



Minutes of the Roy City Council Meeting held in person in the Roy City Council Chambers and streamed on YouTube on April 4, 2023, 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	City Manager, Matt Andrews
Councilmember Jackson	City Attorney, Matt Wilson
Councilmember Joe Paul	City Recorder, Brittany Fowers
Councilmember Scadden	
Councilmember Wilson	
Councilmember Sophie Paul	

Excused:

Also present were: Assistant City Manager, Brody Flint; Police Chief, Matthew Gwynn; Fire Chief, Craig Golden; Deputy Fire Chief, Mike King; Public Works Director, Ross Oliver; Management Services Director, Amber Kelly; Lizzy Badger, Glenda Moore, Kevin Homer, Michael Ghan, Elizabeth Brown, Leon Wilson, Paul Wilson, Tim Higgs,

A. Welcome & Roll Call

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

B. Moment of Silence

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

C. Pledge of Allegiance

Councilmember Jackson 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 February 2023 Financial Statements.

There were no comments or questions.

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

E. Public Comments

Mayor Dandoy opened the floor for public comments.

Kevin Homer came forward first and gave his address as 5398 S 4000 W Roy. Mr. Homer asked where the rules of combat were on the website. Mr. Homer asked to make these rules more accessible. Mr. Homer also asked that declarations of conflict be added to the meeting agenda. Councilmember Joe Paul said they need to do that for the sewer board. Councilmember Scadden agreed this was a need.

Tim Higgs came forward and gave his address as 5381 S 3400 W Roy. Mr. Higgs recapped a discussion from a month ago about some of his property around 5600 S. Mr. Higgs noted this would be discussed in the meeting at length later. Mr. Higgs thanked everyone. Mr. Higgs said on pages 23 and 27 of the plan specifies the subdivision plans, but noted the plat for this subdivision area is incomplete and has ambiguous restrictions. Mr. Higgs said the buyer understood they may need to rezone the property. Mr. Higgs said there have been no improvements, alternations, or constructions on the property since the 1960's, but felt this was not clear as written. Mr. Higgs said he had some comments on some upcoming ordinances which had similar issues to the issues with this property. Mr. Higgs said other owners could have issues with their property and keeping it up to code. Mr. Higgs suggested changing the Code for accessory buildings and warehouse/storage, though said self storage could be exempted. Mr. Higgs presented an example write up of code changes. Mr. Higgs reported he had also spoken to Curt Davis who has property on an adjacent lot.

Mayor Dandoy noted this was a land use issue and any changes would have to go through the Planning Commission. Mayor Dandoy said to direct any of these proposed changes to the Planning Commission.

Mayor Dandoy closed the floor for public comments.

F. Presentation

1. Miss Roy's Year in Review – Macy McCormick

Macy McCormick came forward to present a recap of her year in service. Ms. McCormick said she was Miss Roy 2022, a political science student at the local university, and a disability advocate. Ms. McCormick said she has worked closely with the League of Women voters in July and went through their mission. Ms. McCormick said they encourage civic participation through education and praised the organization. Ms. McCormick said she will be representing Roy City for the Miss Utah pageant. Ms. McCormick said she has been registering voters and also working with the Children's Justice Center in September. Ms. McCormick said she has been able to sit on the board of this organization. Ms. McCormick said she registered voters throughout the fall at the Harvest Moon Festival and performed at a nonprofit theater to support kids in the arts. Ms. McCormick said she had the opportunity to volunteer with the Special Olympics in October and help plan a Day of the Dead celebration in October. Ms. McCormick said she got to spend November, her birth month, to speak more about civic engagement and work on a Veterans Day event. Ms. McCormick said she got to participate in more performing arts events in December along with volunteering for children's hospitals. Ms. McCormick said she helped with some anti-human trafficking organizations in January. Ms. McCormick said she worked a lot on her pageant efforts in February. Ms. McCormick said March was a busy month given her preparations for the Miss Utah pageant. Ms. McCormick said they should support local arts. Ms. McCormick also pushed getting the youth out to be civically engaged. Ms. McCormick said she will be spending the rest of the month speaking in schools and going to assisted living centers. Ms. McCormick said they can come to a free

event in May to support her for Miss Utah. Ms. McCormick thanked the Roy City Council, Mayor Dandoy, and the community.

