactical and operational requirements of conflagration situations; common fire and chemical hazards and related safety precautions; modern practices related to personnel training, management and motivation; fire fighting techniques and equipment; working knowledge of fire/arson investigation procedures.

Thorough knowledge of principals of supervision and management practices and procedures; laws, ordinances, codes, and regulations effecting goals, objectives, and department operation; principles and practices of fire prevention and suppression; public speaking and interpersonal communication skills, emergency response records systems, communications equipment and use, fire computer applications and incident reporting procedures; operation of a personal and job related software applications.

Considerable knowledge of training methods and techniques.

Considerable knowledge of Fire Department Health & Safety procedures and regulations.

Ability to give detailed verbal or written work instructions; work in dangerous emergency situations; perform strenuous physical labor; perform under extreme weather conditions; work on call and on shift; direct and supervise various levels of professional fire fighters; evaluate performance without partiality; communicate effectively, verbally and in writing; make quick and accurate decisions in emergency situations, develop effective working relationships with local elected officials, city merchants, subordinates and the public. Knowledge of budget development and preparation;

### 3. Special Qualifications

- A) Must possess a valid Utah Driver's License
- B) Certified as a IFSAC/ProBoard accredited or Utah State Fire Fighter I and II
- C) Certified as a IFSAC/ProBoard accredited or Utah State Hazmat Awareness and Operations
- D) Certified as a IFSAC/ProBoard accredited or Utah State Apparatus Driver Operator – Pumper and Aerial
- E) Certified as a IFSAC/ProBoard accredited or Utah State Fire Officer I Certification (Required) / Officer II (Preferred)
- F) Certified as a IFSAC/ProBoard accredited or Utah State Fire Instructor I / Instructor II (Preferred)
- G) Certified as a IFSAC/ProBoard accredited or Utah State Fire Inspector I
- H) Certified as a IFSAC/ProBoard accredited or Utah State Incident Safety Officer
- I) Utah/NREMT AEMT or Paramedic License
- J) Current AHA BLS, PALS, and ACLS.
- K) Completed NIMS certifications ICS 100, 200, 300, 400, 700, 800
- L) Other: Fire Investigator I, Must have a working knowledge in fire investigation and code enforcement procedures.

### 4. Work Environment

Functions of the position generally performed in a controlled environment, but subject to all seasonal and weather extremes. Emergency response travel expected in normal course of performing duties. Many functions of the work pose a high degree of hazard uncertainty. Physical readiness and conditioning may be a condition of job retention. Various levels of mental application required, i.e. memory for details, emotional stability, discriminating thinking, creative problem solving. Continuous use of motor skills.



## SYNOPSIS

### Application Information

Applicant: Matt Peterson

Request: Consider a request for the following:

- Ord. No. 20-13; To amend the General Plan (Future Land Use Map) from Mixed Use to Light Industrial/Warehouse.
- Ord. No. 20-14; To amend the Zoning Map from RE-20 (Residential Estates) to LM (Light Manufacturing)

Approximate Address: 2449 West 4000 South

### Land Use Information

Current Zoning: RE-20

Adjacent Zoning: North: LM; Light Manufacturing South: LM; Light Manufacturing  
East: R-1-8; Single-Family Residential West: R-1-8; Single-Family Residential

Current General Plan: Mixed Use

### Staff

Report By: Steve Parkinson

## APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10, Chapter 5 – Amendments to General Plan and Zoning Ordinance

## CONFORMANCE TO THE GENERAL PLAN

- Economic Development Goal 1; *To promote and make possible the realization of a high quality of life for the city's residents through the pursuit and implementation of good economic development practices*
- Economic Development Goal 1; Objective 1; *To promote and encourage commercial, industrial and other economic endeavors to strength and improve the city's tax base and quality of life.*
- Urban Growth Goal 1; Objective 5; *To allow development to occur on parcels of land most suitable for and capable of supporting the kind of development being proposed.*

## PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing on November 10, 2020.

Chair Spahr open the floor for comment

Ed Weakland, 99 No. 575 We. Layton, had concerns with building setbacks, water run-off (room for curb & gutter) paving the easement would put the water line under asphalt and repairs costs would go up. Currently there is a law suit regarding the easement and he feels the Planning Commission should take that into account.

Stan Hoellein, 4307 So. 2675 We. Roy, Stated that the ground is around 30 feet below the height of the railroad tracks and is concerned that the zone allows buildings to be 60 feet in height and that if that is allowed it would create a sound wall and cause the noise from the trains to bounce back towards them. He feels they should be limit the building height to a thirty (30) feet.

Clay & Janet Combe, 3464 We. 2025 So. West Haven, had concerns regarding the law suit and felt the Planning Commission shouldn't take action until after its conclusion.

Joel & Lindy Reid, 1432 So. 1175 Ea. Ogden, had concerns regarding the law suit and felt the Planning Commission shouldn't take action until after its conclusion.



Todd Potter, 2449 We. 4000 So. Roy, wondered why someone prior couldn't get a business license.

Terry Anderson, 8126 So. 2225 Ea. South Weber, felt it is inappropriate to proceed because of the pending law suit.

Blain & Jan McVey, 4190 So. Lily Dr. Roy, wondering why the change, what's the public interest and concerned for the view of those to the West.

Leon Wilson, 4302 So. 2675 We. Roy, has concerns with the allowed height of the zone. Feels that a restriction should be put on it to not allow anything taller than 30 feet.

Byron Burnett, 4375 So. 2675 We. Roy, against "High Density" tall buildings, against 60 feet prefers 30 feet

Lacey Socwell, 4298 So. 2675 We. Roy, agrees with Mr. Hoellein, Mr. Wilson and Mr. Burnett, likes storage units, feels that there should be a restriction on height and it should run with the land and not the owner.

With no additional requests to comment, the Public Hearing was closed

The Commission voted 4-3; to forward to the City Council a recommendation to approve Ord. No 12-13 to amend the General Plan (Future Land Use Map) from Mixed Use to Light Industrial/Warehouse.

The Commission voted 7-0; to forward to the City Council a recommendation to approve Ord. No 12-14 to amend the Zoning Map from RE-20 (Residential Estates) to LM (Light Manufacturing)

## **ANALYSIS**

### **Background:**

The applicant is the land owner, these parcels are in between the D&RG rail-trail & the Union Pacific/UTA railroad tracks and 4000 South & 4800 South. Both parcels equal up to 10.1 acres (126,039.6 sq.-ft.).

A little history of the area, prior to the 1970's the area between the tracks from Hinckley drive to 5200 South was all zoned Industrial, some between then and 1984 the most of the area (4000 South to 5200 South) changed to RE-20. Since then then area has slowly changed back to industrial.

### **Amend Future Land Use Map:**

Current Designation: The subject property currently has a land use designation as Mixed Use (see exhibit "B").

Requested Land Use Designation: The applicant needs to have the Future Land Use Map changed from the current Mixed Use designation to an Industrial designation.

Considerations: When considering a proposed amendment to the general plan the Commission and Council shall consider the following factors, as outlined in 10-5-5 "Criteria for approval of General Plan Amendments" of the Zoning Ordinance:

- 1) The effect of the proposed amendment on the character of the surrounding area.
- 2) The effect of the proposed amendment on the public health, welfare, and safety of City residents.
- 3) The effect of the proposed amendment on the interests of the City and its residents.
- 4) The location of the proposed amendment is determined to be suitable for the uses and activities allowed by the proposed amendment, and the City, and all other service providers, as applicable, are capable of providing all services required by the proposed uses and activities in a cost effective and efficient way.
- 5) Compatibility of the proposed uses with nearby and adjoining properties.
- 6) The suitability of the properties for the uses requested.
- 7) The effect of the proposed amendment on the existing goals, objectives, and policies of the General Plan, and listing any revisions to the City's Land Use Ordinances, this Ordinance, the Subdivision Ordinance, and any other Ordinances required to implement the amendment.
- 8) The community benefit of the proposed amendment.

