



Minutes of the Roy City Council Meeting held in person in the Roy City Council Chambers and streamed on YouTube on March 19, 2024, 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 Saxton	
Councilmember Sophie Paul	

Excused:

Also present were: Assistant City Manager, Brody Flint; Police Chief, Matthew Gwynn; Battalion Chief, Jake Rast; Deputy Public Works Director, Brandon Edwards; Charlene Carrigan, Courtney Vega, Penny Spencer, Jeremy Thompson, Scott Spencer, Jeanne Spencer, Heather Gamon, Richard Jensen, Joel & Christine Hatch, Sharon Bowman, Molly Blackburn, Jacob Reed, Kim Fisher, Matt Fisher, Kellie Noorda, Diane & Leon Wilson, Gavin Bundy, and Enrique Devarona.

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

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. Request for approval of an alcoholic beverage license for Fast Stop 1104, located at 4795 S 3500 W. Approval of the February 6, 2024, Roy City Council Meeting Minutes, and the Approval of the January 2024 Financial Statements.**

Councilmember Joe Paul motioned to approve the Consent Items as the Request for approval of an alcoholic beverage license for Fast Stop 1104, located at 4795 S 3500 W. Approval of the February 6, 2024, Roy City Council Meeting Minutes, and the Approval of the January 2024 Financial Statements. Councilmember Jackson seconded the motion. All Councilmembers voted “aye”. The motion carried.

E. Public Comments

Mayor Dandoy opened the floor for public comments.

Bill Norseth of 4389 S 2525 W Roy asked when the fiberoptics company would come clean his and his neighbor's front lawn, and complained that they were unable to use their lawns at all because the company had not restored them after doing their installation work.

Mayor Dandoy assured Mr. Norseth that this was something they were going to talk about that evening.

LuAnn Cooper at 6767 S 4100 W, Roy, asked about the crosswalk at 4300 West. She said a study had been done which had determined the area did not meet requirements to enhance the crosswalk with flashing lights, and asked what the requirements were. She opined the area was not safe for crossing, and would especially be an issue when there were soccer games at the park. She complained that she had reached out to City Manager Andrews and Councilmember Scadden but had not gotten satisfactory answers from either of them. She thought there should be a speed bump by the crosswalk

Denette Mcgilvrey of 3536 W 6050 S, Roy spoke about a property that had been discussed at the Planning Commission the previous week as a proposed site for a townhome development. She reported that plan had been voted against by the Planning Commission and there was a new proposal for single family homes. She thought it was unfair that only residents located directly next to the property had been notified since it impacted the whole neighborhood, so she had reached out to the other neighbors that she knew. She discussed that ideally, someone would buy the property and keep it as it was, but if that was not possible, she at least thought they should reduce the number of single-family homes that could go on the property. She also asked for more information about the dimensions of the garages and driveways that were in the new development and cautioned they needed to be realistic about the size of vehicle that most people had. She expressed that the plan should remain as single-family homes rather than townhomes or anything else. She understood this needed to be financially viable for the developer, but said they needed to address people's concerns as well.

Courtney Vega at 4179 W 6075 S, Roy also spoke about the crosswalk at 4300 West. She reported she had three children that needed to cross there, and reported one of her children had nearly been hit and she no longer allowed her children to cross there since it was not safe. Ms. Vega agreed with the need for speed bumps and flashing lights. She spoke about how cars did not stop for children and expressed her opinion that the survey had not been conducted during the school year. She asked the Council to make the crossing safer for her children and other students.

Mark Garrington of 3685 W 6850 S, Roy discussed the ordinance 24-4. He pointed out the City had recently passed a new General Plan, and he thought making revisions to it negated the point of the Plan. He also noted the Planning Commission had shot this proposal down, and discussed some of the various issues with the ordinance. He urged the Council to uphold the Planning Commission's rejection of the ordinance.

Jeremy Thompson at 3879 S 3850 W, Roy echoed Mr. Garrington's comments. He appreciated the need for more housing in Roy, though felt the proposal did not adequately address all the issues. He did thank the City Council for installing traffic calming devices on 6000, though did not think it fixed all the possible problems with traffic.

Scott Spencer, 3661 W 6050 S, Roy, also reiterated the concerns about ordinance 24-4. He urged the Council to keep that area residential, and expressed concern with the density. He did not want the landowners to be able to influence the City Council and hoped to see that area remain residential.

