



ROY CITY
Roy City Council Meeting Minutes
February 15, 2022 – 5:30 p.m.
Roy City Council
5051 S 1900 W Roy, UT 84067

Minutes of the Roy City Council Meeting held in person in the Roy City Council Chambers and streamed on YouTube on February 15, 2022, 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 also posted on our website www.royutah.org.

The following members were in attendance:

Mayor Dandoy
Councilmember Jackson
Councilmember Joe Paul
Councilmember Scadden
Councilmember Wilson

Councilmember Sophie Paul
City Manager, Matt Andrews
City Attorney, Andy Blackburn
City Recorder, Brittany Fowers

Also present were: Police Captain, Kevin Smith; Fire Chief, Craig Golden; Public Works Director, Ross Oliver; City Planner, Steve Parkinson, Management Services Director, Amber Fowles, Sargent Perez, Detective Frawley, Battalion Chief Hadley, Captain Anderson, Captain Law, Engineer Sorenson; Randy Sant, Nevaeh Parker, Glenda Moore, Kevin Homer, Dustin and Thomas Carter, Elizabeth Brown, Robert and Trisha Clark, Austin Richards, Laura Lewis

A. Welcome & Roll Call

Mayor Dandoy welcomed those in attendance and noted Councilmembers Jackson, Joe Paul, Scadden, Wilson, and Sophie Paul were present.

B. Moment of Silence

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

C. Pledge of Allegiance

Councilmember Scadden 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. Sale of surplus vehicles; 2020 Ford F150 VIN#1FTEW1E48LKE73238, 2020 Ford F150 VIN#1FTEW1E46LFC33534, 2021 Toyota Tundra VIN#5TFDY5F12MX956455, and 2003 Bearcat Crack Sealer Serial#2081105 Model#BK250D.**

Councilmember Joe Paul motioned to approve the Consent Items. Councilmember Jackson seconded the motion. All Councilmembers voted “aye”. The motion carried.

E. Public Comments

Mayor Dandoy opened floor for public comments.

Laura Lewis, 3102 W 6000 S Roy, stated that she was sad she had to be at the meeting tonight because she had been there before and expressed her concern about the intersection and had said that it wasn't a matter of if, it was a matter of when someone died there, and it had happened. A woman had been hit so hard by a man who didn't stop that they had to use the jaws of life to get her out of the car and her grandson in the backseat was seriously injured. A week prior to that accident, there had been 3 accidents at that intersection. Every year someone went through that intersection into her fence, but she didn't care about the fence she cared about the kids that waited on that corner for the school bus. The police department was overwhelmed and understaffed, and she had never seen a police officer there unless they were responding to an accident and people sped all the time. She knew that they had talked about putting a roundabout in, but COVID had put a hold on that, and she couldn't let her kids and dogs play in the front yard. She asked about funding from Wasatch. Mayor Dandoy replied that the Wasatch Regional Council was working through federal funding which came out to around \$729K. Roy City had to fund about \$40-50K of that and they were prepared to do that. Ms. Lewis said that whatever they could do to push this needed to be done because she didn't want to see anyone else die out there.

Mayor Dandoy asked Public Works Director Ross Oliver if he had any updates on the project. Mr. Oliver replied that they hoped to have it started about a year from now. Mayor Dandoy said that they would push this as hard and fast as they could. He said that this intersection, 31 and 6000, had had eleven accidents the year before and the city went in and did an assessment and determined that there was a tree that created a blind spot that they had removed, and signs had been put in. The police department assessment had determined that people were blowing through the stop sign and if they were traveling above the 35mph then there wasn't a lot of reaction time.

Ms. Lewis said that they had also removed a tree from their yard to help with this and a woman had gone so fast through the intersection she had dragged the stump from that tree and if the stump wasn't there, she would have gone right into their house. She didn't want to see anyone else get hurt or killed there and that it affected more than the people in the cars. Mayor Dandoy said that if they were waiting for the funding, they might be able to use city funds if they could be reimbursed to get the roundabout started. He said that they had a similar problem at 3100 and 56 and that solution was with the 56 widening project, but this was a state issue, and the other intersection was a Roy issue.