The above section of the Zoning Ordinance asks some questions mostly looking at the effect the proposed land use designation and compatibility/suitability to the surrounding uses. Staff would like to comment on some these questions

The character of the surrounding areas (see Exhibit “A”) –

- To the West and East are R-1-8 (Single-Family Residential) development, to the North there are Shanties within the LM zone and the lots to the South are vacant and are also within the LM zone.

Interests of the City & Residents –

- In the past the applicant tried to develop this 10 acres into Multi-Family but due to the limited access to the property, and his inability to get a second access to it, the development of this area as Multi-Family is unlikely.
- To develop this property as a Manufacturing Use doesn’t require an additional access point beyond what currently exists.

### **Amend Zoning Map:**

Current Zoning: The subject property currently has a zoning designation of RE-20 (see exhibit “BC”).

Requested Zone Change: The applicant would like to have the property changed to R-3 (Multi-Family Residential) but due to the access issues the applicant is now requesting that the property be rezoned to LM (Light Manufacturing) zoning.

Considerations: When considering a Zoning District Map Amendment, the Commission and the Council shall consider the following factors, as outlined in section 10-5-9 “Criteria for Approval of a ... Zoning Map” of the Zoning Ordinance:

- 1) The effect of the proposed amendment to advance the goals and policies of the Roy City General Plan.
- 2) The effect of the proposed amendment on the character of the surrounding area.
- 3) The compatibility of the proposed uses with nearby and adjoining properties.
- 4) The suitability of the properties for the uses requested.
- 5) The overall community benefits.

No amendment to the Zoning Districts Map (rezone) may be recommended by the Commission nor approved by the Council unless such amendment is found to be consistent with the General Plan and Land Use Maps.

The above section of the Zoning Ordinance asks some questions mostly looking at the effect the proposed zone and compatibility/suitability to the surrounding uses. Staff would like to comment on some these questions

The character of the surrounding areas (see Exhibit “A”) –

- To the West and East are R-1-8 (Single-Family Residential) development, to the North there are Shanties within the LM zone and the lots to the South are vacant and are also within the LM zone.

Compatibility with surrounding area –

- If you look at the current zoning map and aerial then look 500 feet in each direction from this property, there are three (3) different residential zones (R-1-6, R-1-8 & RE-20) and a Light Manufacturing zone. Typically it would make sense to rezone this Residential, but due to the D&RG Rail trail and the Union Pacific/UTA railroad tracks there is no direct access to or direct correlation of the surrounding neighborhood. Because of these issues would rezoning these parcels Light Manufacturing and the allowable uses within the zone this area developable?

Some additional questions that the Commission and Council needs to reflect upon are:

- Does changing are not changing the zoning provide the best options for development of this property or area?
- How can this property best be developed? As multi-family residential? OR as Manufacturing?

## **FINDINGS**

1. It's the best and highest use of the land.
2. Provides and supports Roy City Economic Development.

### **ALTERNATIVE ACTIONS**

The City Council can recommend Approve, Deny or Table.

### **EXHIBITS**

- A. Aerial Map
- B. Future Land Use Map – pre 2017
- C. Future Land Use Map – Current
- D. Zoning Map
- E. Ord. No 12-13
- F. Ord. No 12-14

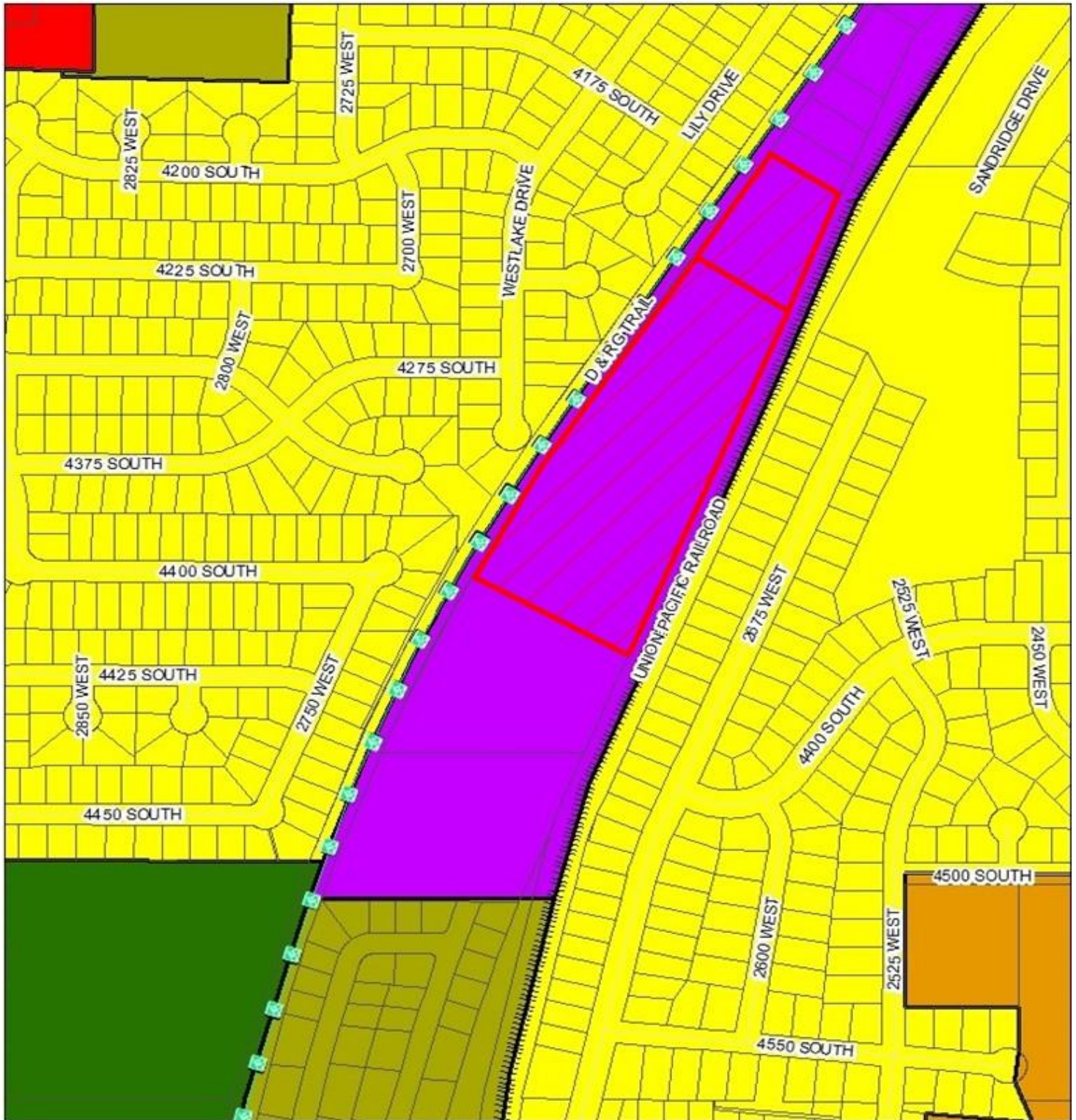


EXHIBIT "A" – AERIAL MAP





# EXHIBIT "B" – FUTURE LAND USE MAP – PRE 2017



## Legend

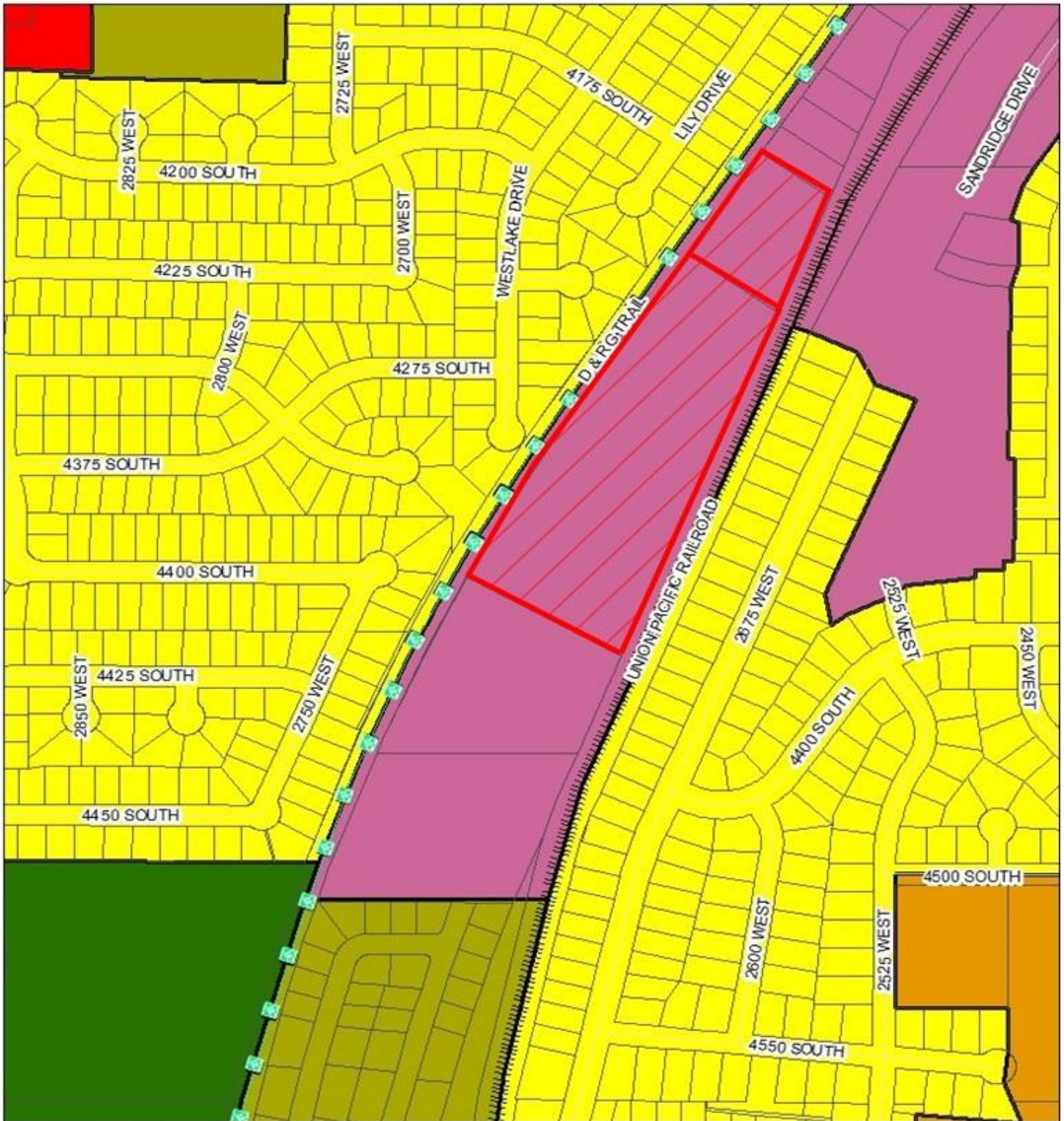
- |                               |               |
|-------------------------------|---------------|
| Low Density Residential       | Mixed Use     |
| Medium Density Residential    | Industrial    |
| High Density Residential      | Business Park |
| Very High Density Residential | Commercial    |
| Parks & Green Space           | Utility       |
| Schools/Government/Churches   |               |