2. Recreation Award for Andrew Brown – Lizzy Badger

Lizzy Badger invited the Brown family to come up and speak. Ms. Badger noted that through Parks & Recreation she nominated Andrew Brown for an outstanding citizen award, and she expressed she wanted to speak on the difference Andrew Brown had made. Ms. Badger read several testimonials from former students and athletes speaking to the inspiration and influence of Andrew Brown.

Councilmember Joe Paul said it was a great honor to work with Andrew Brown. Councilmember Ann Jackson spoke to the difficulties and coaching and noted Andrew Brown's positive influence. Councilmember Diane Wilson thanked Lizzy Badger.

G. Action Items

1. Resolution 23-11 Approving the job description for a Seasonal Code Compliance Officer.

Assistant City Manager Brody Flint led this portion of the meeting. Assistant City Manager Flint noted this item would approve the job description for a Seasonal Code Compliance Officer. Assistant City Manager Flint said this position would be seasonal and opened the floor for questions.

Councilmember Wilson asked when the position would start. Assistant City Manager Flint said it would be around April or May and said hours would be capped at 50 or 60. Councilmember Wilson asked what the financial cost would be. Assistant City Manager Flint said they would adjust pay based on experience, though they would be paying around \$20 an hour. Councilmember Wilson said she felt this position would increase tensions between people and be an inappropriate use of funds. Councilmember Wilson said a carrot works better than a stick. Councilmember Scadden said he disagreed. Councilmember Scadden said this position gives plenty of time and opportunities for individuals to correct their behavior. Assistant City Manager Flint agreed and said the position presents accommodations and has a proactive approach to code compliance.

Councilmember Sophie Paul asked about the role Chance would have in this. Assistant City Manager Flint said Chance is doing well, but they need someone to take on more than Chance can. Councilmember Jackson asked if Chance would be training the new employee. Assistant City Manager Flint said yes.

Councilmember Joe Paul motioned to approve Resolution No. 23-11 Approving the job Description for a Seasonal Code Compliance Officer. Councilmember Scadden seconded the motion. A roll call vote was taken. Councilmembers Jackson, Sophie Paul, Scadden, and Joe Paul voted "Aye", Councilmember Wilson voted "Nay". The motion carried.

H. Discussion Items

1. Roy Days

Assistant City Manager Flint began this conversation. Assistant City Manager Flint presented the current plan for Roy Days. Assistant City Manager Flint said the current big picture plan will shift the booth events to just Saturday to conjunct with the parade. Assistant City Manager Flint said they have heard complaints on the setup and take down schedule. Assistant City Manager Flint said West Park would still host the

BMX activities and fireworks but many of the activities will be moved. Assistant City Manager Flint said the salmon bake will be moved to Friday night and host it at Russell Park.

Councilmember Joe Paul asked if the movie would still be Friday. Assistant City Manager Flint said it would be.

Mayor Dandoy clarified City Councilmember roles. Assistant City Manager Flint said many of them have been sorted out. Mayor Dandoy asked about how they plan to navigate volunteers and if they plan on adding more. Assistant City Manager Flint said they will assess their needs, but yes. Mayor Dandoy asked what the strategy was on throwing out candy. Assistant City Manager Flint said they are looking at their parade needs but can make changes. Councilmember Joe Paul suggested combining lessons they have learned from the years.

Councilmember Jackson said a Roy City high school class wants to do a service project for their reunion and recommended they work on Roy Days. Assistant City Manager Flint said they would discuss any suggestions in committee meetings. Assistant City Manager Flint said he was open to changes which would help better facilitate the event.

2. Schedule 2nd Work Session for Roy City 5-Year Strategic Plan

City Manager Matt Andrews led this portion of the meeting. City Manager Andrews recapped the last work session. City Manager Andrews said they worked on the mission statement and will be solidifying it in the next meeting. City Manager Andrews said they need to come up with a date to meet. City Manager Andrews suggested the week of the 24th. Councilmember Joe Paul said he is not available. Mayor Dandoy asked what works for everyone else. Councilmember Joe Paul said he can always call in. City Manager Andrews said they have a City Council meeting on May 22nd. Councilmember Jackson suggested the 16th. Mayor Dandoy confirmed with everyone that the 16th worked and asked everyone to prepare appropriately for the meeting.

3. Update on 1969 W 6000 South – Lawn World

Assistant City Manager Flint presented this update. Assistant City Manager Flint said there needed to be some changes to be code compliant and would change their current material requirement from 80 to 100 percent and this would impact the zone as well. Assistant City Manager Flint said they needed to craft some exceptions. Councilmember Joe Paul suggested re-zoning just a chunk of the downtown district. City Manager Andrews said they would need to divide the area up and completely rezone everything.

Assistant City Manager Flint said they would need at least three Council members to direct them. Mayor Dandoy said the three options were a sectional zone change, an exception to the materials component, or a complete total rezone. Councilmember Joe Paul reiterated his recommendation to help coincide with zoning across the street. Councilmember Joe Paul said his intention was not to extend the downtown area, though said he recognizes the plan may need more work. Councilmember Joe Paul recommended taking this to the Planning Commission. Councilmember Wilson expressed concern over spot zoning. Mayor Dandoy said they would have to rezone anyway due to conflicts with Chapter 13. Mayor Dandoy said the Planning Commission will have to reassess anyways. Councilmember Wilson asked they carefully consider some exceptions.

4. Update on 5561 & 5581 S 3100 West - Higgs

Assistant City Manager Flint said Mr. Higgs covered a lot of his points earlier. Assistant City Manager Flint said if they want to allow this type of usage they could change the definition of accessory or change

the overall requirements. Assistant City Manager Flint said they could also make exceptions. Mayor Dandoy asked if it would change the conversation to treat the property as one singular lot. Assistant City Manager Flint said if all the parcels were one parcel, they could have some specified primary uses, but it would all depend on what the owner wanted to use the property for. Assistant City Manager Flint said there is no residential use built into the current code. Mayor Dandoy said several surrounding lots are incredibly large and have multiple types of accommodations between farming, business, and residential. Mayor Dandoy said large parcels tend to be broken apart over time anyways. Councilmember Joe Paul asked how they combine all these lots when they all have different owners. Councilmember Joe Paul said they could rezone all three lots but it would be ugly. Mayor Dandoy said anything outside of the house needs to be rezoned.

Councilmember Wilson asked what the biggest impact of not having a home on the property was. Assistant City Manager Flint said the biggest issue are the complaints of having accessory buildings close to residential property. Mayor Dandoy said they should have no ordinance on the books that they cannot enforce and they have been ignoring this requirement. Assistant City Manager Flint said it was hypocritical for staff to be arbitrary in what they permit. Mayor Dandoy said they could always return to this conversation. Mayor Dandoy said he and City Manager Andrews were meeting with UDOT soon and that will give them more clarity on the issue. Councilmember Wilson asked if Mr. Higgs could currently park or garden on the property. Assistant City Manager Flint said he was not sure.

Mr. Higgs came forward and expressed confusion. Mr. Higgs said his land was in compliance but he is still being met with compliance complaints. Councilmember Joe Paul said, as far as he understands, you cannot store things on the property and that is the issue. Mr. Higgs said he has been livin on the property for a while and he does not understand why storage on the property is just now an issue. Councilmember Joe Paul said they need to address it now that there has been a complaint. Councilmember Joe Paul said there is also an issue with primary dwelling status. Mayor Dandoy said the variance option sounds like the best option, but it would need to be approved. Mayor Dandoy said an ordinance applies across the board. Mayor Dandoy said to remember that an ordinance change will apply to everyone and not just to Mr. Higgs.

Councilmember Scadden said there is a hardship in this situation which does meet a variance request. Mayor Dandoy said they should have someone independently review this situation and see what specifically works for Mr. Higgs. Councilmember Joe Paul said he would recommend this course of action.

Mayor Dandoy suggested readdressing this in the future and asked the Council what they thought. Councilmember Joe Paul recommended applying for a variance. Councilmember Sophie Paul asked what the finances look like. Mayor Dandoy said there is a \$250 fee. Councilmember Joe Paul said there is a \$750 fee for zone changes. Mr. Higgs said he felt this was an issue caused by the City. Councilmember Joe Paul said Mr. Higgs' frustration was justified, but they should not make this change City-wide.

Councilmember Wilson said they could look into the issue further until the money is put out there. Mayor Dandoy clarified that they are willing to pick up the cost, but stressed the need to understand state law. Mayor Dandoy asked that they create a series of options for both this unique situation and for long term ordinance changes. Mayor Dandoy said Mr. Higgs needs to be willing to apply for a variance and City Council is culpable for any ordinance change.

Councilmember Scadden cautioned they need to be careful with their language as 'culpability' was a very strong word.

Mayor Dandoy recommended sitting down with Assistant City Manager Flint and reviewing the need for a variance. Mr. Higgs said he appreciated Councilmember Sophie Paul's suggestion. Mayor Dandoy said they will put this in next month's meeting so they have time to review.

I. City Manager & Council Report

City Manager Andrews announced the fire station would host a rabies vaccination event on April 22nd. City Manager Andrews said April 22nd was also national Take Back day from 10 AM to 2 PM. City Manager Andrews said people can bring their unused medicine in to be safely disposed of. City Manager Andrews said the money is currently coming in to fund the complex repairs. City Manager Andrews said they discussed the crosswalk by a school in a previous meeting on February 7th and they determined the area did not qualify for a hawk light. City Manager Andrews said they were hosting their annual Easter egg hunt this upcoming Saturday and they needed to be sure not to make a mess. City Manager Andrews said they would be working on youth services at the complex, and said he would report back. City Manager Andrews said they have a training in two weeks and will cancel the Council meeting on that Tuesday.

Councilmember Joe Paul had a stewardship report from the sewer committee. Councilmember Joe Paul asked to make sure their piping is connected to the correct drains. Councilmember Joe Paul said sewer systems are running at capacity now and they need to make sure ground water is not pumped into the sewer.

Councilmember Wilson said they are looking for volunteers for other community projects outside of Roy Days.

Councilmember Sophie Paul reported she had a sports dinner on April 17th.

Councilmember Jackson said she asked the school superintendent to address the student homelessness problem. Councilmember Jackson asked if Wells Fargo has any updates. Mayor Dandoy said they will probably leave Roy City for a year and they would reach out to businesses impacted.

Mayor Dandoy said the intersection at 1900 West and 4000 was being worked on. Mayor Dandoy said there have been a criminal number of relatively small accidents at that location. Mayor Dandoy said they are removing the turn lane out and installing an interchange connection.

Police Chief Matthew Gwynn said they have had some violent collisions at Hinkley and he has been in contact with UDOT. Police Chief Gwynn said they will be implementing rules on when people are allowed to turn left in these areas.

Mayor Dandoy said 22% of residents have agreed to have their homes air sampled. Mayor Dandoy said there is a chemical plume on the South side of Roy City and this weather evaporates out in people's basements. Mayor Dandoy said they need to check residential basements free of charge.

Councilmember Jackson asked about roundabout construction. Public Works Director Ross Oliver said they are waiting on funding which will get in around August.

J. Adjournment

Councilmember Joe Paul motioned to adjourn. Councilmember Ann Jackson seconded. The meeting was adjourned.