Councilmember Jackson asked if there was a temporary solution until they got the roundabout started. Mayor Dandoy replied that they had been asked if they could put a 4-way stop there but the challenge with that was that there were some legal and liability issues if it wasn't done a certain way. He said it was on their radar and they were dead set on finding a solution. Ms. Lewis asked if they would lose some of their property. Mayor Dandoy replied that they wouldn't know until they saw it. Ms. Lewis was worried that if this didn't get fixed it would get worse because the open field across from her house was zoned for housing. Mr. Oliver stated that this was personal to him because he used to catch the bus at that same spot 20 years ago.

Dustin Carter, 5924 S 2100 W Roy, said he had submitted a letter two weeks before and was present today to address Council concerns. His house faced west and was on a slope and he had excavated around his entrances to create driving space. They had also created an addition for his father and extended out west to the street and had extended 16 inches too far west. The reason he had written a letter was because a friend on another city council had told him to. Councilmember Wilson asked if he had gotten a permit before adding on. Mr. Carter replied that he had not. Councilmember Wilson asked if someone was complaining and wanted him to tear it down. Mr. Carter replied that he was not sure, but he was out of code and wanted to address that.

City Planner Steve Parkinson said that a stop order had been put on it because it was discovered that there was no permit and as they investigated, they found more and more things wrong with it, but not having a

permit was the biggest issue. Councilmember Wilson asked what the next step moving forward would be. Mr. Parkinson replied that a petition for a permit had been submitted but it can't get past planning because the building was within setbacks. The other issue was that he had converted the single car carport into living space and hadn't provided legal parking outside of the setback.

Councilmember Wilson asked if there was any way to take a next step. Mr. Parkinson replied that technically Mr. Carter needed to remove all of the portions of the building within the setback and because there wasn't a hardship with the land it wouldn't get past the hearing officer. Councilmember Sophie Paul asked how easy it would be to tear it down and asked Mr. Carter if he was building it himself or had hired someone. Mr. Carter replied that the gentleman he had contracted, had talked him out of getting a permit. He knew that they should have gotten a permit, but he was in a rush to get the project done so his dad could move in.

Councilmember Sophie Paul asked if he had a copy of the contract. Mr. Carter replied yes, but the contractor hadn't actually signed it, but he had emails to prove amounts. He said that the 16 inches had been a mistake, but he hoped that the safety of his family was more of a concern than the hardship of the land. He said that the house next him that faced north had a wall closer to the sidewalk than his and it would rip his heart out to have to spend \$35K to rip out the wall. Councilmember Joe Paul said that this sounded like a legal issue with the contractor. Mr. Carter said that if he could not come to some sort of terms with the Council then he would have to take legal actions.

Mayor Dandoy said that at this point they needed more awareness of the issue and that he recommended Mr. Carter provide his contact information and schedule a meeting to flush out all the issues from the city's perspective and then see what the options were. Short of the Council changing the ordinance, there wasn't much they could do to solve the problem. City Attorney Andy Blackburn said this was correct and that the Council was not the proper place to address this issue. A stop order had been placed and he could either come into compliance or try something else. Mayor Dandoy said that the Council could only change the ordinance and it might come down to that being the only option. Mr. Carter said that any consideration would be appreciated.

Kevin Homer, 5398 S 4000 W Roy, said that they would be discussing the properties near Bridge Elementary later that night and that he had followed these discussions for the past couple of years and thought that there had been a lot of good points made by the citizens that lived in that area. He appreciated the accommodations the developers had made. He said that a moratorium on development in Roy was the only way to address all of the concerns. He recommended about resolutions 21 and 22.

Mayor Dandoy closed the floor for public comments.

F. Action Items

1. Swearing in Youth Councilmember Nevaeh Parker

Mayor Dandoy introduced Nevaeh Parker as the Youth Councilmember and offered her a moment to tell Council about herself.

Brittany Fowers delivered the Oath of Office for Nevaeh Parker.

2. Swearing in newly promoted Police Sergeant Erick Gonnuscio

Swearing in for Sgt. Gonnuscio was tabled for another meeting due to a prior arrangement.

3. Swearing in recent promotions for the Fire Department

Chief Golden spoke on recent promotions and provided career achievements for each employee.

Brittany Fowers delivered Oath of Office for Battalion Chief Hadley, Captain Anderson, Captain Law, and Engineer Sorenson.

4. Employee of the Month – Detective John Frawley, read and presented by Sergeant Perez.

Sgt. Perez highlighted the immense effort of Detective Frawley as it related to the arrest in a Roy City cold case.

5. Ordinance 22-1 Amend General Plan (Future Land Use Map) from Medium Density Single Family and Commercial to Very High-Density Multi-Family Residential at approximately 4863 South 3500 West.

Mr. Parkinson presented the next three items at the same time because they were all directly related. The properties located south of Bridge Academy were 4.7 acres and he presented the maps of the property. He said that the language in the Master Plan related to density was arbitrary and read from the General Plan to explain why. He presented the densities of other cities. The current developers had come in with a rezone request looking to do a mixture of single and multi-family homes. The multi-family units were a triplex design with a max height of 35 feet. The developer had provided a conceptual site plan and it was presented to the Council. The planning commission had held a public hearing for this in November of 2021 and had recommended for the approval of both the general plan amendment and the zoning map. Staff recommended approval of both the general plan amendment and the rezone.

Councilmember Wilson clarified that the development agreement would be attached to the property even if it was sold. Mr. Parkinson confirmed. Councilmember Wilson asked about UDOT requirements. Mr. Parkinson replied that if he needed to lose a couple of units based on UDOT requirements then he would, but he would not exceed the stated amount.

Michael [last name unclear], 84 W 4800 S Roy, developer, said that when this property was presented to him it was challenging because the city didn't currently have a code that prevented them from doing what they wanted to do. He thought they had a design for the property that would work but they understood that the city ordinance would allow them to do a development agreement that would permit this. They had met with the fire chief and knew that they may need to do some widening of roads and they understood that they may lose a few units. They had a traffic engineer do an analysis on the property with regards to the addition of the development and that the traffic generated was almost identical to the assisted living facility. He didn't have an answer to the traffic question because anything that was built on the property would generate some kind of traffic. He thought that this kind of housing was crucial at this time. He talked about water usage and the landscaping that would be installed. Landscaping was important to the architect and the overall look of an area and that the landscaping they would be putting in would be a major attribute to this neighborhood. He was surprised that no one had talked about property values and that residential properties were better for property value than commercial.

Councilmember Wilson asked about the timeline for the development. Michael replied that the first step would be to get through the planning commission and then back to Council for engineering approval and that should take 60-90 days. Once the engineering was approved, they would start construction but the development phase should take 4-5 months so he would expect by September, if everything went well, they would be ready to start building houses.

Mayor Dandoy suggested Council consideration about losing the houses along 5600 because of the UDOT project that was to begin soon.

Councilmember Wilson motioned to approve Ordinance 22-1 Amend General Plan (Future Land Use Map) from Medium Density Single Family and Commercial to Very High-Density Multi-Family Residential at approximately 4863 South 3500 West. Due to no seconding, Ordinance 22-1 was denied.

6. Ordinance 22-2 Amend Zoning Map from CC (Community Commercial) to R-3 (Multi-Family Residential) at approximately 4863 South 3500 West
7. Resolution 22-2 Development Agreement between Roy City and Hamlet Development

Due to Ordinance 22-1 being denied, Ordinance 22-2 and Resolution 22-2 were also denied.