## Future Land Use Map





# EXHIBIT "C" - FUTURE LAND USE MAP - CURRENT



## Legend

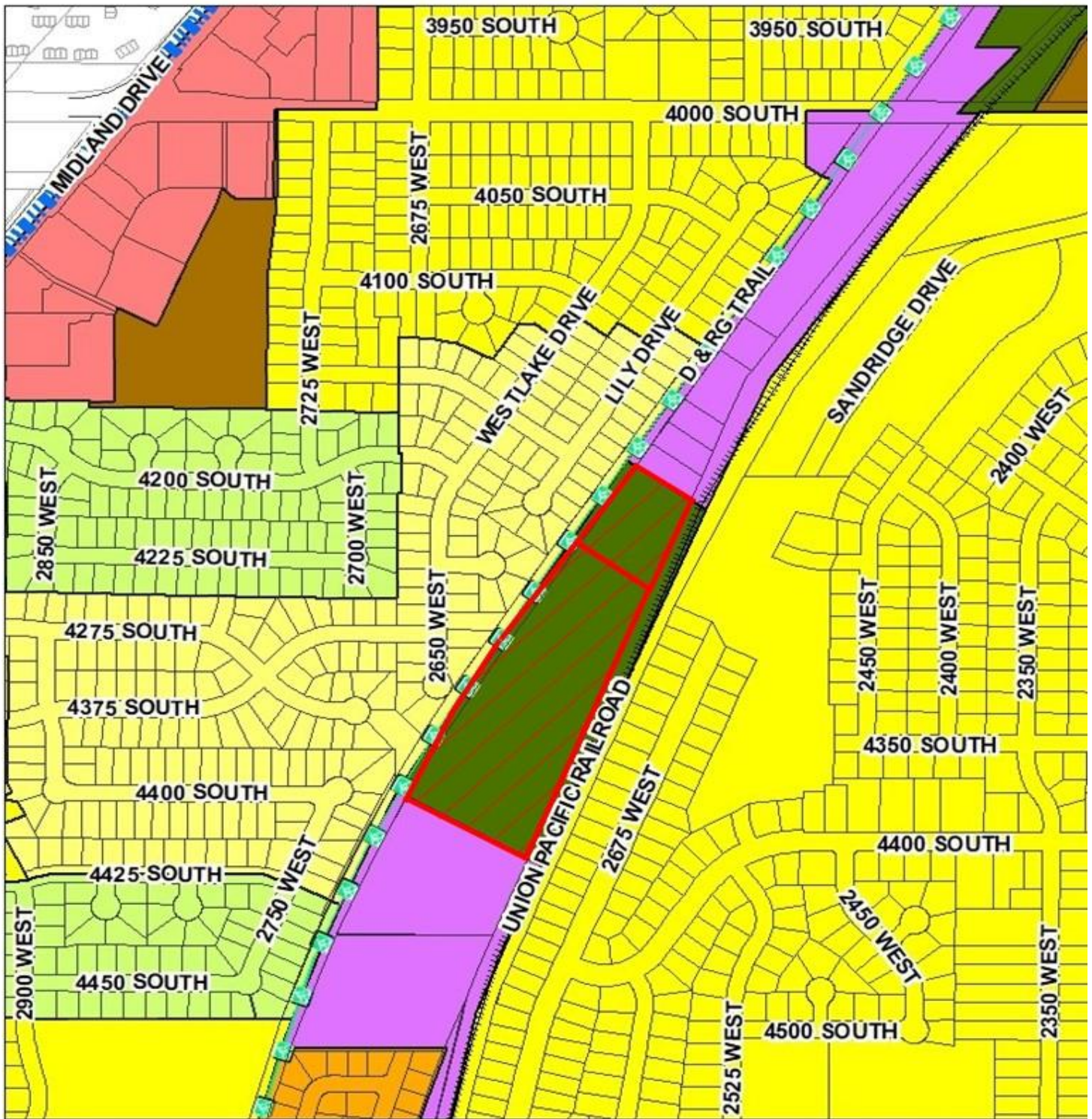
- |                               |               |
|-------------------------------|---------------|
| Low Density Residential       | Mixed Use     |
| Medium Density Residential    | Industrial    |
| High Density Residential      | Business Park |
| Very High Density Residential | Commercial    |
| Parks & Green Space           | Utility       |
| Schools/Government/Churches   |               |

## Future Land Use Map





# EXHIBIT "D" – ZONING MAP



## Legend

	City Boundary		Parcels		Selected Parcel
	RC		R-1-6		R-3
	CC		R-1-7		R-4
	BP		R-1-8		RE-15
	M		R-1-10		RE-20
	LM		R-1-15		RO
	R		R-2		RMH-1
	D&RG Trail		I-15		Railroad

Zoning  
Map



**ORDINANCE NO. 20-13**

**AN ORDINANCE ESTABLISHING A FUTURE LAND USE DESIGNATION OF  
LIGHT INDUSTRIAL/WAREHOUSE ON A PROPERTY LOCATED AT  
APPROXIMATELY 2449 WEST 4000 SOUTH.**

WHEREAS, Roy City has received a petition to amend the Future Land Use Map by changing the designation on a property comprising approximately 10.1 acres (439,956 sq.-ft) of land located at approximately 2449 We. 4000 So. from a designation of Mixed Use to a designation of Light Industrial/Warehouse; and

WHEREAS, the Planning Commission held a public hearing to review the petition and favorably recommended the change; and

WHEREAS, the City Council finds that the proposed amendment will advance the existing goals, objectives and policies of the General Plan and is assured that the change will not be detrimental to the appropriate residential use of the property; and

WHEREAS, the City Council has reviewed and considered the same in a public meeting.

NOW, THEREFORE, be it hereby ordained by the City Council of Roy City, Utah, that the Future Land Use Designation of a portion of the properties at 2449 We. 4000 So. be established as Light Industrial/Warehouse and that the Roy City Future Land Use Map be amended to depict the same.

This Ordinance has been approved by the following vote of the Roy City Council:

Councilman Burrell	_____
Councilman Jackson	_____
Councilman Paul	_____
Councilman Saxton	_____
Councilman Wilson	_____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this \_\_\_\_\_ Day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Robert Dandoy  
Mayor

Attested and Recorded:

\_\_\_\_\_  
Morgan Langholf  
City Recorder

ORDINANCE NO. 20-14

**AN ORDINANCE ESTABLISHING A ZONING DESIGNATION OF LM ON PROPERTY  
LOCATED AT APPROXIMATELY 2449 WEST 4000 SOUTH.**

WHEREAS, Roy City has received a petition to change the zoning on a property comprising of approximately 10.1 acres (439,956 sq.-ft) of land located at approximately 2449 We. 4000 So from a designation of RE-20 to a designation of LM.; and

WHEREAS, the Planning Commission held a public hearing to review the petition and favorably recommended the change; and

WHEREAS, the City Council finds that the proposed amendment will advance the existing goals, objectives and policies of the General Plan and is assured that the continued residential use of the properties will be conducted appropriately; and

WHEREAS, the City Council has reviewed and considered the same in a public meeting.

NOW, THEREFORE, be it hereby ordained by the City Council of Roy City, Utah, that the zoning designation of the properties at 2449 We. 4000 So be established as an LM designation and that the *Roy City Zoning Map* be amended to depict the same.

This Ordinance has been approved by the following vote of the Roy City Council:

Councilman Burrell \_\_\_\_\_

Councilman Jackson \_\_\_\_\_

Councilman Paul \_\_\_\_\_

Councilman Saxton \_\_\_\_\_

Councilman Wilson \_\_\_\_\_

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this \_\_\_\_ Day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Robert Dandoy  
Mayor

Attested and Recorded:

\_\_\_\_\_  
Morgan Langholf  
City Recorder