



ROY CITY
Roy City Council Meeting Minutes
December 1, 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 December 1, 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; Terry Anderson, Ed Weakland, Lacey, Mike Buckley, Mark Peterson, Josh Peterson, Altina Stott, Scott Wadman

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 October 20, 2020 Roy City Council Meeting Minutes**
- 2. Request for approval of an alcoholic beverage license for so Delicious Japanese Wasabi, located at 1780 W 5600 S**

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.

Mayor Dandoy announced that he was going to change the order of the meeting a bit and asked that the Presentation of the Fiscal Year 2020 Audit be presented to the Council.

Presentations

1. Fiscal Year 2020 Audit Report

Scott Wadman presented the FY 2020 Audit Report. They were satisfied that the procedures in place were appropriate and the audit went well. The staff was thanked for their efforts.

E. Public Comments

Mayor Dandoy opened floor for public comments.

Terry Anderson commented on the rezone request for property at 2449 West 4000 South. He felt the proposal was inappropriate due to the pending lawsuit regarding access to the property and he would like the lawsuit in the record. The lawsuit was JWMP acquisitions vs. defendants Terry Anderson and five other property owners (case number 200904100). This case was pending in the 2nd judicial court of Weber County. A letter had been sent to Council with his concerns.

Ed Weakland commented on the lawsuit that had been filed by Mr. Wilson and his partner that was seeking monetary damages for harm caused by blocking their development. He discussed the issues regarding the property and the lawsuit.

Lacey (no last name given) commented on the rezone and asked that consideration was taken to put a height restriction to mitigate noise.

Mike Buckley commented on the rezone and had a concern about height allowances and noise as well. He mentioned a previous rezone that had a condition attached and suggested a height condition for the proposed rezone.

F. Action Items

1. **Resolution 20-37** Approving 2021 City Council Meetings Dates

City Manager, Matt Andrews presented this Resolution to the City Council. Meetings would continue to be held the 1st and 3rd Tuesdays at 5:30.

Councilmember Paul motioned to approve Resolution 20-37 Approving 2021 City Council Meetings Dates. Councilmember Burrell seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye." The motion carried.

2. **Ordinance 20-13** to amend the General Plan (Future Land Use Map) from Mixed Use to Light Industrial/Warehouse.

City Planner Steve Parkinson asked the Council to allow the two people who were applying for the license to present.

Matt Peterson and Josh Wilson, the applicants, presented the project. Josh Wilson stated that they wanted to do a rezone to light industrial for storage units. Matt Peterson commented that they had initially wanted to rezone for residential but decided the best use for the property was to do storage units because of concerns from resident. They had no intention of building anywhere near 60 feet. None of their development would hinder access to the existing properties; rather, it would actually improve it.

City Planner Steve Parkinson presented this Resolution to the Council as well as an aerial map of the area under discussion. The request was to rezone to the same zoning to the north and south of the property which was light industrial. He commented on the pending lawsuit, and the noise and height concerns of residents. A public hearing was held by the Planning Commission. The Planning Commission voted 4-3 to recommend the change to the General Plan, and 7-0 for recommendation to change the zoning. The 30-foot access easement in place was for Hooper Water from 4000 South to the Hooper Water property. There were two businesses along this easement so the development would improve access to all of these. The two properties to the north had been added to Roy City from Weber County through annexation. Senate Bill 34 was addressed and discussed. UTA had limited development because they had denied access to the area. City Attorney Andy Blackburn stated that he did not think they should table this because of a lawsuit and that it could be passed with a height contingency.

It was asked how many storage units would go in, to which the developer replied they would build units on five acres and leave the other five acres as open covered storage. However, until the rezone was granted, they had not invested much in the design specifics. The units would be the size of single or double car garages and would not require multiple access points.

There was discussion about what could be allowed under the light industrial zone.

Access from 4800 to 4000 was discussed. A road would have to run through the property, but the owner had no intention of selling land or allowing a road. Traffic and the presence of large vehicles was addressed, and it was noted that these two factors would be minimal because people did not visit storage units very often. The developer stated that by paving the road, snow plowing would also be made easier.

City Attorney Andy Blackburn stated that all they were doing at this time was allowing for a rezone, not allowing the project to go through, and offering a development agreement. They could table this until they decide on the stipulations of a development agreement. The pending lawsuit hindered more of the development than the rezone.

Councilmember Wilson motioned to table Ordinance 12-13 to amend the General Plan Future Land Use Map from Mixed Use to Light Industrial/Warehouse. Councilmember Jackson seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye." The motion carried.

3. **Ordinance 20-14** to amend the Zoning Map from RE-20 (Residential Estates) to LM (Light Manufacturing)

City Planner Steve Parkinson presented this Resolution to the Council.

Councilmember Wilson motioned to table Ordinance 12-14 to amend the Zoning Map from RE-20 (Residential Estates) to LM (Light Manufacturing). Councilmember Jackson seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye." The motion carried.

4. **Resolution 20-38 Changing one Deputy Chief into one Battalion Chief position within the Roy City Fire Department**

Fire Chief, Craig Golden presented this Resolution to the City Council.

Councilmember Paul motioned that we approve Resolution 20-38. Councilmember Burrell seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye." The motion carried.

G. Reports

1. City Manager Report

Matt Andrews, City Manager, thanked the employees that had put together the holiday decorations during the COVID year. He commented on the budget and said that revenues had come in strong and that trend was continuing so he did not think they should hold off the merit to the City employees. A raise for Councilmembers was discussed and the general opinion was that their roles were a service role and they declined.

2. Mayor and Council Report

No comments were made.

H. Adjournment

Councilmember Jackson motioned to adjourn the City Council meeting at 7:15 p.m. Councilmember Burrell seconded the motion. All Councilmembers voted "Aye." The motion carried.

Robert Dandoy
Mayor

Attest:

Morgan Langholf
City Recorder

dc: