



ROY CITY COUNCIL MEETING AGENDA

NOVEMBER 1, 2022 – 5:30 P.M.

ROY CITY COUNCIL CHAMBERS 5051 S 1900 W ROY, UTAH 84067

This meeting will be streamed live on the Roy City YouTube channel.

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

1. Financial Statements – July 2022, August 2022, and September 2022
2. August 2, 2022; August 16, 2022; September 6, 2022; September 20, 2022, City Council Meeting Minutes

E. Public Comments

If you are unable to attend in person and would like to make a comment during this portion of our meeting on ANY topic you will need to email admin@royutah.org ahead of time for your comments to be shared.

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 time you take. We welcome all input and recognize some topics make take a little more time than others. If you feel your message is complicated and requires more time to explain, then please email admin@royutah.org. Your information will be forwarded to all council members and a response will be provided.

F. Presentations

1. Roy City Ordinance – Title 6 Motor Vehicles and Traffic – On Street Trailer Parking
2. Halloween Home Decorating Contest Winners

G. Action Items

1. Resolution 22-19 - Hill Air Force Base Automatic Aid Agreement
2. Resolution 22-20 - Approval of Roy City Police Department Bailiff Job Description

H. Discussion Items

1. Red Curb Marking – parking restriction on Midland Drive, West of Bridge Elementary
2. Challenge Coins
3. 5600 South/I-15 Roy City Sign
4. Winterization at the Complex

I. City Manager & Council Report

J. Adjournment

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

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 28th day of October 2022. A copy was also posted on the Roy City Website and Utah Public Notice Website on the 28th day of October 2022.



ROY CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2022

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
PROPERTY TAX	16,197.43	39,204.03	4,330,100.00	4,290,895.97	.9
SALES AND USE TAX	621,529.98	621,529.98	7,650,000.00	7,028,470.02	8.1
FRANCHISE TAX	316,818.47	651,227.61	3,204,675.00	2,553,447.39	20.3
LICENSES AND PERMITS	30,656.25	158,597.71	396,100.00	237,502.29	40.0
INTERGOVERNMENTAL	5,500.00	2,370,989.76	383,125.00	(1,987,864.76)	618.9
CHARGES FOR SERVICES	326,860.63	1,049,723.61	3,414,500.00	2,364,776.39	30.7
FINES AND FORFEITURES	40,685.94	200,228.15	563,000.00	362,771.85	35.6
MISCELLANEOUS REVENUE	22,173.77	256,416.04	103,500.00	(152,916.04)	247.7
CONTRIBUTIONS AND TRANSFERS	0.00	24,490.00	1,192,945.00	1,168,455.00	2.1
	1,380,422.47	5,372,406.89	21,237,945.00	15,865,538.11	25.3
<u>EXPENDITURES</u>					
LEGISLATIVE	22,306.58	102,208.93	472,687.00	370,478.07	21.6
LEGAL	16,527.35	75,838.41	430,331.00	354,492.59	17.6
LIABILITY INSURANCE	17,126.75	51,380.25	205,521.00	154,140.75	25.0
JUSTICE COURT	30,498.52	95,651.46	446,093.00	350,441.54	21.4
FINANCE	28,742.86	86,091.35	481,648.00	395,556.65	17.9
SPECIAL LEGISLATIVE COMMITTEES	0.00	0.00	0.00	0.00	.0
CARES ACT	0.00	0.00	0.00	0.00	.0
TRANSFERS	68,232.00	204,696.00	963,284.00	758,588.00	21.3
BUILDING/GROUND MAINT DIVISIO	47,226.96	139,447.57	696,284.00	556,836.43	20.0
ANIMAL SERVICES	0.00	0.00	0.00	0.00	.0
POLICE AND ANIMAL SERVICES	495,204.35	1,466,464.05	6,536,461.00	5,069,996.95	22.4
FIRE & RESCUE	515,711.73	1,265,278.06	5,047,109.00	3,781,830.94	25.1
COMMUNITY DEVELOPMENT	43,138.38	91,046.51	675,346.00	584,299.49	13.5
STREETS DIVISION	48,779.43	160,200.75	696,218.00	536,017.25	23.0
FLEET SERVICES DIVISION	23,380.22	53,096.28	228,208.00	175,111.72	23.3
PARKS	0.00	0.00	0.00	0.00	.0
PUBLIC WORKS ADMINISTRATION	20,624.82	64,929.45	415,707.00	350,777.55	15.6
RECREATION COMPLEX	31,838.13	105,827.31	1,287,192.00	1,181,364.69	8.2
AQUATIC CENTER	62,770.76	289,022.02	719,929.00	430,906.98	40.2
ICE RINK	0.00	0.00	0.00	0.00	.0
ROY DAYS	3,565.10	169,042.46	132,389.00	(36,653.46)	127.7
PARKS & RECREATION	114,702.70	397,065.93	1,803,538.00	1,406,472.07	22.0
DEBT SERVICE	0.00	0.00	0.00	0.00	.0
MISCELLANEOUS	0.00	0.00	0.00	0.00	.0
	1,590,376.64	4,817,286.79	21,237,945.00	16,420,658.21	22.7
	(209,954.17)	555,120.10	0.00	(555,120.10)	.0

ROY CITY CORPORATION
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2022

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
41 CAPITAL PROJECTS FUND	28,641.79	80,156.22	2,454,000.00	2,373,843.78	3.3
50 UTILITY ENTERPRISE FUND	911,584.33	2,696,827.03	9,780,760.00	7,083,932.97	27.6
51 STORM WATER UTILITY FUND	78,812.21	234,477.09	1,066,967.00	832,489.91	22.0
53 SOLID WASTE UTILITY FUND	241,801.44	718,009.42	2,678,278.00	1,960,268.58	26.8
60 INFORMATION TECHNOLOGY	65,967.08	197,901.24	791,605.00	593,703.76	25.0
63 RISK MANAGEMENT FUND	24,466.83	73,400.49	293,602.00	220,201.51	25.0
64 CLASS "C" ROADS	198,397.37	209,071.53	2,472,100.00	2,263,028.47	8.5
65 TRANSPORTATION INFRASTRUCTUR	56,322.27	61,413.47	555,000.00	493,586.53	11.1
66 BEAUTIFICATION	0.00	0.00	0.00	0.00	.0
67 STORM SEWER DEVELOPMENT	7,206.92	56,962.08	196,000.00	139,037.92	29.1
68 PARK DEVELOPMENT	5,430.52	73,430.12	186,667.00	113,236.88	39.3
71 REDEVELOPMENT AGENCY	7,178.26	18,707.06	1,609,356.00	1,590,648.94	1.2
74 CLOCK MAINTENANCE FUND	0.00	0.00	0.00	0.00	.0
75 CEMETERY FUND	0.00	100.00	0.00	(100.00)	.0
	1,625,809.02	4,420,455.75	22,084,335.00	17,663,879.25	20.0
<u>EXPENDITURES</u>					
41 CAPITAL PROJECTS FUND	109,701.72	173,597.12	2,454,000.00	2,280,402.88	7.1
50 UTILITY ENTERPRISE FUND	950,447.16	1,509,810.49	9,780,760.00	8,270,949.51	15.4
51 STORM WATER UTILITY FUND	67,335.37	185,273.82	1,066,967.00	881,693.18	17.4
53 SOLID WASTE UTILITY FUND	220,661.16	360,921.90	2,678,278.00	2,317,356.10	13.5
60 INFORMATION TECHNOLOGY	132,186.30	317,028.44	791,605.00	474,576.56	40.1
63 RISK MANAGEMENT FUND	20,669.47	134,562.16	293,602.00	159,039.84	45.8
64 CLASS "C" ROADS	65,505.73	513,874.50	2,472,100.00	1,958,225.50	20.8
65 TRANSPORTATION INFRASTRUCTUR	33,382.21	20,954.03	555,000.00	534,045.97	3.8
66 BEAUTIFICATION	0.00	0.00	0.00	0.00	.0
67 STORM SEWER DEVELOPMENT	0.00	0.00	196,000.00	196,000.00	.0
68 PARK DEVELOPMENT	0.00	(9.34)	186,667.00	186,676.34	.0
71 REDEVELOPMENT AGENCY	3,150.00	6,247.50	1,609,356.00	1,603,108.50	.4
74 CLOCK MAINTENANCE FUND	0.00	0.00	0.00	0.00	.0
75 CEMETERY FUND	0.00	0.00	0.00	0.00	.0
	1,603,039.12	3,222,260.62	22,084,335.00	18,862,074.38	14.6
	22,769.90	1,198,195.13	0.00	(1,198,195.13)	.0



ROY CITY
Roy City Council Meeting Minutes
August 2, 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 August 2, 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 the Roy City website.

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

Excused:

Also present were: Police Chief, Matthew Gwynn; Fire Chief, Craig Golden; Parks and Recreation Director, Travis Flint; Public Works Director, Ross Oliver; Public Works Deputy Director, Brandon Edwards; Management Services Director Amber Fowles; Robert Percival, Meg and Colby Wortman, Kelson Kealamukra, Joe Cook, Henry DeVapork, Keith Brumfield, Steve and Erin Call, Amy and Tyson McCrary, Francisco Maldonado, Brandon Barber, Rita Larson, Craig Irwin, Jake, Wendy Thompson, Skyler Gallegos, Ross Worthington, Shauna Havey, Mike Storey, Leon Wilson, Travis Dahle, Glen Mills, Mick Hansen, Jenaine Williams.

A. Welcome & Roll Call

Mayor Dandoy welcomed those in attendance and noted Councilmembers Jackson, Wilson, Sophie Paul, Scadden, and Joe 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 vehicle; 2021 Ford F-150 VIN# 1FTFW1E83MKE06703

Councilmember Joe Paul said he wanted to track the residual value of the vehicle, and compare what they had paid for it compared to the amount they were able to sell it for. City Manager Matt Andrews noted the City had actually profited off of the last two vehicles they had sold. Councilmember Joe Paul thought there needed to be a bigger discussion as to how they budgeted for those vehicles. City Manager

Andrews elaborated they were required by law to sell City vehicles or other assets in a public forum, so they utilized online marketplaces such as KSL.com to sell items.

2. Financial Statements

Mayor Dandoy pointed out the budget was missing about two months of sales tax revenue, yet they had hard numbers for the expenditures they had incurred in the previous fiscal year. He pointed out there was a difference of about \$5 Million between their actual expenses with what had been budgeted in General Fund for that year. He asked if there were any new expenditures for the last year that they had not yet gotten to. City Manager Andrews explained they were still open for the previous fiscal year, and there were several contracts and budgets that were still slated to come through for 2021. He said there were also larger expenditures, such as the fire truck and other vehicles, that had not been purchased yet. He said they had prior year expenditures that would need to be re-budgeted. Mayor Dandoy thought it seemed like that was too much of a moving target for them to make decisions for next year, and asked when they would have hard numbers for the budget. City Manager Andrews anticipated they would not have hard numbers about the previous year budget until December of that year, and he noted this was the case for all cities.

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

E. Public Comments

Mayor Dandoy opened floor for public comments.

Skyler Gallegos stated he was a former resident of Roy City, and expressed his support of Tailored Barber Company and the proposed expansion to Tailored Body Arts and Tattoo. He hoped they would be approved to expand their business. He spoke highly of the characters of the owners, Joe and Kayla, and recalled that he had known them since junior high. He stated he had always had a good experience at Tailored Barber Shop. He discussed they were good people, and very involved in the community as well.

Sophia [last name unclear] stated her address was 1796 West 25 South in Roy City, and spoke on behalf of Tailored Barber Company. She said she had also known Joe and Kayla since they were young, and discussed they were very passionate about the expansion and thought the business was a good idea. Sophia said she supported local businesses whenever she could, and said whenever she was ready for a tattoo, she would want to get a tattoo from a locally run, woman-owned shop. She also liked that Tailored Body Arts and Tattoo supported the military and first responders. She thought the business would incentivize people to move to Roy, and be good for the economy.

Meg Wortman gave her address as 2866 West 2800 North in Clinton, and echoed the previous comments in support of Kayla and Joe and their proposed business. She thought the couple would be very successful in running a tattoo shop. She also commented COVID-19 had slowed down economic growth in the area, and she thought opening a new business would be a great way to help revitalize the area.

Ashley [last name unclear] of 2648 West 4860 South said she also operated a small business, located in Ogden. She extended her support to Kayla and Joe as well, and commiserated with them in the many struggles that small businesses faced. She thought the tattoo shop would bring new jobs to Roy, and thought it would be very unfair if they were not permitted to open their shop. She noted the population growth in Roy City, and felt this number might not be accurate. She commented she had tattoos, but they did not define her and were a small part of who she was as a person. She hoped to see the tattoo shop open soon.

Tyson Hunter gave his address as 799 East 5000 South, South Ogden, and noted he had come on behalf of his company. He stated he had met Joe and Kayla while negotiating a lease, and while he had not known them as long as everyone else in attendance, he had found them wonderful to work with and thought they were a lovely company. He discussed it was no longer 1990, and times had changed, and tattoos were much more mainstream in today's age. He felt confident nothing untoward or illegal would take place in their tattoo shop, and he was sure that the shop would be beneficial to Roy City.

Keith Brumfield gave his address as 4483 Haven Creek Road in Westhaven. He said he was Kayla's father, and he knew what high standards the barbers at her shop were held to. He knew Joe and Kayla would have the same diligence in hiring tattoo artists, and would ensure that everyone they hired was an asset to the shop and the overall community. He acknowledged that although he was Kayla's father, he was not being biased in his opinion that their shop would be successful and an asset to Roy.

Mathew [no last name] gave his address as 4800 South 3700 West. He said he lived on the dividing road between Westhaven and Roy City, and he expressed his agreement with the previous commenters that Joe and Kayla's shop would be a benefit to Roy City. He pointed out they had already proven that they could run a successful business, and noted there was a huge demand for tattoos in the City and surrounding area. He did not want to have the business forced to leave Roy over population numbers, which he felt were likely to change anyway in the future.

Brandon Barber of 2800 South 1550 West said he had known Joe and Kayla for over seven years, and in that time he had supported their barber shop and seen it flourish. He noted they were very selective in who they hired for the barber shop, and knew they would be discerning in what tattoo artists they hired. He thought it would be good for the City to allow the shop.

Ross Worthington gave his address as 2254 West 1450 North in Layton, and also voiced his support for Joe and Kayla. He said he understood the stigma of tattoos and tattoo shops, but said the stigma had long since changed. He acknowledged he used to share that stigma of tattoos, but he had changed his opinion since getting to know Joe. He thought Joe was an amazing business owner and man, and said he cared deeply for his employees. Mr. Worthington expressed that Joe had changed his mind about tattoos, and shared some statistics which reflected how many Americans had at least one tattoo, and a majority of Americans were in favor of tattooing. He said personal expression was important, and tattoos could commemorate significant events in one's life or an important aspect of one's identity. He also shared some numbers about how much money was spent in the tattoo industry every year, and noted a tattoo shop would be very economically advantageous for Roy.

Chelsea Carstensen said her address was 4527 South 1965 West and stated she was in favor of Tailored Body Arts and Tattoo. She thanked Joe and Kayla for building a small business, and said her fiancé was one of the tattoo artists they had hired. She said tattooing was her fiancé's career and his passion, and she discussed how many tattoo artists shared his passion for their jobs. She said Joe and Kayla were wonderful people to work for, and she thanked them for everything they had done for her and her fiancé. She said everyone who knew the couple had only wonderful things to say about them.

Steve Kauffman gave his address as 846 North 3600 West in West Point. He noted the incredible character of Joe and Kayla, and spoke about his career in the military. He shared some of the tattoos that he had personally, and explained how they had been of solace to him during his time spent serving overseas. He also shared that some of his tattoos were related to his daughter, and these had helped him during the times he had needed to be away from her. He urged the Council to realize tattoos had much deeper meaning than simply art, and were very important to people.

Amy McCrary of 4247 West 5325 South in Roy City spoke to Joe and Kayla's character, and praised them for running such a clean, professional shop. She hoped their tattoo shop would be allowed to open.

Steve Call of 867 North 3600 West said Joe and Kayla were his neighbors, and also praised their character and shop. He said tattooing had been practiced across the globe for thousands of years, and even predated spoken language. He thought the ordinance that banned tattoo parlors in the first place was archaic and should be done away with, and felt anyone of legal age should be allowed to express themselves with tattoos. He felt the free market, and not a population ordinance, should dictate what kind of businesses were allowed to operate in the City.

Robert Percival of 55 North 1855 West commented he was speaking as a lawyer, and said while he did not know anything about barber shops, he felt a barber shop and a tattoo shop worked well together. He discussed tattooing was therapeutic for him, and he felt it was an important service. He said his tattoo artist was something of a therapist to him. He said tattoo shops rendered an important service to people, and it would also be a good source of revenue for the City. He also pointed out the City had approved tattoos for City employees several years ago, and he thought approving the tattoo shop would follow the same logic that had been applied when tattoos for employees had been allowed. He contended if the City did not allow the shop, they would be limiting their workforce.

Travis Dahle stated his address as 2977 West 4425 South and said he was there on behalf of Joe and Kayla as well. He spoke about how hard it had been to convince his son to go get his hair cut, until he had found Joe and Kayla's shop. He discussed the high quality of service he had always received there, and thought it would be the right thing to do to allow the tattoo shop to open.

Mayor Dandoy closed the floor for public comments.

F. Action Items

1. Supervising Fire Office Designation – Presented by Chief Golden on behalf of the Utah Commission on Fire Officer Professional Development.

Fire Chief Golden expressed his pleasure in notifying the Council about the achievements of firefighter Brandon [last name unclear] and said he had met all the requirements to receive the designation of Supervising Fire Officer. Fire Chief Golden explained Brandon had the education, experience, and recommendations needed to reach this designation, and he noted Brandon was the first individual to have achieved this award to date in Roy City, with only a small number of awards were handed out every year. Fire Chief Golden commented this was significant for the City, and invited Brandon forward for a picture opportunity. Brandon spoke briefly as well, and expressed the rigorous training and education he had received to achieve his distinction. He stated he had been a firefighter since he was 20 years old, and was now 38.

2. Consideration of Resolution 22-14; A resolution adopting the Roy Days Bag Policy.

City Attorney Andy Blackburn informed the Council he had been working with their legal team since the Council had last discussed the possibility of banning bags at the upcoming Roy Days parade. He presented the language they had come up with for signage, and overviewed the types of bags which would be allowed into the parade grounds. He noted any bags related to ADA needs or other disabilities would still be allowed, and other small bags would be left to the officer's discretion. He clarified this would only apply to the fenced-in area, and it would be a one-time policy that would not apply in perpetuity to other large events in Roy. He explained they were mainly trying to eliminate any contraband in the fenced-in area, and recalled there had been an incident in other cities in which people had smuggled in

fireworks or weapons. He further clarified this was not intended to surprise anyone, and this policy was in line with what other cities around the country were doing at large scale events. He reiterated things like diaper bags would be left at the discretion of the officer at the gate, and explained there would be a social media campaign to inform people ahead of time of the new policy. He summarized officers had full discretion, and said there was also signage informing people that their bags may be searched. He also clarified the bags would be searched by officers, not City employees.

Councilmember Sophie Paul motioned to approve Resolution No. 22-14 Adopting Roy Days Bag Policy. Councilmember Jackson seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.

3. Consideration of Resolution 22-15; An interlocal agreement with Weber County for Children’s Justice Center Funding.

City Manager Matt Andrews presented the interlocal agreement between the City and Weber County. He explained the agreement stipulated Weber County would own the building and expressed Roy City’s intent to participate, although the City would not be tied to the specific amount of \$142,895. He noted there would have to be a different vote to approve those funds in their budget, and said they could allot some of their ARPA funds to be used for the Justice Center. Mayor Dandoy added they did not yet know how many cities would be involved, so they did not have a final number as to what their portion of the cost would be. Mayor Dandoy also discussed other cities needed to step up and do their part.

Councilmember Joe Paul motioned to approve Resolution No. 22-15 Interlocal with Weber County for Children’s Justice Center (CJC). Councilmember Scadden seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.

4. Continuation – Ord. No 22-6; to amend Title 10 Zoning Regulations, CH 10 – General Property Development Standards, amending Table 10-1 “Maximum Building Height” and CH 31 – Definitions amending the definition of “Building Height”

City Planner Steve Parkinson explained this was a continuation of the amendment to Title 10 in regards to the definition of building height. He said section 10-1 needed to be amended, and gave a short history of the Code changes in regards to building height over the years. Specifically, he noted the language had always been “midpoint between the eaves and the peak” for pitched roofs since it had been originally written in 1993. He said since the Planning Commission understood this did not take into account homes that were built on a slope, they had done some research to find what other City Codes throughout Utah stipulated for building height to come up with the language in the amendment. City Planner Parkinson reported the Planning Commission had determined things such as architectural features or enclosed decks would not be included in the height limitation. City Planner Parkinson overviewed the new language for the Code, and he noted the Planning Commission had taken several meetings to look at this issue and solve it in the best way possible. He noted there had been some changes to the amendment since the last meeting, and he explained that he and City Attorney Andy Blackburn had edited the wording in order to make it as clear as possible. He stated Staff recommended approval of the amendment as written.

Councilmember Wilson agreed the change would be a better and more uniform way to have the Code written, but she thought architectural elements such as a parapet or screening should be within the height inclusion. She pointed out parapets could sometimes go across the entire roof and could go up to ten feet, which could pose issues. She thought decks and porches had the potential to cause a wall, and said they would need to have height restrictions for decks, porches, and other add-ons. She discussed she had spoken with several engineers and designers who had gone through the equidistant points of the examples given, and they had found that measuring from the highest and lowest point was the easiest option. She thought

this would save a lot of work for not only the developer and engineers, but also the City building inspector. She thanked City Planner Parkinson for his research.

Mayor Robert Dandoy asked the Council to consider what the mid-way would be under these ordinance changes. He stressed the need to distinguish between ‘definition’ and ‘intent.’ He asked the Council to approve the ordinance as written or note any addendums needed. Councilmember Wilson said they also should determine their high points and low points. City Planner Parkinson said they should especially focus on rooftop gardens when renegotiating maximum height requirements. Councilmember Wilson suggested changing the language and including exceptions for flag poles, chimneys, and other structures which could impact the height. Councilmember Joe Paul cautioned this could be a slippery slope and blur their standards even further.

Mayor Dandoy again encouraged the Council to make a motion, either by tabling this item for later discussion or moving forward with concrete decision making.

Councilmember Wilson motioned to approve Ord. No. 22-6 to amend Title 10 Zoning Regulations, CH 10 – General Property Development Standards, amending Table 10-1 “Maximum Building Height” and CH 31 – Definitions amending the definition of “Building Height”, with adjustments to wording as stated. Councilmember Jackson seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.

5. Ordinance No. 22-10; to amend Title 10 Zoning Regulations, CH 17 – Table of Uses – Table 17-2 Table of Allowed Uses – Non-Residential Zoning Districts – “Tattoo & Body Art” – to remove the number allowed per Census data.

City Planner Parkinson led this portion of the meeting. He introduced the applicant of “Tattoo & Body Art,” Kayla Florez. Ms. Florez began by making her understanding of the City and Health City Code clear. She indicated her intent that evening was to change the previous zoning Code, which capped the number of tattoo and piercing locations based on the population of the City. She then went into a short history of her business, and explained they currently existed as a barber shop and regularly participated in Roy City events. She said they would like to utilize the full extent of their space and add tattoos and piercings to their current list of services. Ms. Florez reported she and her business partners had received a large amount of public support, both from a petition and from social media interest. She noted they had received over 1,568 signatures within 48 hours. Ms. Florez explained the issue was that they would be the fourth tattoo shop in Roy City, thereby surpassing the population and density code currently in place. She added how Roy City’s population - which impacted her ability to expand her business - could have changed since the last census, which was several years old. She noted she and her business partners had taken the appropriate measures to change the zoning laws. Ms. Florez discussed the ways tattoo and body piercing services would expand Roy City’s economy, especially given the increased popularity in these services. She suggested the new Code should go off mileage between shops versus population alone. She provided the Council with a packet that contained more data on the market demand for tattoo artists. She reminded the Council of the population growth in Utah. She noted these practices may go against some individual religious beliefs, but emphasized there was need for these services all the same.

City Planner Parkinson went into further detail on the amendment. He reiterated Ms. Florez’s point on census data, and agreed it was very likely the census was now inaccurate given the population growth of the last several years. He noted the amendment had already been determined to be compatible with existing Code, and said City Staff would recommend approving this zoning change.

Councilmember Wilson suggested changing the population requirement from one tattoo parlor per 1,000

citizens to be one tattoo parlor per 9,000 citizens. City Manager Andrews echoed City Planner Parkinson's concerns about incorrect census data, and disagreed with Councilmember Wilson. City Manager Andrews noted there were no other zoning laws in the City which were based on population, and went on to stress how they all knew at least one person with a tattoo and should not pass judgment. Councilmember Joe Paul was notably upset by this comment, and asked if City Manager Andrews was implying the Council thought such individuals with tattoos were degenerates. City Manager Andrews said they need to work with free market standards instead of passing judgment on others.

Mayor Dandoy said he did not feel population standards should have a bearing on the market, and they should not have the census data determine the free market. Councilmember Wilson said she was simply worried about density. Mayor Dandoy noted the question was whether or not population should be a factor in the free market. Councilmember Ann Jackson said she ultimately did not feel that they should limit economic and business opportunities in Roy City.

Councilmember Jackson motioned to approve Ordinance No. 22-10; to amend Title 10 Zoning Regulations, CH 17 – Table of Uses – Table 17-2 Table of Allowed Uses – Non-Residential Zoning Districts – “Tattoo & Body Art” – to remove the number allowed per Census data. Councilmember Scadden seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.

G. Presentations

1. Fraud Risk Assessment – Amber Fowles

Management Services Director Amber Fowles led this portion of the meeting. She noted the State was pushing cities to pursue a fraud risk assessment. Councilmember Wilson asked about employee participation in the assessment. Management Services Director Fowles said they were still in the process of determining how this would take place.

2. Arts Council – Marge Becraft

Marge Becraft led this portion of the meeting. She noted they just finished the registry for the art show and had received over 67 entries. She expressed gratitude over the number of entries, and asked those involved with the Arts Council and Art's Show to stand up and be recognized. She said they would be awarding cash prizes for the winners and asked the Council to be present at the ceremony. She also mentioned the return of children's programs and concerts. Ms. Becraft said they are also planning a poetry contest in March for junior high and high school youths. She indicated the library had agreed to support the event, and noted they have already reached out to local public school English departments. She noted they are constantly looking for feedback and encouraged those present to give their feedback as they see fit.

Councilmember Jackson asked how many awards were to be handed out, as well as what the award cost was. Ms. Becraft said they give out a first, second, and third place for each event they put on, and sometimes included an honorable mention. Councilmember Jackson was happy to hear this. Councilmember Jackson then asked if they would have a theme for the poetry competition. Ms. Becraft said they did, and said they would let the schools know about the theme ahead of time. Councilmember Jackson then asked what their budget would be, and Ms. Becraft said they have a small budget of \$500. Councilmember Sophie Paul said they had a rainy day fund and felt this could be a good use of those funds. Ms. Becraft said much of the budget goes into cash prizes and indicated first place in the main showing was \$200. Mayor Dandoy suggested moving this event into the legislative budget, and potentially adding funding from the Parks and

Recreation department. Councilmember Sophie Paul agreed with this and pushed for combining this budget with the legislative budget. Councilmember Wilson asked how this would work, and if it would affect Parks and Recreation.

Mayor Dandoy segued into the organization and resource side of the issue. He advocated for cultural change, and stressed the need for arts in the community. He asked how the City can best help Ms. Becraft, and also suggested she come back with a stronger budget proposal. Councilmember Jackson was hesitant, as they would have to apply for a new grant for art's funding every year. Mayor Dandoy reiterated the need to come up with a stronger budget for the Arts Council. He indicated they already had money set aside in the legislative budget, and could even tap into other budgets. He added the possibility of applying for a grant.

The Council thanked Ms. Becraft for her presentation.

H. Discussion Items

1. Management Services Hours – Amber Fowles

Management Services Director Fowles overviewed the yearly management services hours they had in place, which extended from Memorial Day to the first day of school. She said they would like to continue this schedule, with only a slight alteration to provide more flexibility. She said they would like to change the existing services hours to 8AM to 5PM Monday through Thursday, and 8AM to 12PM on Friday. She said they would like to keep this schedule year round versus just during the summer. Ms. Fowles said this decision was made for staffing reasons, specifically because of flexibility, staff accommodations, and the pandemic. She said they have had consistent issues in the past with staffing the office, and noted they were busiest from 11AM to 12PM. She elaborated part of the reason they had not been able to retain employees was because they needed to work through lunch in order to accommodate peak busy times. She added how they constantly had to pay overtime because of staffing issues as well. Management Services Director Fowles added neighboring cities use a similar schedule. She noted City Manager Andrews had expressed support for this decision. She summarized that if approved, the change would start on August 21st and would include the utility office, community development office, and policy records clerks. She opened the floor for questions.

Councilmember Wilson asked how the City managed work lunches. Management Services Director Fowles said they permit one hour lunches, but the problem was that currently, they did not have enough staff to cover the office when others were taking their lunch break. Councilmember Sophie Paul clarified this would not impact the police officers, and would give more flexibility to the clerks.

Mayor Dandoy asked if they should require this to be a resolution. City Attorney Blackburn said they did not have to have a resolution, and only required public support.

2. Recreational Complex Bid and Fundraising updates – Ross Oliver and Matt Andrews

Public Works Director Ross Oliver delved into the fundraising for the complex. He announced they had completed the landing page and QR code for donations to the Complex fund. He asked the Council to consider what their backup plan was if they did not raise enough money to repair the complex. He advocated for tracking donations in case they do not move forward with complex repairs, in which case the donations would have to be returned. He then noted the City cannot set up tax returns, and the City should not advise citizens on their tax return. Councilmember Joe Paul asked if they would have a fee for returning donations, and Public Works Director Oliver said there would still be a fee to return the donation. Councilmember Wilson said she just talked about this issue with donors, and noted the major donors wanted

to donate directly to the City versus through a specific fund.

City Attorney Blackburn expressed concerns over having nondescript donation receptacles. He felt small contributions were often not looked at very well. Councilmember Sophie Paul asked if they could focus on QR codes, but Councilmember Jackson discouraged this because many people did not understand how QR codes worked. Councilmember Joe Paul advocated for secure donation buckets. Mayor Dandoy interjected and asked the Council to remember that they were dealing with people's money. He then expressed agreement in Councilmember Sophie Paul's point. He did not want to deter people from giving smaller donations and felt QR codes could help streamline these donations without risking money loss.

Public Works Deputy Director Brandon Edwards then went through the main repairs in the complex, and gave special emphasis on the boilers. He noted the hot water tank was filled with asbestos and they needed to completely redo the piping and add a separate boiler. He also noted the need for steam traps.

Mayor Dandoy asked how many of these repairs could be finished by Public Works. City Manager Andrews said the raw cost of repair would be upwards of \$30,000, and clarified this estimate did not include labor costs. Mayor Dandoy said whichever choice they make, they would need to follow the abatement guidelines. He suggested they give the entire project to one contracting team, which would reduce costs. He asked if Public Works Deputy Director Edwards would be willing to assess how much Public Works could contribute to the repairs, and outsource the other work to contractors. Councilmember Jackson clarified the total amount needed based Public Works Deputy Director Edwards' estimate was \$200,000, and Public Works Deputy Director Edwards confirmed that was correct. Mayor Dandoy chimed in and noted the longer they waited, the higher the cost would be as the cost of materials was likely to increase. Councilmember Jackson asked if they could receive a loan from the City, then recoup these costs from the fundraiser. Mayor Dandoy said the issue would be insurance if they were to do that.

Councilmember Joe Paul suggested they wait on the big donors before they made any decisions. Councilmember Wilson said they should get moving, even if they had to wait on the bigger donors. Councilmember Joe Paul asked if they could start repairs as soon as they obtained the funds, and then asked if they could pre-elect to allocate these funds so they would not need to have a separate meeting for every large donation. City Attorney Blackburn felt this could be risky. Management Services Director Fowles suggested they tap into the rainy day fund. Councilmember Joe Paul said he was not comfortable with that, and again asked to "pre-allocate" money into the complex repairs. Councilmember Sophie Paul said the majority of the donations would come in the first few months of fundraising, and this could give them a better sense of their numbers.

Mayor Dandoy said they could streamline the process in 30 days so they would not have to go through a separate budget proposal. He said they would need to do this before October to avoid it becoming a piece of the new budget. He said it would take 30 days regardless of what they did that evening. He advocated for a budget adjustment so they would not have to solely rely on fundraising.

Public Works Deputy Director Edwards then went through some visual aids to highlight the issues with the boiler. Councilmember Joe Paul asked about the liability they might face if someone were to injure themselves on the pool liner, and Public Works Deputy Director Edwards discussed these areas looked quite unsafe, and they would have to remove all the cement and completely reline the deck and pool.

Councilmember Jackson asked more about the expenses. City Manager Andrews said they are looking at \$60,000 for the diving board alone. Mayor Dandoy suggested someone motion that they set aside more time to consider the next steps in this fundraising process. He also advocated they involve the public in making the necessary repair decisions, and noted they still had time to include these items on the ballot later in the year. He also said any repairs they make could last ten to fifteen years. Parks and Recreation Director

Travis Flint replied even still, the building was old and they were gambling with the repairs they make, and advocated to think even more long term when addressing major infrastructure changes. Mayor Dandoy urged the Council to address the budget issues before early September. City Manager Andrews suggested addressing this issue at the budget meeting around that time.

3. Day of Service – Travis Flint

Parks and Recreation Director Flint began by thanking the Council for all they do and specifically gave a shout out to Lindsey Badger for all her work in preparation for the Day of Service. He then noted Roy City had participated in the Day of Service even before it was a national tradition. He said in the past, they had held a 5K run and had food trucks on site, before embarking on their service for the day. Parks and Recreation Director Flint recalled last year they partnered up with the Just Serve organization and participated in a food drive with Clinton. He reported City Staff had been in talks with Just Serve again for this year, and they had requested to use Roy's recreation complex for a food drive. He said the goal was to create and package meals for children over the weekend. He asked the Council if they wanted to continue to partner with Just Serve, or end the partnership and do their own event at the end of August. Parks and Recreation Director Flint also reported he had spoken about the issue with City Manager Andrews, and they had determined the recreation center could be available for those dates, but the main issues would be the cost and timing. He expressed concern over the pressure of holding two successful food drives, and thought it could be more manageable to hold one major food drive event. He noted Roy City had held their food drive event at the end of August last year to avoid Labor Day absences.

Councilmember Joe Paul suggested they clean up Roy City instead of doing a food drive. Parks and Recreation Director Flint said they were also trying to organize a clean-up event, and the issue at hand was whether or not they want to partner with Just Serve again. Mayor Dandoy said they previously had lots of youth engagement with the Just Serve event, and echoed Mr. Flint's concern over organizing two food drives.

Councilmember Wilson suggested finding different projects for the youth, and noted she had observed lots of enthusiasm from Roy City youth on different service projects. Parks and Recreation Director Flint reiterated his major concern was whether or not they can sustain two successful drive events. City Manager Andrews clarified, and noted Just Serve had just asked for use of the space, but they would bring their own volunteers and manage the event.

Councilmember Wilson asked if Just Serve would be interested in a clean-up event as well as the food drive and 5K run. Parks and Recreation Director Flint said he was fairly certain they only wanted to do the food drive and 5K. Mayor Dandoy worked to get the Council back on track, and said they needed to discuss the potential Just Serve event separately from any City clean-up initiative. City Manager Andrews agreed with Mayor Dandoy, and he again emphasized Just Serve would provide everything but the venue.

Mayor Dandoy suggested they chose to either going through with the event, or table the discussion for a later date. He said the event was coming quickly, and they needed to take action. Councilmember Sophie Paul said they need to take advantage of all the support coming their way and Mayor Dandoy agreed. City Manager Andrews thought they should be able to coordinate two separate events, given how little would be required of the City for the Just Serve event. Councilmember Wilson asked how much Just Serve and the Catholic Charity organization was willing to help them organize the event, and Parks and Recreation Director Flint discussed there was little to worry about in regards to their organization skills. Councilmember Wilson expressed concern over the City Staff capabilities, so Parks and Recreation Director Flint said he would reach out to Just Serve to get a better sense of what they need.

Mayor Dandoy said they needed to include the public in this decision. He also said they should assess their

resources. City Manager Andrews said they have a meeting coming up early September and they can sort out all these issues then.

I. City Manager & Council Report

An individual [03:12:30] advocated for a youth event on the 27th. She reported she had started an Instagram account for the event, though she had yet to post anything. Parks and Recreation Director Flint said they always provided food and refreshments for youth volunteers. Councilmember Wilson said this was very important, and said they always included lunch in these youth volunteer events.

Councilmember Wilson spoke on the taxes and public comments. She thought they should do public comments before they actively vote on any policy. Councilmember Joe Paul echoed this sentiment, and opined these issues needed to be brought up far in advance.

Mayor Dandoy discussed a round-about construction site, which would require acquiring new property. Public Works Deputy Director Edwards he could help the City to organize. Councilmember Joe Paul joked they could put it on the Public Works Facebook page.

Mayor Dandoy also shared they were looking into having a Constitution week in September. He said this was being done in many cities and counties across the Country. He asked how the Council felt about doing this for Roy City, and clarified the holiday week would be September 17th through September 23rd.

Mayor Dandoy also announced Roy City had been authorized \$100,000 via a matching grant which gave them funds to build a new golf course. Parks and Recreation Director Flint said they should receive more information from the contractors later this week.

Mayor Dandoy spoke about street light issues on 2350. He said they needed to look ahead and consider December lighting accommodations. Public Works Director Oliver said they were looking to change the light orientation in order to appease neighborhood concerns over privacy.

Mayor Dandoy lastly addressed resident fees regarding the aquatic center. Parks and Recreation Director Flint reported he was working through the issue.

Councilmember Joe Paul suggested they should look more into changing 4800 South to Royal Way. He noted the plan had originally been proposed long ago, and asked if it would ever go anywhere. City Manager Andrews said the issue lied with all the residents who lived on the street, and he emancipated there would be backlash if they had to change their addresses. Mayor Dandoy said the name change seemed like a good idea, but they needed to discuss the issue further.

J. Adjournment

Councilmember Joe Paul motioned to adjourn.

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

dc:



ROY CITY
Roy City Council Meeting Minutes
August 16, 2022– 6:00 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 August 16, 2022, at 6:00 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 the Roy City website.

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

Excused:

Also present were: Police Chief, Matthew Gwynn; Fire Chief, Craig Golden; Parks and Recreation Director, Travis Flint; Management Services Director, Amber Fowles; Public Works Director, Ross Oliver;

Natalie Betten, Jeff Barnaby, Cindy Whinham, Glenda Moore, Kevin Homer, Cariie and Austin Clark, Doyle Harris, Eric Wilkinson, Willard Cragun, YL Shuleman, Sharon Sevy, Barry Sevy, Richard Jensen, Harold and Julie Meid, Mike and Joan Fullmer, Dennis Brown, Leon Wilson, Kat Redwine, Bill Mery, Janel, Cambria, and Henrik Hulbert, Chris Lewis, Shawanna Blackburn, Danny Titensor, Mike and Molly Blackburn, Elizabeth Brown, Yvonne Sherbesman.

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

C. Pledge of Allegiance

Councilmember Sophie Paul lead the audience in reciting the Pledge of Allegiance.

E. Public Comments

Mayor Dandoy opened floor for public comments. Hearing none that didn't pertain to the public hearing, Mayor Dandoy closed the floor for public comments. Mayor Dandoy asked for a motion to enter the public hearing.

Management Services Director Amber Fowles explained they were there to approve the final budget for fiscal year 2023, and stated the budget proposed a property tax increase of up to 50% to fund public safety requests. She said they could not raise rates from the previous year without going through the Truth in Taxation process, and she recommended the Council hear public input and approve Resolution 22-16 and

the fiscal year 2023 budget.

Councilmember Wilson observed this was the largest increase in the last four years and that inflation was making things financially difficult for citizens. She commented the budget had been a difficult discussion for the Council, and said finances were especially tight in their budget. She thought the money that was being allocated to hire a full-time economic developer could go towards public safety, and she was concerned that this was not the time to add more of a tax burden to the citizens with the addition of a new full-time City staff member. Councilmember Wilson said there were many factors that needed to be considered when approving this budget.

Councilmember Joe Paul motioned to enter public hearing, Councilmember Scadden seconded the motion. All Councilmembers voted "Aye". The motion carried.

Natalie Betten, 3903 W 6000 S, said she had been a Roy resident for five years and this meeting scared her. She said since she had been annexed into Roy city from Hooper, her taxes had increased 100%, and she was standing there on behalf of all Roy senior citizens who were feeling the strain of the increased rates. Ms. Betten recalled that when she tried to collect her unemployment, she had been denied and informed that if one's spouse passed away, only the higher of the two social security benefits were allowed to be collected, but not both. She complained all of her rates had increased and stated she was there that evening to ask how she was supposed to adjust her limited budget to these increased rates, and pointed out she and other senior citizens could not adjust their income to match the budget. She thought they could get through this if everyone did their part to help the City.

Jeff Barnaby, 5096 S 2975 W, said he had lived in Roy for twenty years and he was in public service. He said he was all in favor to raise the rates in order to pay public safety more, but he was not in favor of the terrible work that had been done to 1600. Mr. Barnaby suggested the City look into a way to raise his and others in his tax bracket taxes more, in order to cover for some of the senior citizens who would not be able to afford the raise.

Yvonne Sherbesman, 5505 S 2150 W, said she had a complaint about the taxes. She reported she had been on social security for ten years and had seen only three increases over those ten years, but Medicare had increased and the increase inhibited her from affording another tax increase. She said all of her rates had gone up, and asked where it stopped. She also suggested fundraisers to help out senior citizens. Ms. Sherbesman spoke about the complex as well, and voiced the opinion it was a dead horse. She thought the City should work something out with the high school regarding an exercise facility. Ms. Sherbesman commented on the raise on secondary water, and said she had filled in rock in her yard to conserve water. She wanted to reach a point where they could have their secondary water shut off, and wondered if they would still be charged for it.

Barry Sevy, 5493 S 3375 W, said he had been in Roy for 26 years and thought if they wanted to solve the water problem the City should put a pickleball court in all of the backyards of the senior citizens, because it took far less water to maintain a court than a regular yard. He felt at the rate they were going, in another ten years they would be paying almost \$1,000 per month in taxes. Mr. Sevy said he wanted the City to have money, but he also wanted to eat and that it cost him \$270 to fill up his diesel truck. He said pet projects needed to be set aside during difficult times in order to help the citizens.

Glenda Moore, 2088 W 3825 S, said it was easier for her to post on Facebook than to speak out loud, so she read a written comment she had prepared.

Dennis Brown, 2119 W 6000 S, said he had been a resident for 66 years and he was a landlord that owned properties in Roy and was speaking on behalf of eight families that lived on his properties. He tried to have

affordable housing on his properties, but the increased property tax rates have made it difficult and he could not absorb that cost without raising rent. He did not see the justification for such a large tax increase, and said there was a difference between City wants and City needs, and thought the City needed to be more attentive to the needs rather than the wants. He thought paying \$1 Million for a ladder truck was ridiculous because there was no need for the City to have one, and thought the City could save money by going back to billing for utilities and trash every two months, which would save on the cost of envelopes and postage. He also thought the economic development director position was an unnecessary cost.

Chris Lewis, 5126 S 3550 W, said she had agreed with everything that had been said so far and wanted to point out that the people needed to be heard. She asked Council to listen to Roy residents and not the non-residents who had shown up the night before to the meeting about funding for the Complex.

Bill Merx, 5705 S 2325 W, said he had lived in Roy for 46 years and had served as Chairman of Roy Days and a Planning Commissioner in the past. He said property tax was based on alleged property values, and pointed out by changing the property taxes he would be taxed on unrealized capital gains income. He asked what the basis for the increase to his property value was and thought they needed to find other places in the budget to cut out unnecessary expenses. Mr. Merx stated the residents needed to know that their money was being spent wisely and the City needed to increase services and decrease costs to residents.

Cindy Williams, 4562 S Tully Dr., said she had a husband who worked for the city for 29 years and opined the economic director position did not justify \$189,000 worth of revenue increase. She also commented Dr. Wilson was awesome. She felt the previous economic director had not fulfilled the financial cost to the City.

Sharon Sevy, 5493 S 3375 W, said she agreed with what everyone had said thus far but clarified she was not against police officers and firefighters getting a raise, the school district requesting more money for retired schoolteachers, or even the Complex. She did think it was not the time to raise taxes and that it needed to be delayed. She said she did not mind paying her fair share, but said she was on a limited income and barely made it to the end of the month as it was. She said her house had cost \$180,000 when she bought it, and now it was valued at around \$500,000. She complained she could not pay taxes on the new value, and thought the City needed to look into delaying the tax increase.

Janel Hulbert, 4178 Westlake Dr., said she thought that 15% was too much of an increase, but knew if they did not do something they would have this same discussion the following year. She said residents wanted as low of an increase as possible.

Shawwna Blackburn, 5939 S 3500 W, asked how the City could change the zoning of properties from residential to agriculture and charge them \$1,000 more in taxes, even though nothing had changed in the properties in the last 20 years. She said her residence was being changed from residential to agricultural, and although the IRS defined as farming with a profit, not a single property on that stretch was farming more than to feed their own families. She questioned the legality of changing those zones. Mayor Dandoy said he was not familiar with any zoning change to that area, and said the City Council had not had a proposal in front of them regarding changing the zoning in that area.

Richard Jensen, 5464 S 2050 W, thanked Council for their service and said he realized taxes were taxes but thought they could get by with less than 15%. He realized the fire department and police department needed help, but did not think they needed an economic development director.

Danny, 2892 W 5600 S, asked if when property values increased the revenue would automatically go into the budget. City Manager Andrews replied it did not, and Management Services Director Fowles stated Roy City received the same amount of property tax revenue every year regardless of property value of the

home. Danny then asked where he could find these details. Mayor Dandoy replied that the tax document would show those figures, and explain it would be posted on the Roy City website as soon as the budget was approved.

Yvonne Sherbesman asked who determined the market value of the homes in Roy. Mayor Dandoy replied the County made those assessments, and that she would have until September 1st to appeal their decision. Ms. Sherbesman said she had done that before, but the appeal only lasted for a year. City Manager Andrews commented she would have to do it every year. Ms. Sherbesman said they set her payments based on income and her income was higher than Utah's average, but she was still making payments on the house and they were not getting an increase in salary. She said the Utah average salary was \$32,000, and since they made more than that she would not qualify, even though the payments she was making on the house were substantial. Mayor Dandoy said it was the County's responsibility to provide property value and recommended she call the County Assessor's Office and get details from them because Council was not in a position to assess property values.

Barry Sevy replied to Management Services Director Fowles earlier comment and claimed residents were actually being charged more as the value of their homes went up. Mayor Dandoy clarified Management Services Director Fowles statement was correct, and reiterated the City received a flat amount. He said the current year was tricky because there were so many entities having Truth in Taxation meetings. Mr. Sevy said that housing values were raising at large amounts, and this was a problem. Mayor Dandoy replied if housing values increased then rates would decrease to maintain that flat rate that Roy City received. Mr. Sevy said he appreciated public safety, but there were ways for them to make money aside from a tax increase and asked for Council to put off any tax increases.

Carrie Clark, 6018 S 4025 W, said she had lived in Roy for two years with her husband and they had come to the meeting after advice from their senior citizen neighbor. She empathized with the financial strains on senior citizens. She expressed while she wanted to be a long-term resident of Roy, she felt this meeting had been eye-opening and hoped Council would take into consideration the concerns that senior citizen residents had expressed.

Willard Cragun, 2568 W 5225 S, said they raised taxes 26% when he was Mayor of Roy City six years ago, and asked the Council for empathy towards the taxpayers of the City. He questioned the authority of the property value assessors and asked Council to look into their hearts to do the right thing because 15% was a heavy tax increase after only six years.

Sally Peterson, 2073 W 5950 S, said she had the biggest yard on her block, and she hated it because she could not keep up on the yardwork. She said she had a small pension and she needed to pay for help because she was handicapped. She complained that although taxes were going up but she did not see Roy improving, and she thought instead of raising property taxes they needed to get some more businesses into Roy to increase revenues. Ms. Peterson suggested bidding out to the universities for an architect student to design something that looked good right off the freeway and attract travelers into Roy. She also asked for volunteers to help in her yard.

Beth Delacruz, 2088 W 5950 S, said she was 93 years old and had lived in her house for 60 years, and she complained the taxes were killing her. She did not think Roy City did much for residents because they used to have dumpster pickup or fall and spring cleanups, but they did not have those anymore and they also did not have City inspectors. Ms. Delacruz felt like there should be another way for Roy to make revenue. She said residents were encouraged to shop in Roy but there were only places to eat and no shops, and she reiterated Roy should find another way to get revenue instead of taxing their citizens.

Natalie Betten, no address given, said she could remember in the 1980's that Roy had received the cleanest

small-town award in the State and said they work towards that goal again.

Kevin Homer, 5398 S 4000 W, said essential services included sewers and emergency services and that Resolution 22-16 had to do with emergency services. He supported they make the change to make sure they had enough of the budget to perform these emergency services. He said his concern was the non-essential services that were included in this resolution, particularly with the recreation center, to which the City lost \$400,000 per year.

Mayor Dandoy asked for a motion to exit public hearing. Councilmember Wilson motioned to exit public hearing; Councilmember Joe Paul seconded the motion. All Councilmembers voted "Aye" The motion carried, and Mayor Dandoy closed the floor for public comments.

F. Action Items

1. Resolution 22-16 Approval of final FY23 Budget and setting the 2022 Certified Tax Rate

Councilmember Joe Paul stated he appreciated the comments from the Public Hearing and said this had been the toughest year for Council. He said even with a 15% increase the City could not fund half of what the emergency services had asked for, and said if he were going to approve any increase he would want 100% to go to the emergency services.

Councilmember Jackson said she was a senior citizen on the Council and had lived in Roy for 64 years and worked two jobs and could relate to the citizens not in favor of the increase. She said she had a lot of senior neighbors and knew it was a burden, but the fire department and the police department were understaffed and this was a critical need for the City. Councilmember Jackson commented on bringing more businesses to Roy and said that if they had an economic development director, they would be able to assist the City Manager in accomplishing this. She said Roy would look nice one day when UDOT was done tearing up south Roy, and assured residents they would focus on new businesses coming in to the City. She proposed the increase go entirely public safety because that was the City's most pressing need.

Councilmember Wilson thanked all the residents that had shared comments.

Mayor Dandoy stated the old ladder truck would be sold. Fire Chief Craig Golden stated it had already been sold and was headed to Las Vegas already. Mayor Dandoy said whatever revenue they received from the sale of the ladder truck would go back into the General Fund and redistributed.

Mayor Dandoy addressed concerns about failing gutters and sidewalks throughout the City, and told residents if they saw a problem to report it to Public Works as there was a list of concerns there which were in the process of being addressed. He addressed the concerns regarding 5600 and said once it was done, they were hoping to revitalize the area. Councilmember Joe Paul commented UDOT had announced they would push the 1800 project out two years from the 5600 project in hopes to get one done before tearing out another.

Mayor Dandoy said they had the opportunity to do the fall and spring cleanups and commented on the dumpster issue addressed in the public comments. He said the penalties they incurred from the EPA regarding contaminants getting into the water stream, particularly storm drains, had been very large and had forced them to disband the program.

Mayor Dandoy next addressed the Flip the Strips program and said it was a good program and encouraged residents to participate.

Mayor Dandoy commented on the hotel study that had been done in Roy and said it had gone well until the pandemic hit and effectively put a halt on the hotel industry. He reported the study that had been done had listed Roy as one of the best places to put a hotel. He thought putting a nice hotel in downtown Roy would bring in the businesses that residents were requesting.

Councilmember Wilson addressed the request for volunteers to help with yardwork and said they had a U-Serve Program, in which kids could volunteer for people and projects like yardwork. Councilmember Joe Paul commented he was a scout leader and his scouts were always looking for service projects.

Councilmember Wilson commented on the Complex and pointed out every pool in the area lost money. She said pools and recreation centers were not in the City to make money, they were in the City to provide services to their citizens and if they took away every program that did not make a profit they would lose most of the recreation programs provided in the City. She thought the Complex was valuable to youth and seniors alike and this was why they needed to get the Complex fixed and advertise more.

Councilmember Paul motioned to approve Resolution No. 22-16 Approval of final FY23 Budget and setting the 2022 Certified Tax Rate with the following amendments: setting the tax rate for a 10% increase and allocating the funds to approve 2 additional hires for the Police Department and 2 additional hires for the Fire Department.

Councilmember Wilson motioned a substitute amendment of the following: removing the Community Economic Development Director/Assistant City Manager position, advancing \$200,000 from the fund balance for the complex so staff can begin securing bids, a 10% tax increase but dividing the funds equally between the Police Department and Fire Department to use as the individual departments saw fit.

Due to no second motion for Councilmember Wilsons substitute amendments, Mayor Dandoy went back to the original motion set by Councilmember Joe Paul. Councilmember Scadden seconded the original motion. A roll call vote was taken. Councilmember Wilson voted “Nay” and Councilmembers Jackson, Joe Paul, Scadden, and Sophie Paul voted “Aye”. The motion carried.

Mayor Dandoy advocated the Circuit Breaker Program to residents who expected hardship based on this decision and said City Recorder Britney Fowers had information regarding this program.

Natalie Betten discussed her son and grandson were both waiting for heart transplants and she had taken her information in to qualify for the Circuit Breaker Program, but they told her that her income was \$10,000 below the highest income, and she recalled she had had to list every asset that she owned. She explained Davis County only went by your income, whereas Weber County looked at all of your assets including camp trailers, ATVS, motorcycles, and cars, and based on that, she had been told she had too many assets and exceeded the requirement so she did not qualify. She pointed out those assets did not pay her taxes, so it did not make sense to include those things in determining eligibility. Ms. Betten asked for her paperwork back but was told that they would stay on record at the Treasurer’s Office for anybody to pull up as public record. Ms. Betten complained there was no salvation for seniors in that program. Mayor Dandoy suggested reaching out to elected officials and telling them it was not right. Ms. Betten asked where to start. Mayor Dandoy suggested she reach out to the County Commissioner and call Jim Harvey. Ms. Betten replied she was 77 years old and if she reached out tomorrow, she probably wouldn’t live long enough to see it change. Mayor Dandoy showed the application and Ms. Betten replied she was not blaming him personally, she was upset with the government system. She said it was not fair for each County to have different requirements, and commented it had taken a lot for her to reach out for help, and based on her experience, she would never ask for help again.

G. City Manager & Council Report

City Manager Andrews said this would be the last Council meeting before their August 27th day of service. He said that same morning they would have the Wounded Warrior Race as well, and reported they were set up with the aquatic area as they had discussed at the previous Council meeting. He said that Jackie Parsons was in the City and they would be starting to chip seal. City Manager Andrews said they had been waiting three years for 4800 South at the railroad crossing to be reconstructed, and the developers had finally told the City they would be starting that project very soon and they were planning on closing 4800 South to do that project. He noted the closure at the railroad crossing would affect the school quite heavily. He said the City had not scheduled the work for that time, but they had to go with the developer's availability and so they were anticipating the work to start very soon and go until mid October.

Councilmember Joe Paul asked if the turn on eastbound on 2675 would be opened back up because Union Pacific had determined that it was the third deadliest crossing in Utah. Mayor Dandoy commented it was the single most hazardous intersection in the state of Utah.

H. Adjournment

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

dc:



ROY CITY
Roy City Council Meeting Minutes
September 6, 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 September 6, 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 the Roy City website.

The following members were in attendance:

Mayor Dandoy
Councilmember Jackson
Councilmember Joe Paul
Councilmember Scadden
Councilmember Sophie Paul

City Manager, Matt Andrews
City Attorney, Andy Blackburn
City Recorder, Brittany Fowers

Excused: Councilmember Wilson

Also present were: Police Chief, Matthew Gwynn; Fire Chief, Craig Golden; Parks and Recreation Director, Travis Flint; Public Works Director, Ross Oliver; Management Services Director, Amber Fowles; Brody Flint, Kevin Homer, Glenda Moore, Tammy Hill, Anita Edstrom, Julie Cragun, Natalie Pierce, Dennis Brown, Richard Jensen, Todd Call, Micheal Ghan, Byron Burnett,

A. Welcome & Roll Call

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

B. Moment of Silence

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

C. Pledge of Allegiance

Councilmember Scadden led the audience in reciting the Pledge of Allegiance.

D. Consent Items

(These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.)

- 1. Approval of the June 14, 2022 City Council Special Work Session Minutes; June 21, 2022 City Council Meeting Minutes; July 5, 2022 City Council Meeting Minutes; July 19, 2022 City Council Meeting Minutes; August 1, 2022 City Council Special Work Session Minutes;**

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

E. Public Comments

Mayor Dandoy opened the floor for public comments.

Glenda Moore, 2088 W 3825 S, requested the City Council hold a Halloween Decorating Contest for which residents can submit their property. She suggested first, second, and third place winners with the same prizes as the Christmas Decorating Contest. She said she had already written up an announcement with the proposed dates, and suggested the contest be announced in Connection Magazine within the next couple days.

Kevin Homer, 5398 S 4000 W, suggested two things which he believed would help get the complex fully operational. First, a Public Bond, to vote on how to come up with the money. He recognized the efforts made for voluntary fundraising but stated that funding would be quicker if they were able to do it through Bond. Secondly, Mr. Homer suggested transitioning the Recreation Center to a Free Market Model, in which over a five-year period an Economic Director would require 20% of the deficit of the complex be mitigated, so it would earn more money and would not cost the City \$400,000 per year. He recognized that the complex was a good thing to have, but pointed out the need for it to be more self-sustaining. He wished good luck to whomever the Economic Director would be and hoped it could be worked into the agenda.

Todd Call, 4888 S 2675 W, referred to an email exchange regarding Roy Days and noted its absence from the agenda. Mayor Dandoy said that the item would be postponed until the next City Council Meeting on September 20th, when the Recreational Director would be available.

Mayor Dandoy closed the floor for public comments.

F. Action Items

1. Appointment and swearing in of new Community Economic Development Director/Assistant City Manager, Brody Flint

City Manager Matt Andrews said the Fiscal Year 2023 budget had been approved to include a full time Economic Development Officer/Assistant City Manager position. City Manager Andrews reported they had received twenty applications, and over the last couple weeks they had reviewed and interviewed all the candidates. He gave his recommendation as Brody Flint, and voiced the option that his legal background would assist with economic development legalities in the City, and noted he had also been a representative on the Planning Commission. He added that since Mr. Flint had already been working with the City for some time, he knew the strings already and would be quick to learn the position.

Mayor Dandoy addressed the Council for comments or questions before a motion.

Mr. Flint said he was excited about this opportunity, and spoke about while he had received other opportunities, he was excited to choose Roy because of how much he liked the City and the people who lived there. He said he was looking forward to new opportunities and challenges, and joked that he would most likely make everyone there mad or irritated at some point with his policies, and encouraged them to remember how much they liked him when that would happen.

Councilmember Sophie Paul invited Mr. Flint to introduce his family. Mr. Flint introduced his wife, Alexi, and three of his children, Landry, Carston and Linda.

Councilmember Jackson said she was excited for Mr. Flint to be in this position because of how well he worked with everyone. The other Councilmembers voiced agreement.

Mayor Dandoy inquired about the Prosecuting Attorney position, and City Attorney Andy Blackburn replied they would put out an announcement with information about the position the next day.

Mayor Dandoy invited Mr. Flint to stay for the remainder of the meeting, because there would be items relevant to his new position.

Councilmember Joe Paul motioned to approve the recommendation to appoint Brody Flint to the position of Community Economic Development Director/Assistant City Manager position. Councilmember Jackson seconded the motion. All Councilmembers voted “Aye”. The motion carried.

City Recorder Brittany Fowers delivered the Oath of Office to Brody Flint, who swore to support, obey and defend the Constitution of the United States and the State of Utah.

2. Resolution 22-16 A resolution declaring the week of September 17th – September 23rd as Constitution Week

City Attorney Andy Blackburn announced the federal government had declared the week of September 17th-23rd to be Constitution Week. He said there would not be another meeting before that time, so he wanted to put the Resolution forward that would make that proclamation, and he encouraged the citizens of Roy to observe Constitution Week in schools, churches, and other suitable places. He asked the Council to approve the Resolution. Mayor Dandoy thanked City Attorney Blackburn, and welcomed comments and questions.

Mayor Dandoy requested that City Recorder Fowers prepare the resolution for his signature, and indicated it would be put with the copy of the Constitution in Roy Library.

Councilmember Sophie Paul motioned to approve Resolution No. 22-16 A resolution declaring the week of September 17th – September 23rd as Constitution Week. Councilmember Scadden seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.

3. Resolution 22-17 A resolution approving the addition of street sign toppers in the Roy High School area.

City Manager Matt Andrews recalled that in a previous City Council meeting, Councilmember Joe Paul had suggested 4800 South was renamed Royal Way, and explained this was the resolution to have the street renamed. He clarified that the resolution would not change the legal name for residents who lived along that street, but would simply add toppers to the City streets that stated Royal Way. He said Public Works Director Ross Oliver had made signs, and the Council could make a decision about the signs as well.

Public Works Director Oliver showed the Council a few different options for sign designs. He mentioned one option was reflective, and another one used the same coloring as the high school football team. Councilmember Jackson mentioned the school did not use Vegas gold anymore, and it was now yellow gold and black.

Mayor Dandoy asked how far down 4800 South the signs would go, and Public Works Director Oliver said his original proposal was for the signs to run from 1900 to 3500. Councilmember Sophie Paul asked if it would be every street, and Public Works Director Oliver confirmed that it would be every street. Public Works Director Oliver also clarified the examples he had shown were the full size of the street signs. Mayor Dandoy also inquired how the signs would hold up to 50 mile per hour winds, and it was discussed that the signs should be able to weather strong winds, as they were the same size as the current toppers.

Councilmember Sophie Paul asked about the installation process for the signs, and Public Works Director Oliver explained they would just add a piece with the new name on top of the sign that was already in place. Councilmember Jackson asked if it were possible to have different designs on different sides of the sign, or if they would have to be the same color. Public Works Director Oliver said they could do whatever the Council wanted.

Mayor Dandoy acknowledged the intent was to have big signs, but also noted the streets were fairly close to one another. Public Works Director Oliver said the new signs were the same size as the signs that were already there, and Councilmember Scadden pointed out since they would be twelve feet in the air, they would appear smaller once they were situated. Councilmember Sophie Paul clarified the signs were just for the corners, not the large signs that go across the top. Mayor Dandoy expressed concern that putting a sign on every street might be too many, and Public Works Director Oliver clarified the signs would not be on both sides of the street, and not every street had a street sign.

Councilmember Jackson noted the current street signs were on the south side of the street, and asked if Public Works Director Oliver had the materials to make the signs at his shop. Public Works Director Oliver said that he did, and Councilmember Jackson thought that was great, and complimented the nice designs of the signs. Public Works Director Oliver also confirmed it would cost \$12 per sign, for a total of \$144 for 12 signs.

Mayor Dandoy requested they look into staggering the signs, and reiterated his concern that the number of signs would be overwhelming. He thought the amount of signs that had been proposed were overkill. He opined it was not a cost issue, but a saturation issue. He asked Public Works Director Oliver to look at it and see what aesthetically would look best. He also stressed that it was important for them to tell the public what was about to happen, and make it very clear that they were not asking people to make an address change. Councilmember Joe Paul commented he would have put it in The Connection magazine, but it had already come out before the City Council meeting. Mayor Dandoy suggested they put the information about the street signs on the City's website.

Councilmember Joe Paul motioned to approve Resolution No. 22-17 A resolution approving the addition of street sign toppers in the Roy High School area. Councilmember Jackson seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye". The motion carried.

4. Ord. No. 22-11; to amend Title 10 Zoning Regulations, CH 13 – Mixed Use - 10-13-3 - Building Types - Table 3.1 (1); § 3) Store Fronts, § 4) General Stoop Buildings and § 8) Row Buildings – to allow Residential on the main level of buildings and Row Buildings, within the Downtown Gateway zone along secondary streets.

City Manager Matt Andrews stated the applicant had contacted the City that morning and had said he would not be able to attend the meeting that evening, and so had requested the item be postponed until the next meeting on September 20th.

City Attorney Andy Blackburn spoke on behalf of the Community Economic Development Department, stating that the applicant was unable to attend and wished to be present for the discussion and it was recommended that Ord. No 22-11; to amend Title 10 Zoning Regulations, CH 13 – Mixed Use - 10-13-3 - Building Types - Table 3.1 (1); § 3) Store Fronts, § 4) General Stoop Buildings and § 8) Row Buildings – to allow Residential on the main level of buildings and Row Buildings, within the Downtown Gateway zone along secondary streets be tabled for further discussion.

Councilmember Scadden motioned to approve tabling Ord. No 22-11 for further discussion when the applicant is able to be present. Councilmember Sophie Paul seconded the motion. All Councilmembers voted “Aye”. The motion carried.

G. Discussion Items

1. Recreation Complex

City Manager Andrews reported the fundraiser for the complex had raised a total of \$125,245. He added that in the 2023 fiscal year budget, the Council had allocated \$500,000 toward the complex, which left them with a total of \$625,245 for the needed repairs. He stated the next step was for the engineer to draw up plans and have an RFP sent out, so they could accept a bid and begin work on the site as soon as possible. He said that it would take 45 days after the Council authorized that work for it to begin. He clarified that no further money was required to be allocated for the project, and noted it was advantageous for them to have the engineer look over it so he could voice suggestions and concerns before the RFP would be submitted. He explained the process further, and stated after the RFP was submitted, the Council would have to authorize the contract, after which there would be a waiting period of 45 days after Council approval before work could begin. City Manager Andrews also noted autumn was the best time to issue an RFP, and he cautioned the Council that prices for materials could increase if they waited until spring.

City Manager Andrews also stated they would have to hire an engineer for the project, which would use up approximately \$50,000 of the allocated funds. Councilmember Joe Paul clarified the \$50,000 was for both the engineer and the final proposal together, which City Manager Andrews confirmed. City Manager Andrews explained so far, they had done engineering estimates, but did not have final numbers yet. Councilmember Joe Paul clarified the estimates allowed them to know how much the work would cost, and Councilmember Jackson noted the possibility that the estimated figure of \$695,000 could be exceeded. City Manager Andrews confirmed that number was just an estimate, but pointed out the final cost could also be less than the original estimates.

Councilmember Jackson asked for clarification on the timeline. City Manager Andrews said the engineering side took about 45 days, at which point the RFP would be sent out, and usually it would take a couple of weeks before bids would come in. Councilmember Jackson noted during the 45 days delay, more money could possibly come in through the fundraiser. City Manager Andrews agreed, and summarized the recommendation from Staff was to move forward with the plan, and indicated he had a mechanical engineer in mind from Wasatch Civil who specialized in this kind of work. He pointed out if they chose to delay further, it would push their timeline to after the winter holidays.

Mayor Dandoy stated that they were more than likely at least 60 days out from getting an RFP approved by Council, and estimated that they would not get a result until December. He said that because of the cost and the sealed-bid nature of the project, Public Works Director Oliver would be required to come into the City Council before they would be able to execute the contract. He noted the Council would then have to vote on the bid to get it approved.

Councilmember Jackson expressed confidence that enough money would be raised, and referenced commitments she had from donors to contribute \$25,000 to \$100,000, and added there were also other donors she had scheduled meetings with. She suggested they move forward.

Mayor Dandoy acknowledged material costs could go up as time went by, and thought they should get to a point where they would know what the cost would be, and then they could make an informed decision based on the bids that came back. He acknowledged City Manager Andrews' point that currently, they were doing nothing, and agreed it made sense to move forward as well.

Mayor Dandoy said that because it was a discussion item, he only needed three Councilmembers to agree that they should move forward to the next step. Councilmembers Jackson and Scadden, as well as Mayor Dandoy, all felt they should move forward.

2. Building Height Ordinance

City Attorney Blackburn recognized there had been confusion when the ordinance had been originally passed, and said they could only do it as it had originally been stated. He reported he and City Planner Steve Parkinson had been working on three drafts, one which was the original ordinance, one as he believed the original motion had been intended, as well as one more option. He said a Councilmember could put on the agenda a motion to amend what had been done earlier, and this would only take one Councilmember. He said from there, the Council could decide how they wanted to proceed, and select whichever draft copy they wanted to use. He offered to provide a memorandum for the Council to review, in order to highlight and clarify what changes had been made.

City Planner Parkinson acknowledged the original motion had been very lengthy, and noted that when changes were made to large ordinances like that one, it could have repercussions in other parts of the Code. He explained they needed to review everything to ensure everything flowed correctly in the document.

Mayor Dandoy expressed appreciation for City Attorney Blackburn's approach, and requested the memorandum for the next meeting. He said the Council could have time to review it, and then they could make changes to the ordinance and move forward at the next meeting.

3. 2350 West Streetlight

Public Works Director Oliver explained that 2350 had a bend in the road near the cemetery, so there had been a recommendation from Council to install a streetlight. He noted there was one post going the other direction, and reported that residents in that area had claimed they were satisfied with only one light there. He said since residents were satisfied with one light, he recommended that they not install another streetlight.

Mayor Dandoy said he would consider the issue closed, and if it resurfaced again they would address it at that time. He thanked Public Works Director Oliver for his work.

4. Historical First Leader Signs at the Municipal Center

Parks and Recreation Director Travis Flint explained the City had four historical First Leader signs, three at 6000, and one at Roy Elementary. He said three of the four signs were scheduled to go on to 5600, but due to the UDOT work on 5600, they currently had the signs in storage. He noted one of the signs celebrated the first historical leaders in Roy City, and asked for Council's direction as to where they thought the sign should go, and if they preferred for all signs to go up at the same time.

Mayor Dandoy elaborated that the roadwork on 5600 would be a two and a half to three year project. He said one of the signs talked about the history of leadership in Roy City, and thought it would make sense to have that sign placed near the Administrative Building. Parks and Recreation Director Flint added the other signs commemorated the first church and first gas station in Roy, and he could not recall what the last sign was for.

The Councilmembers suggested they put up the signs that they could, as they thought that was better to having them sit in storage. Parks and Recreation Director Flint said they could get them up shortly, but commented Spring was a challenging time for the Parks Department because they lost their seasonal staff. Mayor Dandoy told Parks and Recreation Director Flint there was no hurry, and to get to it when he could.

5. The General Plan

Councilmember Sophie Paul reported that according to an article she had read, \$1.5 Million had been allocated on August 16th for the U.S. Forest Service Urban and Community Forest Program. She acknowledged they did not need to plant trees during a drought, but said that money was out there and available for them. She stated she would like to see information about these types of programs put back into the General Plan.

Councilmember Joe Paul expressed interest in putting more trees in the City, as they were losing trees to bug infestations and drought. He discussed how trees put out oxygen, as well as contributed to the beauty

of the City. He agreed that with all the construction, it would be nice to see more trees in the community, and agreed they should move forward with an urban forestation program.

Mayor Dandoy clarified the two components to the issue of trees in the General Plan. He said the General Plan had outlines about putting trees on public property, such as parks, but it had also stated there had been a stipulation that members of the public needed to have a tree in their front yard that the City would then purchase. He said they had not taken out the parameters about trees in parks, but they had taken out the rules which mandated private citizens have a City-owned tree in their yards. He recognized the issues with forcing individuals to put the City's trees on their private property. He said that if they would put trees back into the General Plan on the public land, that would be compatible with the intent of the parts of the General Plan which had been removed. Councilmember Sophie Paul agreed. Mayor Dandoy clarified that if it were the public sector then trees would be beneficial.

Councilmember Joe Paul said there should be incentives to have more trees as well, because the City and some residents were now removing grass in favor of rock and gravel landscapes. He felt it did not look like proper xeriscaping, but rather a road being prepped for cement, and he opined they should encourage people to plant trees. Mayor Dandoy replied they could encourage people to conserve water in the way they felt comfortable with on their private land, and they could also move forward with a forestry program for public land. He said he was looking forward to seeing what the Planning Commission would come up with. Mayor Dandoy also pointed out it would cost \$15,000 to \$18,000 to finish the General Plan, and asked City Manager Andrews and Assistant City Manager Flint what it would cost to modify the plans and include the trees. City Manager Andrews thought it would be about \$600 to \$800 to put the section about the trees back in. The Councilmembers expressed they were okay with that cost.

Mayor Dandoy recalled a provision that had been taken out of the General Plan which had stated trees on private property could be removed at the City's expense, and he recalled this had created problems for the City. He encouraged the Council to apply to programs and grants that would give the City more trees.

Dennis Brown, 2119 W 6000 S, warned that putting trees on 5600 between the curb and the sidewalk would cause problems, as the roots would grow and ultimately push the sidewalks out. He complained that as years went on, City maintenance had dwindled, and he and his wife had had to prune the trees and push the roots down themselves. Mayor Dandoy agreed that the placement was key. Mr. Brown recalled there had been some suggestions in the past for trees along 1900 W, but felt that given how heavily trafficked that road was, he worried the trees could cause visibility issues. He reiterated his concerns for the problems caused by planting trees near the sidewalks. Councilmember Sophie Paul suggested they choose the type of trees carefully to avoid issues.

Parks and Recreation Director Flint supported Mr. Brown's point that trees could interfere with sidewalks, and said once the roots disrupted the sidewalk and road, it took a lot of work and money to fix the issues. He agreed it was a good idea to have more trees in the City, but it would be critical for them to pick the right kind of trees and place them in the right spot.

Mayor Dandoy said they would move forward and asked for a memorandum. He said the trees that the City's Code had authorized lacked the large roots that would tend to cause problems. Parks and Recreation Director Flint said they had a list of City-approved trees.

Councilmember Joe Paul recalled a moment driving in downtown Logan with his son, who had pointed out the trees in planter boxes. He suggested that the same method could be implemented on 1900.

Mayor Dandoy agreed that it should be considered, and noted the number of streetlights they had put on 1900. He said they would need to decide whether or not to put the same streetlights down 5600, and said UDOT would need to know that information before they moved forward.

H. City Manager & Council Report

City Manager Matt Andrews announced the Fire Department would hold a September 11th memorial at the Fire Station, and extended the invitation to the Councilmembers. He clarified the event would begin at 6:30 AM with the ceremony being held at 6:45 AM. He further stated there was an upcoming 5K race. He also noted that the fourth and final Concert in the Park would be Friday at 7PM, and everyone was welcome to go.

City Manager Andrews stated the new dates for the railroad crossing closures at 4800 S were September 12th through October 1st. Mayor Dandoy asked if they had received a definite date from UDOT for the reopening of 2675. He expressed confusion about a document he had received from UDOT in regards to the turn, and noted once the eastbound turn was open it would alleviate some of the traffic issues coming out of the school.

City Manager Andrews reported on Monday, September 26th there would be a meal for all Roy High School participants in fall sports and sanctioned clubs. City Manager Andrews added they would do this again in the spring, and the start time for the event would be at 5:30 PM.

City Manager Andrews announced The State of Utah had made changes to public safety radios, which meant the City's radios would have to be replaced by the end of 2023 at a cost of around \$500,000. He explained the City had received a grant from FEMA for \$390,000 at the Fire Department's request, which would alleviate some of the cost.

Councilmember Joe Paul gave credit to Ms. Moore's presentation for the Halloween Decorating Contest, and suggested they make it official. Councilmember Jackson asked if it should be added to the Arts Council, and Mayor Dandoy proposed they run the contest the same way as they did the Christmas Decorating Contest. The Council noted this would make more work for City Recorder Brittany Fowers and the rest of the City Staff, so Mayor Dandoy suggested the Councilmembers be the judges of the contest. Mayor Dandoy asked City Manager Andrews to come up with first, second, and third place prizes. He added that details should be announced in the Connection Magazine.

City Recorder Fowers said Trunk-or-Treat would be held October 24th from 5:00PM - 8:00PM. She said it was suggested to pre-register cars online so the department had a rough estimate of attendance, but there was no cost to register.

A member of the Youth Council said they had intended for the Homecoming Parade route to be held on 4800, but did not know if that would be possible given the construction on the road. The Councilmembers discussed 4800 might be too busy for public safety, so it should remain on its normal path through the neighborhoods. City Manager Andrews pointed out there were seven intersections and high volume on 4800, and they did not have a sufficient number of officers to manage the traffic on that road. Councilmember Jackson wondered if they could go a part of the way on 4800 and then turn off the road at some point. The Councilmembers briefly discussed other possibilities for the route. Mayor Dandoy noted it was important City Manager Andrews was informed of the Parade route so he could coordinate with the Chief of Police to ensure safety.

Mayor Dandoy announced that the City was in the process of negotiating the purchase of property for a roundabout at 6000 and 3100, but noted that it did not mean a roundabout would go there as the City still needs to wait for Federal or State funding.

Mayor Dandoy also announced The Southern Weber County Workshop would be held on November 16th from 4:00PM - 6:00PM, and explained the Wasatch Choice Vision. He stressed the importance of widening 3500 to avoid major traffic problems in the near future, and urged everyone to attend the Workshop to encourage the prioritization of the City's road projects. He elaborated on the importance of widening the road, and noted the study which had found the road needed to be widened had been completed in 2008, so the construction was long overdue. He said they had received funds from the Federal government, but it was not yet clear which projects those monies would go to. He said this Workshop would be a great way to bring awareness to this corridor.

I. Adjournment

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder



ROY CITY
Roy City Council Meeting Minutes
September 20, 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 September 20, 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 the Roy City website.

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

Excused: N/A

Also present were: Assistant City Manager, Brody Flint; Management Services Director, Amber Fowles; Public Works Director, Ross Oliver; Police Chief, Matthew Gwynn; Fire Chief, Craig Golden; Parks and Recreation Director, Travis Flint; Kevin Homer, Glenda Moore, Byron Burnnett, Tammy Hill, Todd Call, Julie Cragun, Norma Edwards, Henry DeVarona, Leon Wilson, Janel Hulbert, Conner Atkin and Bryon Saxton.

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

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

C. Pledge of Allegiance

Mayor Dandoy led 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 11 surplus vehicles – see attached details for year, make, and model

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

E. Public Comments

Mayor Dandoy opened the floor for public comments.

Byron Burnett, 4375 S 2675 W Roy, commented on the proposed change in zoning in the Downtown Gateway and acknowledged first that it was difficult to comment on an item before it was presented, but since there was no public hearing on the topic he wanted to address, he wanted to get his comments in. Mr. Burnett recalled he had learned that the designated areas in the zone were not requiring commercial on the bottom level of these buildings and were allowing row houses, which he noted had not been allowed in the Gateway for many years. He said he had listened to the Planning Commission meeting, and one of the arguments which had been put forth by the Commission was that it would be more compatible to not have the commercial on the bottom, but he voiced that he did not agree, because the parcel of land had three sides of commercial property, and he thought it was not a bad idea to have commercial at the bottom of this area. Mr. Burnett said if commercial was what they wanted to do Downtown, it would be a better idea to promote commercial in this area. Mr. Burnett continued to say that if the City wanted to have more residential, it was more lucrative to tear down some homes and build apartments because it was difficult for people to get home loans right now. He thought they should leave the zoning as it was and allow for an exception. Mr. Burnett also commented on the height of buildings, and said they should require what was allowed for the residential zone to make it more compatible for the neighbors in that area.

Henry DeVarona, 1131 W 1580 N, said he was a developer, and as a developer he understood Mr. Burnett's views, but felt the City was way behind on housing needed more affordable housing options. He then discussed the overall trend was that people were going to the internet for shopping, so the need for commercial space was dwindling significantly. Mr. DeVarona said if he was in charge, he would rather get more people into housing than provide additional commercial space, since there was more of a need for residential. He pointed out there was a housing shortage currently, so there was more of a demand for residential than commercial.

Kevin Homer, 5398 S 4000 W Roy, commented on item G6 about charging stations. He said he said this would require applying for a federal grant, and he felt it was immoral of them to add to the federal debt by applying for a grant. He expressed he was a big proponent of EV vehicles and other eco-friendly initiatives, but felt there were many reasons they should not contribute to the debt and increase the burden on the government. Mr. Homer said he was opposed to the City setting up more competition for private businesses, and proposed that the new Economic Development Director reach out to private EV charging businesses to explore installation in existing businesses instead.

Gary Kleema, 429 W 4675 S, Ogden, commented on the Roy City recreation complex, and stated he had worked there as a lifeguard until they had shut down in May. He expressed confusion about what was going on because they had not received any input or updates since the closure. He said it sounded like there was more money besides the \$128,000 which had been raised by resident donors, and he said if that was the case he did not understand why they were not using those funds to get started on repairs. He thought they could save money by going directly to a company with a mechanical engineer. He also asked for clarity as to if they would have to keep the pool closed until the boiler was put in. He complained there was no clarity about what was going on, and he thought waiting four to six weeks for a bid was too long.

Mayor Dandoy closed the floor for public comments.

F. Action Items

1. Ordinance No. 22-11; to amend Title 10 Zoning Regulations, CH 13 – Mixed Use - 10-13-3 - Building Types - Table 3.1 (1); § 3) Store Fronts, § 4) General Stoop Buildings and § 8) Row Buildings – to allow Residential on the main level of buildings and Row Buildings, within the Downtown Gateway zone along secondary streets.

City Planner Steve Parkinson referred to table 3.1 of the amendment, which would allow for rowhomes in

the Downtown Gateway, and clarified this would not affect downtown east or downtown west; it was specifically a gateway zone. City Planner Parkinson said this would allow for residential units on the ground floor, with the caveats that it would only allow for properties with frontages along 2000 West, 5200 South west of 19, and 5300 South west of 19, and that all units would need to be set back 300 feet. City Planner Parkinson reported the General Stoop was similar, and they had made a change to allow for more residential. He elaborated there were the same caveats, and he added they were looking at more minor and residential roads and wanted to preserve the corridor of 19, and keep that area commercial. He commented on row houses as well, and said again that the same caveat would apply.

City Planner Parkinson commented on compatibility on 2000 West, and noted the properties along that road were already zoned R3, and they already had duplexes or other residential properties on them. He showed a map of the 18 properties which would be affected by this change, and clarified that it was not every property in the Gateway, but rather, only those with access to 19 on 53 and 52, and along 2000 West. City Planner Parkinson referred to the packet and oriented Council to the properties in the area, and explained the decisions for the different roads and properties with regards to commercial versus residential.

City Planner Parkinson next reported the Planning Commission had held a work session to figure out how they wanted to word the caveats, and at the meeting their main focus was centered around preserving 1900 West for commercial uses. However, he added they had included some exceptions to allow residential along 2000 West, due to the nature of the surrounding area.

City Planner Parkinson addressed some of the talking points Mr. Burnett had spoken about in the public comment section, and commented on the building heights. He said properties across from an R1 zone already had a limitation on the height allowance, and he explained the buildings could only be the same height as the zone across from it, but otherwise buildings were permitted to go to the max height of the zone. He reported the Planning Commission had thought that addressed the issue of height adequately. He said properties which were located next to residential zones already had restrictions in place, and said the Planning Commission had felt they did not need to change those standards. City Planner Parkinson stated City Staff recommended approval of ordinance 22-11 as written, as did the Planning Commission, and asked for questions.

Councilmember Wilson asked why this amendment extended past the original property in question, and City Planner Parkinson replied they did not want to spot zone in the spirit of fairness. He noted they wanted to avoid making a change for just one property. Mayor Dandoy added it was not unheard for an applicant to ask for a deviation from the zoning requirements. City Planner Parkinson explained when developers came in for a rezone, the Council had the ability to give a legislative decision of what could be done, based on what was already in the books for what was allowed. City Planner Parkinson elaborated if a developer wanted to modify what was in the books to allow something different in a given zone, the Council could not grant just that one developer an exception without allowing similar properties in the area in the same zone the same exceptions. Mayor Dandoy summarized that if they did not want to allow this for one property then they needed a blanket decision for the entire zone. City Planner Parkinson commented that the developer understood that, and he specified the Planning Commission had written exceptions into the Code that all applicants would have to meet in order to qualify for the exception.

Mayor Dandoy asked if properties in other areas would be upset with not being allowed the same exceptions. Councilmember Scadden observed this set a precedent, and from a legal perspective they could not defend that. City Planner Parkinson stated the exceptions that were written in the ordinance explicitly stated what was allowed, and in what zones.

Councilmember Joe Paul expressed concerns they had worked on the downtown area for ten months and

they left those types of housing out because it was unwanted, and he expressed that did not want to set precedents. City Attorney Andy Blackburn said they needed to look further in the future, and his concern was the dilution of their commercial properties if they allowed this across the board. He opined he was not a fan of this right now because they did not know what was going to happen with the 5600 project in terms of how far north it would go.

Mayor Dandoy reflected on the process it had taken to get to the Downtown area developed, and recalled a comment made by Councilmember Wilson in which she had addressed concerns that there was less emphasis on commercial and more emphasis on residential in the downtown district. Mayor Dandoy said that by taking away storefronts, they were essentially creating apartments, and he cautioned there needed to be some set back requirements to avoid the area becoming too residential. He briefly summarized the setbacks in this proposed ordinance.

Councilmember Joe Paul commented they were not short of rooftops, and pointed out the studies they had done showed they were actually short of commercial space and residents of the City were going to other cities to shop. He said looking at the vision of the City, he knew they needed more commercial space and he was hesitant to give up space for residential in lieu of commercial. He said he knew commercial needs were changing as many people now shopped online, but cautioned the Council that once they allowed it to become housing they would never get it back and they needed to be careful. Councilmember Sophie Paul agreed she was not comfortable giving up commercial for residential because they would never get it back. City Manager Andrews acknowledged there were a lot of unknowns with this project and there would be a lot of impact to commercial businesses. Councilmember Sophie Paul said she was not comfortable with this now and would rather wait a couple of years to see what happened. City Planner Parkinson reminded the Council he was just presenting the applicants proposal and Planning Commission's recommendations at this stage.

Councilmember Jackson thought this area was a perfect place for residential, and since people were mostly shopping online and there was such a need for housing, she thought this would be a good place to put residential. Mayor Dandoy thought there was a good argument for changes to this property because of its uniqueness, but reminded the Council this was not about that individual property, but would impact 17 other properties in that zone which were being lumped into these exceptions. He thought they should find a solution for this property because of how unique it was, and leave the rest with their originally intended purposes. He noted the changes being proposed would take those options off of the table for the other impacted properties.

City Planner Parkinson suggested before they vote they allow the applicant to speak. Mayor Dandoy asked if Council had questions for the applicant. Councilmember Wilson asked the applicant what he had in mind for this area more specifically. The applicant, Connor, explained they were looking for the best use for this property, and he felt the design of a three story residential building with commercial on the bottom was the best use of the space. Councilmember Wilson asked what kind of housing units they were looking into and Connor discussed they were considering one- and two-bedroom units. Councilmember Wilson said one of her concerns was parking because there was already a shortage of parking in that area downtown, and asked what he proposed for parking. Connor replied he thought there would be one stall per unit, but could not recall. However, he noted Mayor Dandoy had a map of the design which indicated how many parking stalls were available. Councilmember Wilson then asked City Planner Parkinson what the parking difference would be if there was commercial on the ground level. City Planner Parkinson replied it depended on the use, and he did not have that specific information in front of him and said they would have to look into it based on use. Councilmember Wilson asked about street parking regulations and what options would be considered. City Planner Parkinson said the ordinance had certain requirements for the number of parking stalls that would need to be followed, and he said as long as the requirements were met the commercial would be allowed. He acknowledged parking was limited and some people might have to park on the street,

but reiterated they could not require every development to have ample parking.

Mayor Dandoy asked for a motion.

Councilmember Wilson said the comments about commercial were valid and they definitely needed residential, so she thought this was a difficult choice to make. She commented the future of commercial was not looking promising and the parking difficulties concerned her significantly.

Mayor Dandoy again asked for a motion.

There was no motion to approve Ordinance No. 22-11; to amend Title 10 Zoning Regulations, CH 13 – Mixed Use - 10-13-3 - Building Types - Table 3.1 (1); § 3) Store Fronts, § 4) General Stoop Buildings and § 8) Row Buildings – to allow Residential on the main level of buildings and Row Buildings, within the Downtown Gateway zone along secondary streets. Due to no motion and no second, the Ordinance was denied.

2. Ordinance No. 22-12; to adopt the amended 1900 Southeast CRA

Mr. Randy Sant explained the RDA had added property to the project area that went from 5600 South along 1900 to Aaron's Jewelers in order to meet requirements of House Bill 151. He said they had a potential user who met the retail definition and said this developer wanted an incentive. Mr. Sant said that based on the hotel study, this corner was a prime location for a future hotel, and he explained "hotel," by definition, fell under retail. He said this ordinance agreed with the motion made by the RDA.

Councilmember Joe Paul motioned to approve Ordinance No. 22-12; to adopt the amended 1900 Southeast CRA. Councilmember Jackson seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye". The motion carried.

3. Ordinance No. 22-13; to amend the General Plan by updating Chapter 6 – Residential Development; the Moderate-Income Housing Element.

City Manager Andrews said House Bill 462 had been introduced that year, and it required the City to put in a moderate-income housing element into the General Plan by October first of that year. He said in order for them to meet this guideline by October first they had brought this forward for a vote.

City Planner Parkinson said there were several different goals identified in the General Plan in regards to affordable housing, and he briefly discussed these goals. He said in order to satisfy the House Bill 462 they needed to create a moderate-income housing plan that was up to date, and to that end, they had the consultant working to update the data in the existing General Plan. He noted while the data would be updated, the language was all the same. He explained once the consultant was done, they would update the General Plan with the new data and charts which would meet the requirement, but he expressed that he still wanted to go through the goals and objectives of the 2019 moderate-income housing plan.

City Planner Parkinson said if they approved the proposed amendment they would be more in compliance, and asked if there were any questions or comments based on all of the information provided in the packet.

Mayor Dandoy read a statement from the Wasatch Firm Regional Council and the Utah League of Cities. He said this addressed the upcoming changes to 3500 as well as the transit facility. Mayor Dandoy felt they were in a good spot as a City in terms of their compliance, and he would like to take that leverage to ask for the assistance of widening 3500. City Planner Parkinson commented on grants, and thought they

could also justify asking for more funds to help with some of their projects. Mayor Dandoy reiterated they were in a good spot, pending the approval of this ordinance, and asked for comments and questions.

Councilmember Scadden motioned to approve Ordinance No. 22-13; to amend the General Plan by updating Chapter 6 – Residential Development; the Moderate-Income Housing Element. Councilmember Sophie Paul seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.

G. Discussion Items

1. Winterization at the Complex

Public Works Director Ross Oliver said the basement of the complex held the boiler, which had kept the basement warm when it was running, but since the boiler was longer been in operation there was now no heat down in the basement and as such, there were water pipes and other equipment in the basement which needed to be winterized. Councilmember Joe Paul recalled one of the discussions about this issue had been about the possibility of putting a space heater down there, but he wondered if their options had changed now that the Health Department had gotten involved. Councilmember Scadden asked what they were considering as far as winterization. Public Works Director Oliver discussed they needed to drain the pool, and the earliest they could get anyone out to look at it was a date in mid-January, and the engineer would be coming out the following day to look at the boiler. He said his suggestion was to shut off the water, but if they did this the rest of the building would not have water for the bathrooms. He said unless someone had a better idea that was his suggestion. Councilmember Sophie Paul asked how that would affect the pool, and Public Works Director Oliver assured the Council it would not affect the pool at all.

Councilmemner Sophie Paul asked how cold they thought it would get down there, and if there was a big risk in choosing to not winterize it. Parks and Recreation Director Travis Flint said he was unsure because this was the first time they were in this situation, as they had had the boiler in the past. Councilmember Jackson asked if there was any way the new boiler could be put in before the first freeze. Parks and Recreation Director Flint did not think this was feasible. Councilmember Jackson asked how far out they were in getting the boiler ordered, and Public Works Director Oliver said they were about 36 weeks out, since they were beholden to follow a hard purchasing policy.

City Manager Andrews explained the RFP process for bids, and commented they were using Wasatch Civil because they already had a contract with them. He said if they wanted to use a different engineer they would have to do another RFP to get a contract because it was above their park purchasing limit, but if they elected to go through Wasatch Civil they could issue that contract and 45 days after that they could issue an RFP. He explained since the Wasatch Civil engineer was just designing the boiler it would take less time. He added once the RFP was out they could get multiple people to bid on that project, and find contractors who could do it cheaper and faster.

Councilmember Wilson asked if the school used the complex for anything other than the pool. Parks and Recreation Director Flint said they brought gym classes every so often, and the special needs classes used it as well. He noted they used it a lot more in the winter. Councilmember Wilson asked if they could use it without bathrooms and Parks and Rec Director Flint replied they could not.

Mayor Dandoy said they would probably need to close the complex and winterize it in order to prevent any further damage as a result of any hard freezes, which would have negative consequences for the building, and he clarified there would be no Roy City employees in the complex during the winter months. Parks and Recreation Director Flint said that typically during winter months, they got about

7500-8000 patrons per month, and the revenue they typically made was around \$25,000 each month. He said it was a busy stretch for them and it would be his hope to try to figure out a way to keep it open if they could find an alternate solution to winterize. Parks and Recreation Director Flint said if it got to a point where they could not find an alternative they would need to figure out what to do with the three full-time staff members and 8-12 part-time staff members who were dedicated to that facility.

Mayor Dandoy said it came down to a building code issue if they did not have water or any heat. Parks and Recreation Director Flint said if the water was shut off there would be no restrooms or water fountains and the building would have to close. He discussed the challenge was finding a way to keep it warm and open, and he was afraid if they shut down they would lose the great staff they had. Mayor Dandoy said he did not see any other options. Parks and Recreation Director Flint acknowledged Mayor Dandoy may be right, but he wanted to exhaust all of the possibilities before they settled on that.

Mayor Dandoy said this was a discussion item and asked Council if they would be comfortable asking Staff to come back with a proposal that had an option other than a complete shutdown. He emphasized they could not afford any further damage and encouraged City Manager Andrews to come back with another option for them.

Councilmember Wilson asked if there was a heating system they could bring in and use in the basement. City Manager Andrews said anything they brought in would cause an exhaust problem and he was worried about how long it would take to install. He said he thought there might be a possibility it could work but did not know at what cost. Parks and Recreation Director Flint explained the concern would be the breaking of a main pipe in the basement, and he reiterated they were in uncharted territory because they had always had a boiler in the past. Councilmember Wilson asked if the engineers could figure out any solutions for them.

Mayor Dandoy asked Parks and Recreation Director Flint to come back with a proposal for the next Council meeting.

2. Pickleball Court Bids

Parks and Recreation Director Flint reported they had opened a bid for the pickleball courts and had three companies bid, with the high bid being \$977,661 and the low bid being \$598,390. He reminded the Council that the budget for this project had been \$300,000. He said they had reached this budget figure based on other City's projects from previous years, but he discussed they lived in a different world with the cost of materials being twice as much as they were the previous year. Councilmember Joe Paul asked how long they had on the RAMP Grant and Parks and Recreation Director Flint said they could extend it a year, but no one anticipated prices dropping within that time. Parks and Recreation Director Flint added the contractor with the lowest bid had indicated he would be willing to work with them on price.

Parks and Recreation Director Flint said they had three choices for funding and presented these choices. He said their first option was to increase the budget by \$450,000 and build it as planned, the second option was to go back to RAMP to discuss the scope of the project and see if they would be willing to let them do a different project, and third option would be to eliminate the project entirely.

Councilmember Sophie Paul asked how many courts they had proposed in the project and asked if they could go to RAMP and reduce the number of requested courts. Parks and Recreation Director Flint said that was an option, but they would have to go through an extended process. Councilmember Joe Paul asked how the price would be impacted if they relocated the project to Emma Russell and lowered the amount of courts. Parks and Recreation Director Flint said they would still have to take that proposal back to the RAMP committee. He said if that was the direction Council wanted to go he could put that in

the email.

Councilmember Wilson asked if cement was the biggest cost and Parks and Recreation Director Flint replied cement and steel were the most expensive. Councilmember Wilson suggested having the cement donated, but Parks and Recreation Director Flint said the amount of cement was significant and even with donations it might be unfeasible. Mayor Dandoy said the RAMP funds had all been allocated for the year and this project exceeded the budget, so really they only had the option to scale the project back, or get rid of the plans completely.

Councilmember Joe Paul said they should kill the project until the following year to see if material prices went down. Councilmember Wilson said she could check on cement. Councilmember Joe Paul stated he would not vote to put any more budget towards this. Mayor Dandoy asked the other Councilmembers if they were okay with scaling back the project. Councilmember Sophie Paul expressed uncertainty if postponing it for a year was an option because there were grant funds tied into it. Parks and Recreation Director Flint acknowledged her point and said he could check to see if that was a feasible option. Mayor Dandoy cautioned the Council that he did not want this to turn into the problem they had with the ice rink.

Councilmember Wilson asked if they could get some estimates of cost if they scaled down the project, and Parks and Recreation Director Flint replied he could check with the contractors to get some numbers. Councilmember Wilson asked if they knew how much square footage each court was and said she knew three concrete companies that she could talk to about doing a discount for them.

Parks and Recreation Director Flint said he could look into all of these suggestions. Mayor Dandoy asked Parks and Recreation Director Flint to come back to Council with a scaled back version of the project.

3. Roy Days Follow-up

City Manager Andrews announced they had made some changes to the Roy Days event and he had received a lot of good feedback about the changes. He said he wanted to have a general discussion about what they liked and what they could do better.

Councilmember Wilson thought the center line of the parade was empty and felt like the bands and dancers needed to be in the center rather than on the outside. She thought they could safely be able to throw candy to the crowd, and she opined there was too much space between some of the groups in the parade. She thought everything else was great.

Councilmember Sophie Paul did not understand how the gap had gotten so big between groups when they had started off at an appropriate distance, and she did not know how they would regulate that. City Manager Andrews said he noticed the general public was respectful about staying behind the bike lanes and people were handing out candy but there was the element of the expectation of candy being thrown. Councilmember Paul noted candy had only been thrown at the beginning and the end of the parade.

Councilmember Sophie Paul wanted to have a discussion about the hours on Saturday for the vendors and the food trucks. She pointed out the vendors closed at eight, but the fireworks started at ten and there were people that were just arriving as vendors were shutting down. She suggested the vendors stay open an hour later to accommodate residents. Police Chief Matthew Gwynn noted the stop time had always been eight o'clock but the difference this year was that it had actually been enforced because of fencing and traffic control. He spoke to the public safety perspective, and said since staff was needed to transition to the fireworks they could not manage both sides. Councilmember Sophie Paul asked if extending to nine o'clock would be a problem. Police Chief Gwynn said he did not mind when the stop time was, but said whenever it was it would have to be strictly enforced.

Councilmember Paul asked if there had been any discussion about a change of venue. Police Chief Gwynn said that was part of a much larger discussion and deferred to City Manager Andrews to answer that question.

Councilmember Jackson wanted to discuss the salmon bake, and she said she thought they could facilitate more people and decrease staffing by having volunteers. She discussed other cities she had worked with in the past had offered hot dogs for people that did not like salmon, which worked well for families with kids that were picky eaters. Councilmember Joe Paul joked he would eat the hot dogs. Parks and Recreation Director Flint gave context, and said the salmon bake had started with the Kiwanis Club and then it went to the fire department who did it as a fundraiser, and then ultimately to the City, and he thought the City had done a fabulous job with it. Councilmember Wilson asked if they made a profit. Parks and Recreation Director Flint said they typically did.

Mayor Dandoy said there were a lot of great things that had taken place, but recalled there had been some backlash about the assault rifle that had gone up for bid at the auction, and he thought they should consider putting restrictions on the raffling of weapons. Councilmember Sophie Paul agreed. Councilmember Joe Paul said if they were going to restrict weapons then they should restrict other items that were offensive to people. Mayor Dandoy recalled after the event, some residents had called to complain about it. City Manager Andrews said he had a problem with the displaying of the rifle itself and suggested they use a picture instead. Mayor Dandoy thought it had looked odd, given all of the security and protective measures they had established for the day, and agreed that a picture was a much better way to offer a rifle for raffle. He thought going forward they should have a rule that required people to leave their guns at home and provide pictures instead. City Manager Andrews said the vendor that had brought the assault rifle had put on his application that he was going to auction off a steak dinner, but added that in the rules there was nothing prohibitive about weapons. Deputy Director Jody Call explained the assault rifle was auctioned by a veterans group who wanted to raise money for their charity, and her understanding was that the gun was not operational. However, she said her worry was there was no telling where this kind of thing would stop, and how many categories would they have to consider to put limitations on. She asked for direction from the Council as to how they could improve the application process.

Mayor Dandoy said that by law, there were restrictions about some people purchasing guns and certain processes had to be gone through for the legal sale of arms. He said those standards had not occurred in this situation and he did not think this should be the responsibility of the City, and certainly not at Roy Days. He thought maybe they should specify that people could not bring guns. Councilmember Joe Paul said they had to be careful to say not to bring guns because it had not been declared a safe zone, and he suggested it was better to use the verbiage ‘public display of guns’ or something along those lines, because some people legally had a concealed firearms permit. Mayor Dandoy said the issue he was concerned about was whether or not people were screened for carrying guns either way. Police Chief Gwynn replied if someone had come in with a rifle slung across their back and were legally entitled to do so there was nothing they could have done about it. Councilmember Sophie Paul commented the rifle in question had come in through the back with a vendor and did not even pass an officer. Councilmember Wilson pointed out a background check or a mental health evaluation would not have been performed on the individual who won it. Deputy Director Call thought this was all speculation, but suggested the legal team look into this and make sure the proper procedures were followed through with. She agreed with Chief Gwynn that they were treading on tricky waters regarding legalities.

Mayor Dandoy said he did not want to dilute the idea for which Roy Days was founded. He said the core idea of Roy Days was certainly not that they would have guns displayed, raffled or sold and suggested looking into their legal options as a City as he did not want to see Roy Days turn into a gun show.

Councilmember Sophie Paul thought overall Roy Days was amazing. Councilmember Paul seconded that. Councilmember Wilson and Jackson agreed.

Deputy Director Call commented on Councilmember Wilson's concerns about the parade. She said one of the rules was that adults were only allowed to throw candy, and that one of the challenges about the setup was keeping adequate separation between vehicles in the center lane to avoid injuries. She shared an aerial video of the parade route and oriented Council to the layout. She discussed their biggest concern had been spectators coming out into the road. She commented on the vendor times and acknowledged it had been enforced differently that year, but it had actually been beneficial to the vendors because in previous years they had made vendors wait until after the fireworks to break down their setups. Deputy Director Call also commented on the salmon bake and said that this year they had required reservations every fifteen minutes, which allowed them to have a better estimate of how much they were going to need, and had prevented a long line from forming. She thought the salmon bake was one of the smoothest events they had ever done, and said if they wanted to switch to volunteers she would just need some direction from Staff on how they wanted to handle that. As far as revenue, she reported the salmon bake always broke even.

City Manager Andrews discussed the relocation of the venue, and recalled that Roy Days had been at George Walden Park in the past since the park provided a greater amount of parking and was completely level, which made it safer. He said another advantage was that it was on an accessory road so the access was a little bit cleaner. However, he said some of the problems they had had in the past at that location was that the drop zone for the fireworks was not there and there was no power or the water connected there, and it would cost around \$100,000 to have water and electricity connected. City Manager Andrews said if they wanted to change the venue over to George Walden Park then they would have to allocate that money to make those installations. He said as far as the fireworks go, they could go with Chief Gwynn's proposal to separate the venues so that the youths might just go to the fireworks, instead of mingling with the families. City Manager Andrews said one of the problems they had had in the past was trying to babysit and having everyone together, the fencing had effectively separated the youths who were there for the fireworks from the families, and it had made it easier to control the crowds. He said the other feature about George Walden was the level ground, which would be better for the stage, but reiterated they needed the electricity and water.

City Manager Andrews said if they wanted this to happen they would need to get going on the plans soon. Councilmember Joe Paul asked if there were underground cables installed there and City Manager Andrews replied there was a conduit. Councilmember Sophie Paul asked where they would do the fireworks. City Manager Andrews said it had not been widely discussed yet, but he would prefer doing them where they had been done that year at the golf course, and he liked the idea of separating the events throughout the City. Councilmember Joe Paul asked about the possibility of doing the fireworks at the high school near the football practice field. City Manager Andrews replied he did not think there was a fallout zone there. Chief Gwynn added they did not have issues when the vendors and fireworks were at different locations, they only had issues when the two were combined and they had had issues every year they had been combined. Councilmember Joe Paul said they would have his vote to change venues.

Mayor Dandoy said they should give it a good study to determine the feasibility of moving the vendors over to George Walden the following year. Deputy Director Call commented that Staff would need to know the Council's decision soon so they could start getting things in order and start organizing funding. She suggested holding all of the events on one day and calling it a "Super Saturday," rather than stretching them out over the course of a weekend.

Mayor Dandoy said if they changed the venue some of the parking challenges would go away, and he

directed they should have Staff flush all the issues out and see what they could do moving forward. Councilmember Wilson said she liked having Roy Days at Roy West Park, and she thought if they had it at George Walden they would obviously have to close vendors at eight o'clock to give people time to drive over to the fireworks, and based on this she did not know if it was worth it to switch venues.

Councilmember Joe Paul said they could get permission from the church, school, and library to allow people to park, and he said those three lots would give significant parking. He said they could leave vendors open until nine because it did not take people an hour to get across town to watch the fireworks.

Mayor Dandoy said he thought spreading the venues across the City provided some advantages, but they needed to do more research to figure out what the impact would be.

4. Community Development Block Grant (CDBG) candidate projects

Public Works Director Oliver said they had put in for two projects last year, but they had not advertised for public comments, and so they were bringing the item back again this year. He explained they were putting in bids for the water line, sewer line, curbs and gutters for the parking lot east of the complex. He said they would bring the bids to the meeting in October.

5. Letter of Intent to apply for Congestion Mitigation Air Quality (CMAQ) grant funding for roundabout at 6000 S / 4300 West or 4800 S / 4300 W

Public Works Director Oliver said they had considered two projects, a roundabout at 6000 and 4300, and another one at 4800 and 4300 where the school was located. He did not like the idea of putting a roundabout where kids would be walking around. Mayor Dandoy clarified this was a 2029 funding source, and asked if Council was okay with the 6000 and 4300 project.

6. Letter of Intent to apply for Carbon Reduction Program (CRP) grant funding for electric vehicle charging stations on the north side of the Municipal Building

Mayor Dandoy said this was a 2025 funding source so even if they decided to move forward with this, they would not see any funding for another three years. He discussed that some places in the country were starting to change how they addressed carbon free transportation, especially in California. He said people would not be able to buy a gas or diesel vehicle in California or twelve other states by 2035, and felt this was an important conversation to have now. Mayor Dandoy explained the intent of this was not to make charging stations available to the public, but would be for internal use. He pointed out that if they wanted to start looking into electric vehicles that could get around the City then they needed to start thinking of the infrastructure to support those vehicles. He said this particular program would do just that, and he discussed they needed to look further down the road because they needed to find ways to stay viable as a City and relevant in light of national changes. Mayor Dandoy said this program had a lot of money involved, and said they could submit a letter of intent in order to be considered for funding.

Councilmember Wilson asked if this grant was available for personal businesses. Mayor Dandoy replied he thought it was only for government agencies. Councilmember Sophie Paul asked if this grant was for the vehicles or the charging stations, and asked if they would have to come up with their own funding to purchase electric vehicles. Public Works Director Oliver said they had asked about getting an electric truck for the City and reported they had been told that it was still three years out. There was a lot of background chatter. Mayor Dandoy said the fact of the matter was that this was imminent and they needed to be ready for it and they needed to start taking advantage of some of these grants. City Planner Parkinson reiterated this was only three years out still and it would be to their disadvantage to not try to take advantage of it now. Mayor Dandoy instructed City Manager Andrews to start putting a grant

proposal together.

H. City Manager & Council Report

City Manager Andrews reported that the meal for the Roy City sports teams was September 26th. He said they would start at 5:30 and the football team would be a half hour later at 6:00. He said from their previous meeting, City Reporter Brittney Fowers had put together the Halloween decorating contest and entries were due by October 21st. He said the judging would be on October 23rd and the winner would be announced October 28th. City Manager Andrews said that on October 12th they would do a public safety open house with fire and police, and asked Council to save the date.

City Manager Andrews reported they were working with UDOT on the 5600 corridor and some of the decisions they needed to make were with the water lines. He said one of the things they had talked about was providing a conduit along the corridor for beautification lights, and said they were looking at \$500,000 just for conduit. He said Public Works had attended a meeting with UDOT, in which UDOT had indicated they would provide those big lights along the corridor, but there was no conduit in the ground for them, so the City would have to install a conduit for a cost of \$500,000.

Mayor Dandoy commented the retrofit after the fact would be more expensive, but said the Council did not want to spend the \$500,000. It was agreed they did not want to spend the money.

I. Adjournment

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

RESOLUTION 22-19

A RESOLUTION OF THE ROY CITY COUNCIL APPROVING AN AUTOMATIC AID AGREEMENT BETWEEN ROY CITY CORPORATION AND THE SECRETARY OF THE AIR FORCE (THE “AIR FORCE”) ACTING BY AND THROUGH THE COMMANDER OF HILL AIR FORCE BASE PURSUANT TO THE AUTHORITY OF 42 U.S.C. § 1856A FOR FIRE AND EMERGENCY RESPONSE.

WHEREAS, Roy City desires to enter into an automatic aid agreement with Hill Air Force Base for the purpose of fire protection and emergency response services; and

WHEREAS, such agreement is in furtherance of the purposes of Section 11-7-1, Utah Code Annotated, 1953, as amended, and is permitted under Section 11-13-101, Utah Code Annotated, 1953, as amended, which allows governmental entities to enter into cooperation agreements with other public entities; and

WHEREAS, Roy City recognizes the importance and need for joint cooperation with local entities to provide and receive services from neighboring communities which is a necessary and needed service to the City and surrounding communities; and

WHEREAS, Roy City wishes to, and recognizes the importance of, participating in any efforts designed to jointly help each other; and

WHEREAS, this agreement does not create an interlocal entity; and

WHEREAS, the Roy City Council has reviewed the Automatic Aid Agreement and agrees to all the terms and conditions contained therein; and

NOW THEREFORE, the Roy City Council hereby approves the attached Automatic Aid Agreement hereto and incorporated by this reference as written and authorizes the Mayor of Roy City to execute this Agreement on behalf of the City.

Passed this ____ day of _____, 2022.

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

Voting:

Councilmember Sophie Paul	_____
Councilmember Jackson	_____
Councilmember Scadden	_____
Councilmember Joe Paul	_____
Councilmember Wilson	_____

AUTOMATIC AID AGREEMENT BETWEEN

THE UNITED STATES AIR FORCE

AND

ROY CITY FIRE DEPARTMENT

This Automatic Aid Agreement (the "Agreement") is made and entered into this 01 day of September 2022, between the Secretary of the Air Force (the "Air Force") acting by and through the Commander of Hill Air Force Base pursuant to the authority of 42 U.S.C. § 1856a and Roy City Fire Department (the "Roy City Fire Department"). Together the Air Force and Roy City Fire Department are hereinafter referred to as the "Parties"

WITNESSETH:

WHEREAS each of the Parties hereto maintains equipment and personnel for the suppression of fires and the management of other emergency incidents occurring within areas under their respective jurisdictions; and

WHEREAS, as set forth in 42 U.S.C. § 1856 the term 'fire protection' includes personal services and equipment required for fire prevention, the protection of life and property from fire, firefighting, and emergency services, including basic medical support, basic and advanced life support, hazardous material containment and confinement, and special rescue incidents involving vehicular and water mishaps, and trench, building, and confined space extractions; and

WHEREAS the Parties hereto desire to augment the fire protection capabilities available in their respective jurisdictions by entering into this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, obligations and agreements herein established, the Parties hereby agree as follows:

- a. The authority to enter into this Agreement is set forth in 42 U.S.C. § 1856a, and Title 15 United States Code Section 2210, the regulations implementing same at Title 44 Code of Federal Regulations Part 151 Emergency Management and Assistance and DAFI 32-2001, F&ES Program.
- b. This Agreement will serve as the agreement between the Parties for securing to each automatic aid in fire protection services as defined above.
- c. On request to a representative of the Hill Air Force Base Fire Department by a representative of the Roy City Fire Department, fire protection equipment and personnel of the Hill Air Force Base Fire Department will be automatically dispatched via radio or computer aided dispatch technology to any

point within the area for which the Roy City Fire Department normally provides fire protection services as designated by the representatives of the Roy City Fire Department.

d. On request to a representative of the Roy City Fire Department by a representative of the Hill Air Force Base Fire Department, fire protection equipment and personnel of Roy City Fire Department will be dispatched via radio or computer aided dispatch technology to any point within the jurisdiction of Hill Air Force Base as designated by the representative of Hill Air Force Base fire department.

e. Any dispatch of equipment and personnel by the Parties pursuant to this Agreement is subject to the following conditions:

(1) Any request for aid hereunder will include a statement of the amount and type of equipment and personnel requested and will specify the location to which the equipment and personnel are to be dispatched, but the amount and type of equipment and the number of personnel to be furnished will be determined by the responding organization. The requesting organization will ensure access to site for the responding organization.

(2) The responding organization will report to the officer in charge of the requesting organization at the location to which the equipment is dispatched and will be subject to the orders of that official.

(3) The responding organization will be released by the requesting organization when the services of the responding organization are no longer required or when the responding organization is needed within the area for which it normally provides fire protection.

(4) Sharing of non-encrypted Radio Frequencies/INTEROPERABILITY capability between agencies specifically during Automatic or Mutual Aid events for accountability of personnel and assets, including sharing of valuable information between Incident Command and firefighters.

(5). HAZMAT incident response will include the response to, and control and containment of any release or suspected release of any material suspected to be or known to be hazardous. Where the properties of a released material are not known, it will be considered hazardous until proven otherwise by the requesting organization using all technical resources available. Cleanup and removal of contained HAZMAT will be the responsibility of the requesting organization.

(6) In the event of a crash of an aircraft owned or operated by the United States or military aircraft of any foreign nation within the area for which the Roy City Fire Department normally provides fire protection services, the chief of the Hill Air Force Base Fire Department or his or her representative may assume full command on arrival at the scene of the crash.

(7) Regardless of local agencies assigning an incident safety officer, an Air Force representative will be assigned to act as the incident safety officer for Hill Air Force Base to observe Air Force support and operations at an incident. Local agencies are encouraged to assign a safety officer to observe the agencies support and operations at an incident on the installation.

f. Each Party hereby agrees that its intent with respect to the rendering of assistance to the other Party under this Agreement is not to seek reimbursement from the Party requesting such assistance.

(1) Notwithstanding the above, the Parties hereby recognize that pursuant to the Section 11 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. § 2210) and Federal regulations issued there under (44 Code of Federal Regulations Part 151), Roy City Fire Department is permitted to seek reimbursement for all or any part of its direct expenses and losses (defined as additional firefighting costs over normal operational costs) incurred in fighting fires on property under the jurisdiction of the United States. Furthermore, under the authority of 42 U.S.C. § 1856a, and pursuant to any applicable state or local IAW each Party hereby reserves the right to seek reimbursement from the other for all or any part of the costs (defined as additional firefighting costs over normal operational costs) incurred by it in providing fire protection services to the other Party in response to a request for assistance.

(2) Furthermore, Roy City Fire Department agrees to indemnify and hold harmless the United States from any liability that may arise from the use of firefighting foams, chemicals, or other materials by the Air Force in providing fire protection services to the Roy City Fire Department, which agreement to indemnify and hold harmless includes, but is not limited to, such uses that may result in hazardous substance exposure or pollution of or contamination to air, land, water, person or property or such uses that may result in response actions under CERCLA, RCRA, or any other federal, state, or local laws. Notwithstanding any other provision of this Agreement, termination of this Agreement shall in no way affect Roy City Fire Department's obligation under this paragraph to indemnify and hold harmless the United States from any liability that may arise from the use of firefighting foams, chemicals, or other materials by the Air Force in providing fire protection services to the Roy City Fire Department, which obligation shall survive such termination.

g. Both Parties agree to implement the National Incident Management System (NIMS) during all emergency responses on and off Installations IAW National Fire Protection Association Standard 1561.

h. Each Party waives all claims against the other Party for compensation for any loss, damage, personal injury, or death occurring as a consequence of the performance of this Agreement. This provision does not waive any right of reimbursement pursuant to paragraph f.

i. All equipment used by Roy City Fire Department in carrying out this Agreement will, at the time of action hereunder, be owned by it; and all personnel acting for Roy City Fire Department under this Agreement will, at the time of such action, be an employee or volunteer member of Roy City Fire Department.

j. The rendering of assistance under the terms of this Agreement will not be mandatory; however, the Party receiving a request for assistance will endeavor to immediately inform the requesting Party if the requested assistance cannot be provided and, if assistance can be provided, the quantity of such resources as may be dispatched in response to such request.

k. Neither Party will hold the other Party liable or at fault for failing to respond to any request for assistance or for failing to respond to such a request in a timely manner or with less than optimum equipment and/or personnel, it being the understanding of the Parties that each is primarily and ultimately responsible for the provision of fire protection services needed within their own jurisdictions.

l. Disputes.

Parties to Negotiate. If a dispute should arise, the Parties agree to first attempt to resolve the dispute using unassisted negotiation techniques (i.e., without the assistance of a neutral third party). Either Party may request in writing that unassisted negotiations commence. As part of the unassisted negotiation, the Parties shall consider employing joint fact-finding, if material factual disputes are involved, and shall use other early resolution techniques appropriate to the circumstances. If the dispute involves material issues of fact, the Parties may employ a neutral third party to provide a confidential evaluation of the issues of fact.

m. Alternative Dispute Resolution.

1. If the dispute is not resolved within sixty (60) days after the request for unassisted negotiations, and the Parties do not mutually agree to continue the unassisted negotiations, the Parties shall employ alternative dispute resolution procedures involving nonbinding mediation of the dispute by a neutral third party. The alternative dispute resolution procedures employed shall include a confidential evaluation of both the facts and the law and the issuance of confidential recommendations by the neutral third party.

2. By entering into this Agreement, the Parties have voluntarily adopted alternative dispute resolution procedures IAW 5 United States Code. § 572(c). These procedures shall not be employed if determined by either Party to be inappropriate after taking into consideration the factors enumerated at 5 United States Code. § 572(b). A Party rejecting alternative dispute resolution as inappropriate shall document its reasons in writing and deliver them to the other Party. The Parties shall enter into a master written alternative dispute resolution Agreement governing alternative dispute resolution proceedings that may be amended as needed to fit individual proceedings. (A template of an acceptable alternative dispute resolution agreement may be found at www.adr.af.mil).

3. The Government's obligation to make any payment arising out of an agreement resolving a dispute under this Agreement is contingent upon the availability of funds proper for such payment. Roy City Fire Department's obligation to make any payment arising out of an agreement resolving a dispute under this Agreement is contingent upon the availability of funds proper for such payment.

n. All notices, requests, demands, and other communications which may or are required to be delivered hereunder will be in writing and will be delivered by messenger, by a nationally- recognized overnight mail delivery service or by certified mail, return receipt requested, at the following addresses:

For the Air Force:

Hill Air Force Base
c/o Commander, 75th Air Base Wing
7981 Georgia St, Suite 100
Hill AFB, UT 84056-5824

And:

Department of the Air Force
Air Force Civil Engineer Center/CXF
139 Barnes Dr, Suite 1
Tyndall AFB, FL 32403-5319

And:

Hill Air Force Base
c/o Installation Fire Chief
5937 C Ave, Bldg. 23
Hill AFB, Utah 84056

For:

Roy City Fire Department
c/o Fire Chief
5051 South 1900 West
Roy, UT 84067

TERMS OF THE AGREEMENT

o. This Agreement will become effective on the date of the last signature to the Agreement and will remain in effect for five years (September 2022) from that date (the "Term"). The Parties to this agreement shall conduct an annual review for currency to respective regulatory and policy guidance and shall acknowledge review by cover letter signature from both Parties' senior fire officers. Either Party may unilaterally terminate this Agreement during the Term by sending notification of its intent to terminate to the other Party at 180 days in advance of the proposed date of termination. Such notification will be in the form of a written submission to the other Party.

p. Upon becoming effective, this Agreement will supersede and cancel all previous agreements between the Parties concerning the rendering of assistance from one to the other for the purposes stated in this Agreement.

q. The modification or amendment of this Agreement, or any of the provisions of this Agreement, will not become effective unless executed in writing by both Parties.

r. This Agreement may be executed in one or more counterparts, each of which will be deemed an original.

IN WITNESS WHEREOF, The Parties have caused this Agreement to be executed by their duly authorized representatives on the dates shown below:

Roy City Corporation
For Roy City Fire Department

THE UNITED STATES OF AMERICA
by the Secretary of the Air Force

By: _____ By: _____

Name: _____ Name: JEFFREY G. HOLLAND, Col, USAF
Mayor COMMANDER, 75th ABW, HILL AFB

Date: _____ Date: _____

RESOLUTION NO. 22-20

**A RESOLUTION OF THE ROY CITY COUNCIL APPROVING A JOB DESCRIPTION
FOR A PART TIME COURT BAILIFF.**

WHEREAS, the Roy City Police Department desires to hire a Bailiff to enhance Justice Court operations.

WHEREAS, the Roy City Council approved the creation of a new Court Bailiff position in its FY2023 Budget; and

WHEREAS, Roy City is required to maintain job descriptions on all employee positions; and

WHEREAS, each job description identifies title, supervision received, supervision exercises, 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 Police Administration has prepared a job description for the Bailiff position and desires Roy City Council approval of the attached job description; and

NOW THEREFORE, be it resolved by the Roy City Council that the Roy City Police Department Court Bailiff job description, which is attached hereto, is approved.

Approved and adopted this _____ day of November 2022.

Robert Dandoy
Mayor

Attested

Brittany Fowers
City Recorder

Councilmember Scadden _____
Councilmember Wilson _____
Councilmember Sophie Paul _____
Councilmember Jackson _____
Councilmember Joe Paul _____

ROY CITY
Job Description

Title:	Court Bailiff	Code:	***
Division:	Operations	Effective Date:	11/2022
Department:	Police	Last Revised:	11/2022

GENERAL PURPOSE

Performs narrowly focused law enforcement duties related to court room and court management personnel security.

SUPERVISION RECEIVED

Works under the general supervision of the Administrative Sergeant or their designee.

SUPERVISION EXERCISED

May provide close to general supervision to less experienced bailiffs while in training or on a case-by-case basis. May function as the Officer in Charge (OIC) in the absence of a higher-ranking officer or by assignment.

ESSENTIAL FUNCTIONS

Court Security/Warrants:

Maintains order and security in courtroom and guards the judge and jury. Provides security for court area by responding appropriately to any suspicious behavior by any person entering the court or adjacent areas. Exercise the practical judgment necessary to cope with unusual situations on an emergency basis.

Unlocks and check courtroom for security. Monitors all persons entering the court area and operates the hand-held scanner and the walk-through metal detector. Collects and retains unauthorized firearms from persons entering courtroom.

Enforces courtroom rules of behavior. Announces entrance of judge. Relays messages from jurors to Court and/or families. Carries documents from defendants to the judge. Reports need for police or medical assistance to the Dispatch Center. Takes custody of sentenced or arrested person in the Courtroom and arranges for transportation to the Correctional Facility.

Provides jury escort to restaurant and other areas outside of courtroom to prevent jury contact with public.

Serves warrants and subpoenas. Locates fugitives.

Serves processes, notices, summons and subpoenas and keeps records of dispositions; escorts prisoners to and from county jail or from one location to another; subdues unruly prisoners when necessary.

Completes comprehensive reports of daily activities and enforcement actions as required.

Cleans and maintains assigned firearms and vehicles and other special equipment.

Performs ongoing public relations to enhance the image of the department within the community.

Performs related duties as required.

MINIMUM QUALIFICATIONS

1. Education and Experience:

- A. Graduation from high school; plus successful completion, at a minimum, the Utah Peace Officer Standards and Training Special Function Officer (SFO).

2. Essential Functions, Knowledge, Skills, and Abilities:

Working knowledge of Roy and its street systems; modern law enforcement principles, procedures, techniques and equipment; applicable Federal, State, County, and City laws and ordinances and departmental rules and regulations; **Some knowledge of** hazardous waste classifications and emergency procedures related to control, containment and confinement; principles of law enforcement administration; investigative procedures and practices; legal liabilities associated with arrest and law enforcement; court room procedures and laws of evidence.

Skill in the use of firearms, the operation of police vehicles and other specialized equipment including, police batons and restraining devices.

Ability to react effectively in emergency and stress situations; ability to exhibit imagination, initiative and problem-solving capability in coping with a variety of law enforcement situations; ability to follow standard safety practices and procedures common to law enforcement work; perform work requiring good physical condition; communicate effectively, verbally and in writing; establish and maintain effective working relationships with employees, other agencies and the public.

3. Special Qualifications:

Must be clear of a prior criminal record. Must possess a valid Utah State Driver's License. Must maintain firearm proficiency. Must maintain special function officer, or, law enforcement certification by completing annual training requirements (40 hrs.).

4. Work Environment:

Functions of the position generally performed in a controlled environment, but subject to all seasonal and weather extremes. Some travel. May pose a high degree of hazard uncertainty. Physical readiness essential to effective job performance. Various levels of mental application required, i.e. memory for details, emotional stability, discriminating thinking, creative problem solving. Continuous use of motor skills.