Dave Winget, 4259 W 5825 S, Roy, discussed the crosswalk at 4300 and Emma Russel Park. He pointed out doing the study during an unusually calm time did not yield accurate results and urged the Council to revisit the need to enhance the crosswalk. He provided some suggestions as to how the City might improve pedestrian safety in the area, specifically the use of warning beacons. He pointed out the daily number of cars on 4300 was higher now than what the survey had reported.

Mayor Dandoy clarified that the City had used data from December 2023 for the traffic study, though acknowledged Mr. Winget's other points.

Jake Reed of 4220 W 5825 S Roy echoed concerns about 4300 and Emma Russel Park. He reported that his own daughter had nearly been hit there. Then, he stated he was very involved with the youth sporting community in Roy. He asked for clarification from the Council that all fields in the park were first-come, first-served, since there had been conflicting information about that.

Mayor Dandoy said that was generally true, though there were priority levels for club sports run by the City. City Manager Andrews echoed that, and said he could provide Mr. Reed with a schedule where he could sign up to reserve the field. Mr. Reed confirmed that if the field was not otherwise reserved, he could use the fields and Mayor Dandoy said that was correct. Mayor Dandoy also commented that other cities used their park fields as well, though agreed Roy residents should have precedence.

Jean Spencer of 3661 W 5060 S, Roy, echoed her husband's previous comments about ordinance 24-4. She discussed how she had looked at the Roy City General Plan before she moved to Roy in order to make sure this was a City she wanted to move to, and expressed concern over the plan being changed. She reported she had attended the Planning Commission meeting last week over this issue, and pointed out some issues with the proposal. Mrs. Spencer complained about how college students and young professionals were buying single family homes and living there with multiple roommates, which compounded the parking issue as they all had cars. She worried about density and said they needed to control the sprawl.

Lance Parker, 3586 W 6050 S Roy, also brought up ordinance 24-4. He firmly stated he was opposed to this, and said the reason he had moved his family to Roy was to have more space. He wondered where the expansion would stop if they allowed this ordinance to pass. Mr. Parker agreed with the previous concerns about parking if they allowed the rezone, and said they already had issues with parking. He added to the previous comment about large cars, and pointed out the amount of space did not allow for anyone to have a boat, RV, or trailer. He said if they did go through with this, they needed to have clear laws about parking additional vehicles.

Gretchen Parker, 3586 W 6050 S Roy, noted there was only one point of entry for the property at 3588 S 6000 S, and said it was a major safety concern for emergency vehicles. She said every second counted when it came to emergency response times and said they needed to make sure emergency vehicles had better access. She also complained about decreasing water pressure and worried the development would make it worse.

Kellie Noorda, 5809 S 4175 W Roy, voiced support for making the crosswalk at 4300 more visible for drivers. She noted the school district boundaries were changing next year so there would be even more students than last year.

Sharon Bowman, 3821 W 6050 S Roy, thought the crosswalk issue connected to the proposed new development. She asked what the plan for the proposed property was, and asked why there was even an ask for commercial if the plan was to build single family homes. She spoke about how 3500 was planned to be widened, which would increase traffic. She expressed the City could not keep coming into

neighborhoods to expand commercial. She worried that as traffic increased it would only get more dangerous for children and other pedestrians to cross the street.

Torris Brand of 6019 S 3850 W Roy spoke on behalf of the HOA that was across the street from the proposed development. He asked why the Council was not upholding the Planning Commission's decision about the development.

Gavin Bundy, 2809 W 4275 S Roy, spoke about the intersection at 4275 South and 2900 West. He said 2900 West had a bend in the road right near the intersection and said it was easy for drivers to miss the stop sign.

Molly Blackburn, 5939 S 3500 W Roy agreed with Ms. Bowman's concerns about where the sprawl of development would end. She worried she was not going to be able to keep her home as the commercial development continued to increase.

Mikel Bowman at 3821 W 6050 S Roy explained he had already spoke at the Planning Commission about the ordinance proposal and briefly summarized his comments. He asked why there was a designation to zone the property as commercial mixed-use if the plan was to build single family homes. He repeated the sentiment that he had moved to Roy in order to have space, and did not want that taken away.

Paul Wilson, 1969 W 6000 S, Roy, agreed with the previous comments about how traffic would only continue to increase on 4300 and said he did not allow his child to cross there due to safety concerns. He also did not agree with the rezone proposal. Lastly, he complained his property had still not been repaired after the fiberoptics company had torn it up to install fiber cables. He said the concrete on his property had sunk and the City was not working with him to fix it.

Mayor Dandoy closed the floor for public comments.

Mayor Dandoy briefly noted that the City did not take properties, and said if a landowner came to the Council with a request to rezone their own property, the Council's job was to consider that request. He also clarified the Planning Commission was a recommending body and said they did not have the power to amend the General Plan or approve an ordinance. He expressed the opinions of the public were important to him and the rest of the Council, and reiterated it was also the Council's job to consider the requests of the private landowners in the City. He said the Council's job was to move the City in the direction it needed to go in, and said if they ever messed up it was their job to fix it. He lastly commented that there was a lot that could be done in the R4 zone.

F. Action Items

1. **Consideration of Ordinance 24-4** – Amend General Plan (Future Land Use Map) from Single-Family Residential to Multi-Family Residential OR Commercial Mixed-Use at approximately 3588 W 6000 S.
2. **Consideration of Ordinance 24-5** – Amenda Zoning Mapy from RE-20 (Residential Estates) to either R-4 (Multi-Family Residential) OR CC (Community Commercial) at approximately 3588 West 6000 South.

Assistant City Manager Flint clarified if the first motion did not pass, the second one automatically would not either so these items would be discussed in tandem. He thanked the Mayor for addressing some of the public comments and echoed the point that this was not the City's land, but a private landowner. He

explained that this proposal would not only apply to the specific development request for single family homes, which was why the zone included uses beyond that. Assistant City Manager overviewed the Council's options to approve or deny the applicant, and said they could opt to amend the General Plan or the zoning map. He briefly explained the ramifications for each option. He said if they changed the zone, anything that was legal within the zone would be permitted to be built. He said their last option was to enter into a Development Agreement for this specific project, which would lock in just this specific project without making broader changes to either the zoning map or the General Plan.

Assistant City Manager Flint overviewed the benefits of this project. He said it would help keep them in compliance with the moderate-income housing requirements, which he noted was not a Roy City initiative, but a State-level requirement. He also noted there were many elements of this project which were in line with goals outlined in the General Plan. He also said there was precedence for this kind of zone as it acted as a buffer between commercial and other residential areas. He acknowledged there were significant negative elements of this plan as well, though stated there were some benefits on a high level. Assistant City Manager Flint also made some comments on traffic, although he said traffic was increasing throughout the City as well as in neighboring cities and said this was not an issue specific to this area.

Assistant City Manager Flint referenced the concerns about parking and setbacks. He said if they rezoned it to R4, the development would have to comply with those setback requirements, and if they went with another option they would still be able to make specifications about how big the setbacks needed to be.

Mayor Dandoy elaborated on the R4 zone. He said it was intended to be high-density residential with necessary services, and serve as a transition area to more commercial. He explained it could either be residential or business professional offices, and reiterated that it was intended to be a buffer. Assistant City Manager Flint added the zone change would give the developer more choices.

Councilmember Jackson asked about a development that was a community for 55+, and Assistant City Manager Flint explained what the process would be like if they wanted to specify an individual project for a developer to put on the property. Councilmember Jackson reported she had spoken with residents in the area who had expressed to her there was a need for this kind of housing in Roy, and also noted older residents typically drove less and thus would have less of an impact on traffic.

Chase Freebairn spoke on behalf of the applicant CW Urban. He firstly expressed that Roy City was a great City to work with and that he appreciated the resident's concerns. He elaborated that they were there in good faith to bring more affordable housing to the neighborhood and discussed how much the market fluctuated. He spoke about how the younger generation who needed affordable housing was not an abstract concept; it was their own children who were needing this kind of development. He said Roy needed to have housing for people in all stages of life.

Mr. Freebairn gave a short history of the project's development. He acknowledged townhomes had been their first choice since it was more lucrative for them, and they had changed and improved the project as they got feedback from the City residents and Planning Commission. He explained how they had added trees and green space in order to beautify the space. Mr. Freebairn communicated CW Urban's willingness to enter into a specific agreement with Roy City to make a project that they specifically wanted to have in the City. He shared some visual examples of what the single-family homes and the garages for those homes might look like. He noted these were rough renderings and the final product would look different. Mr. Freebairn also expressed he approved of the idea to make a 55+ community.

Councilmember Joe Paul spoke about how he had transitioned from the Planning Commission to the Council in part because the Council had greater jurisdiction than the Commission. He also expressed if the Council did not have a really justified reason to change the General Plan, they should not make changes.

He spoke about how hard they worked on the General Plan and so changes should not be made lightly. He also discussed that they needed to be careful about increasing density in Roy City. He gave the opinion that they should not change the General Plan for this project, although he appreciated the amount of work that had gone into this plan. He said the only place he would be comfortable increasing density in the City by the train station. He thought even going from 15 units from the original 25 was good, but would still be too dense.

Councilmember Saxton asked how few units they could have that would still make the project financially reasonable. Mr. Freebairn thought they could maybe go to 12 units, but any less than that would make it hard to turn a profit. Mr. Freebairn also noted they did not have final prices for how much the homes would be, although he estimated the homes would be in the \$500,000 range. Councilmember Jackson worried if the homes did not sell they might become an eyesore. Mr. Freebairn said CW Urban had done lease-to-own agreements in the past if they had trouble attracting buyers.

Mayor Dandoy mentioned that there were many road widening projects going on in the coming years, and this meant that UDOT would have to remove some residential homes. He pointed out that if they added a couple residential units with this project, or any other for that matter, they were also going to lose some residential units as the roads were widened. Mayor Dandoy said Utah was the third most unaffordable state to buy property in after Hawaii and California, and so there were single family homes that housed not only a family but also adult children, grandparents, or other roommates. He emphasized there was a great need for affordable housing in Roy and Utah in whole.

Mayor Dandoy summarized the Council's choices. He stated they needed to find an option that not only worked for the City Council and the developer. Assistant City Manager Flint clarified that the Council was considering a rezone for the area, which was separate from an approval for this specific development. Councilmember Scadden and Joe Paul determined they wanted Staff to move ahead with a development agreement for a specific project. Councilmember Joe Paul added he did not want to approve the R4 zone. City Attorney Wilson said if this was the direction they wanted to go in, the Council needed to make motions on the two items for approval, and needed to include language in the motion that they wished to move ahead with a development agreement. He also outlined the process moving forward. City Attorney Wilson added that this motion did not necessarily mean that a future Development Agreement would be approved.

Mayor Dandoy asked for a motion to approve the ordinance 24-4.

There was no motion to approve Ordinance 24-4 – Amend General Plan (Future Land Use Map) from Single-Family Residential to Multi-Family Residential OR Commercial Mixed-Use at approximately 3588 W 6000 S. Due to no motion and no second, the Ordinance was denied.

Mayor Dandoy again asked for a motion to approve 24-5.

There was no motion to approve Ordinance 24-5 – Amenda Zoning Map from RE-20 (Residential Estates) to either R-4 (Multi-Family Residential) OR CC (Community Commercial) at approximately 3588 West 6000 South. Due to no motion and no second, the Ordinance was denied.

Mayor Dandoy explained they needed at least three Councilmembers to direct Assistant City Manager Flint to consider an Development Agreement with the developer, otherwise the project would be dropped. Mayor Dandoy said the Councilmembers needed to identify what kind of project they wanted to pursue in the development.

Councilmember Jackson suggested a 55+ community. Councilmember Joe Paul acknowledged Mayor

Dandoy's point that they were losing housing and thus a tax base for the City, and so they should not dismiss the chance to add housing to the City.

Councilmember Jackson said they should consider a housing community for 55+ and asked if they could drop the number of units down to 10, if possible. It was pointed out that the price of the individual homes increased as the number of units decreased. Councilmember Jackson also clarified that an MDA would be brought back before the Council for another public hearing and more discussion from Council, so this did not necessarily mean that they were approving the project.

Mr. Freebairn said he could work with a 55+ housing community. Councilmember Joe Paul summarized for the public in attendance that the Council had denied the zone change, though were still willing to entertain a development agreement on the property.

3. Consideration of Resolution 24-6; A Resolution of the Roy City Council authorizing an agreement with Qwest Corporation dba CenturyLink qc for a Telecommunications Network.

City Attorney Wilson explained this was a franchise agreement for CenturyLink that stipulated the City required installation to be done underground, unless it was not feasible for some reason. He added the agreement also laid out the minimum requirements for CenturyLink and explained if those requirements were not met the City could exit the agreement.

Councilmember Joe Paul asked about the franchise agreements that were already in place and asked what the recourse plan was for property owners whose yards had already been damaged by fiber cable installation. City Attorney Wilson said this agreement only applied going forward and was not retroactive, so homeowners with damaged yards would have to follow up with the City.

Mayor Dandoy brought up that he had received complaints that landowners were not getting notified before CenturyLink did installation and thought there had been an ordinance requiring them to do so. City Attorney Wilson said that was an ordinance and CenturyLink should be adhering to that. Mayor Dandoy asked what the City could do for the homeowners who had damaged yards and City Attorney Wilson said it was in the previous franchise agreements that CenturyLink needed to restore properties to their previous condition.

Mayor Dandoy expressed concern that secondary water lines may have been disturbed by installation. He asked what the City could do to work with CenturyLink that they would need to fix any possible damage. City Attorney Wilson acknowledged there would be a considerable challenge in proving who exactly had done the work, when, and if they had actually been the ones to damage the water lines. City Attorney Wilson said those impacted might have to sue the companies. Mayor Dandoy thought the Council needed to have a conversation with the companies. He said the residents would feel unsupported by the City if they needed to sue a big company like Comcast on their own.

Councilmember Jackson motioned to approve Resolution 24-6; A Resolution of the Roy City Council authorizing an agreement with Qwest Corporation dba CenturyLink qc for a Telecommunications Network. Councilmember Saxton seconded the motion. A roll call vote was taken; all Councilmembers voted "Aye," and the motion passed.

G. Discussion Items

1. 4300 West Speed and Crosswalk

Councilmember Joe Paul prefaced by saying that he walked this area most mornings and also drove down the road on his commute, so he was aware of the problems in the area. He gave a short history of the crosswalk discussion and outlined how the area had been brought the Council's attention with a resident complaint last year, at which point the City had initiated a traffic study. The reports of the traffic study did not find there was a justification for flashing lights or other modifications at that crosswalk and he then discussed some other options to slow down traffic at the intersection. He commented on some of the issues with popular traffic calming devices. Councilmember Joe Paul confirmed a previous public comment that the school district changes would increase the pedestrian traffic next school year. He thought they should reach out to the engineer who had done the study and let them know of those changes. He opined that they add flashing lights.

Mayor Dandoy shared slides of the crosswalk and intersection for Councilmembers who were unfamiliar with the area, and highlighted the traffic calming measures that they had in place already. He then shared videos of the crossing which showed cars not stopping for pedestrians. He pointed out that visibility from one direction was not as good and it was hard for drivers to see pedestrians.

Mayor Dandoy thought flashing beacons would be helpful, but even more helpful than that would be striping the road. Secondly, he thought there should be diamond symbols which indicated for cars to stop for pedestrians. He also thought there should be a "don't stop in intersection" signs. He thought all of those measures would help get cars to stop before they reached the intersection, which would mitigate the safety risk. The other Councilmembers agreed all of those additions would make the crosswalk safe.

Mayor Dandoy thanked the members of the public for bringing this safety concern to the attention of the City Council and said this was the best forum to enact changes in their community.

2. Yard of the Month Program

Councilmember Jackson commended Mayor Dandoy for outlining how the program would work and said she was in favor of how the program was structured.

H. City Manager & Council Report

City Manager Andrews had several items. He provided an update about Weber Human Services, and said they had held a meeting in which they had determined the County was responsible for the Senior Center. He added it had been mentioned in the meeting that the County would RFP the Senior Center.

City Manager Andrews said the grand opening of the pickleball courts would be held on April 4th, and there would be an Easter Egg Hunt on March 30th. He also reported the Arts Council had an upcoming poetry contest. City Manager Andrews also noted secondary water would be turned on April 2nd.

Councilmember Jackson reported she had toured the Complex recently and thought the facility was coming along well and was looking great.

Councilmember Ann Jackson noted that spring sports were coming along well.

Councilmember Joe Paul recognized Chief Gwynn for his work on a post-retirement policy that had just been passed under HB- 0251. Councilmember Joe Paul said many did not realize that Chief Gwynn also worked for the State legislator and thanked him for his tireless work to promote this bill. Chief Gwynn spoke briefly about how the new bill would work.

I. Adjournment

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

dc:

FINAL