G. Discussion Items

1. Funding for new Children's Justice Center facility

Mayor Dandoy said that they had been asked for \$142K in funding for a new Children's Justice Center facility in Ogden. He asked Council if they were willing to move forward with that process. Councilmember Wilson asked if there were any concerns about how the money was transferred. Mr. Blackburn replied that they could see that it was a proper use of funds, but it came down to who owned the building. Councilmember Joe Paul was concerned about the building going to a private entity and he was more comfortable giving the money to Weber County and letting them own the building and lease it to the Children's Justice Center. Councilmember Scadden asked if the money was strictly for the building or also for services and asked if there was a concern of them coming back and asking for money for services. Mayor Dandoy said that they had enough money to sustain services and just needed capital for the building. Weber County said that they would only participate if all of the cities contributed and if they agree to this, it should be contingent on the participation of all other cities.

Police Captain Kevin Smith said that the Children's Justice Center was a necessity. They had a few detectives that dealt with child abuse and when they couldn't get a room in Ogden, detectives were having to drive down to Farmington. Captain Smith had been in these facilities and said that they were invaluable. Councilmember Sophie Paul asked if there was a facility in Roy that could be used. Captain Smith replied that all of the cities were sharing the one in Ogden.

Mayor Dandoy said that with the increase in population and the increase in problems due to the pandemic, ultimately Ogden needed a new facility. If Council was concerned about the facility falling into the private sector, then they could make that a contingency. Councilmember Joe Paul wanted to make sure it would stay under county ownership. Mr. Blackburn said that if they moved forward, they would need to do so with 2 contingencies. One, that it would stay under county ownership, and two, that all of the cities in the county participated.

2. Fencing adjacent to Station 32

Mayor Dandoy said that there was a request by the property owner to put up a fence between their property and the adjacent fire station and for the city to offset some of the cost. The request was for a cement retaining wall. Councilmember Wilson asked who would be in charge of the maintenance. Mr. Blackburn said that if they owned half of it, they would have to maintain half of it, but it was a pretty maintenance free fence. Councilmember Joe Paul thought that they had to be careful to set a precedent because people came to the Council all the time asking for money to help build things. Councilmember Wilson asked if the city had done anything like this in the past. Mr. Blackburn replied, not to his knowledge but they had put up the

chain link fence around the fire station. Councilmember Wilson said she had gone to look at the property and the current fencing looked fine. It was of the majority to not provide funding for the proposed retaining wall.

3. Status update on new streetlight on 2350 West

This was for a dog bone turn on 2350 West because of the way the road curved. Mr. Andrews said that public works had gone out and spoken to residents and that the process of getting a light there was full of getting other peoples' permissions. In August they had started to put a light in on 4000 by the railroad tracks and it was completed but they were waiting on Rocky Mountain Power, so a lot of it was out of their hands. There was already a pole there, but it was owned by Quest, and they would need to get their permission. They could try a solar light there but would need permission from property owners. Mayor Dandoy explained the city's policy with regards to stoplights. There was discussion about cost. Councilmember Joe Paul asked if they could get the same number of lumens from a solar light.

Councilmember Jackson said if it was within reason she would like to move forward. There was unanimous agreement.

4. Status update on "Welcome to Roy" signs on North and South ends of 1900 W.

Councilmember Jackson said that the builder was waiting on the weather to get better and then he would get going on it.

5. Status on new three (3) Catwalk properties conveyed to private residents

Mr. Parkinson said that they were waiting for plats to be finalized on two of them. The third one they were waiting to see what the 4 homeowners there wanted to do and then they would get a plat drawn up for it.

6. Purchasing of Roy City Challenge Coins

Mr. Andrews said that this was prominent in the public safety departments, and it was an achievement to receive one of these from someone. The idea was for Council to purchase some of these to give out for things like employee of the month or other good deeds. Councilmember Wilson asked about cost and alternate solutions. Mr. Andrews said that they could design the coin any way they wanted and that the more they ordered the cheaper it would be. Councilmember Joe Paul liked the idea of it and that it was an easy way to do recognition. Fire Chief Golden explained how the fire department used challenge coins. Mayor Dandoy said that giving recognition to people in the form of a challenge coin was better than money because they wouldn't remember what they spent the money on, but they would never forget receiving a challenge coin. Councilmember Wilson asked what people did with their coins. Chief Golden said he carried his around with him and had some displayed at his house. It was agreed that Council would come up with a design and get a bid.

7. Business Advisory Board

Mayor Dandoy asked if they wanted to continue the Business Advisory Board. Councilmember Joe Paul voted no. He said it was a great idea but the avenue for doing it didn't seem like it ever panned out. He recommended that the economic development committee have business owners brought on as a replacement for BAB.

Councilmember Wilson asked if there was a contract that could be developed with regards to confidentiality. Mr. Blackburn replied that they could have them sign a standard NDA. There was

agreement that no one outside of the city needed to hear any sensitive information and they should just not be present for that.

Councilmember Wilson said she would like to redefine the purpose of the BAB. Councilmember Joe Paul said that he thought that the economic development committee should be involved. Mr. Andrews said that the outside business owners didn't need to be a part of the committee, they could act as advisors rather than have them involved in all of the discussions and could attend by invitation only.

8. Waste Passes

Mr. Andrews said that they had implemented this program last April along with spring cleaning and wanted to do it again this year. They had allotted \$5K the year before and they wanted to increase that amount because they had run out last year. The city printed out the passes and then waste management billed the city. There was discussion about how they could track usage of the passes. This would not replace the spring and fall cleanups; it would be a supplement. They would plan to increase the amount to \$10K.

H. City Manager & Council Report

Mr. Andrews said that they had had a discussion about the Parks and Rec department coming up with areas around the city to do xeriscaping and the plan was almost done and would be giving a presentation shortly. The water department had been working on changing up the meters to radio read. They were proposing to go to monthly billing in June, which meant the last bill in March and April would be catch up bills for the winter. Councilmember Wilson asked what the cost increase would be to go to monthly. Mr. Andrews replied that there would be a cost increase for the city, but they hadn't quantitated it yet. There was general agreement that going to monthly would be better. Mayor Dandoy said that they needed to get the word out that this would be starting in June.

Mr. Andrews said that the boys and girls club did an annual dinner and would be doing it in March this year. He asked if Council wanted him to get a table, and that tables were \$1,000 for ten people. Councilmember Jackson said that it was the same night of the Junior Prom. Mayor Dandoy said that if they bought ten seats, they needed to fill ten seats and that whoever wanted to go needed to email Mr. Andrews and if he got ten people, he would pull the trigger.

Mr. Andrews gave an update on the bridge near Bridge School. They were in line of the April 15th water turn on date but there was still quite a lot of work to do.

Youth Councilmember Parker asked if the city gave funding to high school sports team. Mr. Andrews replied that they gave the fall sports a dinner and there was a \$1,000 in the budget for graduation. Ms. Parker asked why the spring sports didn't dinners. Mr. Andrews replied he wasn't sure and could ask about getting the spring teams dinner. Ms. Parker thought it would be cool to give equal treatment to all of the teams. Mr. Andrews commented that they could no longer cook the meals because of COVID and that they would need someone with a food handlers permit.

Councilmember Joe Paul reported on his stewardship with the Sewer Board. They had just appointed officers and he was now the vice-chair of the board. He talked about the pipe project between Farmington Bay and Gilbert Bay. He had been invited to an anti-drug use and abuse convention and he had learned a lot about how to identify drug use in the community.

Councilmember Jackson said that it was the Mayor's birthday and Council sang him Happy Birthday.

Councilmember Sophie Paul said she had met with Natalie from the Boys and Girls Club and that Covid

had hit them pretty hard. They were looking for ways to get word out about their programs and increase participation.

Mayor Dandoy said that there were 31 bills in the legislature at the time that dealt with water. They would know more as they ended the session and what went to the governor for signature. He said on the 22nd of February they wanted to have a General Plan work session.

I. Adjournment

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

dc: