



Minutes of the Roy City Council Meeting held in person in the Roy City Council Chambers and streamed on YouTube on July 5, 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	City Manager, Matt Andrews
Councilmember Jackson	City Attorney, Andy Blackburn
Councilmember Joe Paul	City Recorder, Brittany Fowers
Councilmember Scadden	
Councilmember Sophie Paul	
Councilmember Wilson	

Excused:

Also present were: Police Chief, Matthew Gwynn; Fire Chief, Craig Golden; Parks and Recreation Director, Travis Flint; Kevin Homer, Glenda Moore, Byron Burnett, Mike Stagg, Shauna Havey, Cambria Hulbert, and Janel Hulbert.

A. Welcome & Roll Call

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

B. Moment of Silence

Councilmember Joe Paul invited the audience to observe a moment of silence.

C. Pledge of Allegiance

Councilmember Joe Paul 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.)

E. Public Comments

Mayor Dandoy opened the floor for public comments.

Byron Burnett gave his address as 4375 South 2675 West, and stated he was concerned about what was on the agenda in regards to building heights. He recalled that in August of 2019, he had requested the Council limit building heights to three stories, or 35 feet, in the area behind his home. He discussed his desire to have privacy, and recalled that in April of that year, he had found out the manner in which building heights were measured were to be changed. He explained it would no longer be measured from the highest point, so now a developer could get away with a building as high as 40 feet. He stated he had sent letters to the City Planner and the Planning Commission when they had proposed the change, and complained that his

letter had not been discussed or acknowledged at the time of the discussion about building heights. He read aloud his letter, dated April 12th, 2022, which reiterated his concerns about raising the building heights from 35 to 40 feet. He felt the increased building heights were a violation of a promise that he felt he had received from Councilmembers in the past. He further stated that he wanted to know which developer had precipitated the change with building height limits, and asked what planned development was so urgent that they needed to make the change to accommodate the plans. He requested the Council to consider making a guarantee that they would not raise building height limits above 35 feet.

Kevin Homer stated his address was 5398 South 4000 West, and extended his support to the Council's ongoing changes and updates to the City Code. He felt there needed to be changes to the rules about campaign signage, and worried there were violations to the first amendment in the wording of the ordinances that regulated signage.

Mayor Dandoy asked if any member of the Council had questions. Councilmember Joe Paul had a question and asked for clarification on the maximum building heights. Mayor Dandoy replied they would discuss the topic more in depth later on in the meeting.

Mayor Dandoy closed the floor for public comments.

F. Action Items

1. Aquatic Safety Award – Presented by Mike Stagg with Utah Local Governments Trust

Utah Local Governments Trust Representative Mike Stagg came forward to present the Aquatic Safety Award. He indicated he worked for the Trust as a Risk Manager. He then went on to praise Roy City's pool, and expressed gratitude at being able to award the City for its pool. He went through the award criteria, which assessed the facility's safety and liability. Mr. Stagg presented Roy City with the Silver Award for safety. He particularly praised the lifeguard training programs, as they emphasized CPR and other medical emergency preparedness programs. Mr. Stagg thanked the full time staff along with the part time lifeguards.

Councilmember Ann Jackson mentioned the fundraiser the City has coming up to fund repairs to the swim complex.

2. Employee of the Month – Officer Ben Pearson

Police Department Representative Andrew Harper came forward to present Officer Ben Pearson with the Employee of the Month Award. He praised Officer Ben Pearson's work ethic and speed on arrests. Mr. Harper shared a story of Officer Pearson cracking down on a stolen mail case. He went on to thank Officer Pearson for his time spent on call and surveilling different parts of town. Mr. Harper added how Officer Pearson takes on new responsibilities and maintains a positive attitude.

Councilmember Joe Paul motioned to approve the employee of the month award. Councilmember Jackson seconded the motion. All Councilmembers voted "Aye". The motion carried.

3. Supervising Fire Office Designation

Due to the recipient being unable to attend, this item was tabled for a future meeting.

4. Consideration of Ordinance 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”

Byron Burnett from the public interjected, and gave his opinion on the building heights. He asked for more clarification on building height definitions. He claimed to have assessed other locations and their terminology, and claimed Roy City had not addressed building heights on slopes. Councilmember Joe Paul expressed doubt over Mr. Burnett’s assessments.

City Planner Steve Parkinson gave some background on the Chapter 10 Ordinance. He noted the language had been fairly consistent since 1953, which was when the first ordinance Roy City adopted on the matter had been written. He said the first zoning revamp had been in 2005, though the Building Code remained the same. City Planner Steve Parkinson stressed how he and City Attorney Andy Blackburn had been working through this Code for some time. He added how building heights and widths were determined by different points, which were predetermined in the Building Code. He said traditionally, these points were between four and eight points apart. City Planner Steve Parkinson went on to clarify how roof landscaping should be factored into height, though this was not originally included in the Code. He said the Planning Commission will work through the discrepancies between the ordinance on building facades with what was in their current Code. He added how the Planning Commission would also work on determining the point where the roof height was determined, along with elevator regulations. City Planner Steve Parkinson noted the Commission recommended approval of the ordinance as it was written.

Councilmember Diane Wilson asked how cities differentiate between using four points or eight points. She also asked City Planner Steve Parkinson to clarify the points system in general. City Planner Steve Parkinson said the architect gave the City Planner the points that they were working with, and he assessed the building facade from there. He noted the facade factors into the building elevation. Councilmember Wilson expressed confusion, and she suggested they keep things at a minimum of four points so developers could work within a set architectural plan. City Planner Steve Parkinson explained that criteria might encourage builders to exploit the natural slopes in the City to bypass these requirements.

Councilmember Joe Paul chimed in, and expressed concern over the maximum height standards. He felt the current standards could encourage architects to build flat roofs and place several things on top of it for storage. City Manager Matt Andrews interjected to remind the body that they would not change standards to permit this loophole.

Councilmember Randy Scadden asked for clarification on how the points work in conjunction with elevation. Councilmember Diane Wilson said she misspoke, and elaborated the points referred to the facade height versus the elevation degrees.

Mayor Dandoy suggested tabling the discussion.

Councilmember Wilson motioned to table Ordinance 22-6 an ordinance amending 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. Councilmember Jackson seconded the motion. Councilmembers Jackson, Sophie Paul, and Wilson all voted “Aye”, Councilmembers Scadden and Joe Paul voted “Nay”. The motion carried.

5. Consideration of Ordinance 22-7 to amend Title 13 Sign Regulations; CH 4 – Regulations of Signs; amending Section 3 - Signs that Require a Permit; amending Monument Signs, Pole Signs and Electronic Message Center (EMC) Signs, and adding Projecting Signs, Projecting Marquee Signs and Awning Signs.

City Planner Steve Parkinson led this portion of the meeting. Mayor Dandoy asked for clarification on the classification of campaign signs. City Planner Steve Parkinson said they had plans to proceed forward with the plan as it currently was, and address the campaign sign issue at a later date.

City Planner Steve Parkinson went on to dissect the ordinance. He firstly addressed section 13-4-3, which redefined the monument signs. He stressed the importance of this section, as it could change the width and height requirements for signs. He indicated the requirements would be based on sign square footage, which was typically capped at 100 square feet. City Planner Steve Parkinson said the zoning could also impact the sign requirements. He indicated the Council had previously considered shifting the sign size to a percentage based scale versus a square footage scale. City Planner Steve Parkinson went on to discuss signs in historical buildings or districts which are more dependent on building types and coordinates.

Mayor Dandoy opened the floor for comments from the Council. Councilmember Diane Wilson asked about sign placement distances, and asked if they had a specific distance in the plan. City Planner Steve Parkinson said the requirement was one foot. Councilmember Diane Wilson then asked about light regulations on signs. City Planner Steve Parkinson said this regulation was related to prior safety issues.

Councilmember Joe Paul motioned to approve Ordinance 22-7 to amend Title 13 Sign Regulations; CH 4 – Regulations of Signs; amending Section 3 - Signs that Require a Permit; amending Monument Signs, Pole Signs and Electronic Message Center (EMC) Signs, and adding Projecting Signs, Projecting Marquee Signs and Awning Signs. Councilmember Scadden seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye”. The motion carried.

6. Consideration of Ordinance 22-8; to amend Title 10 Zoning Regulations, regarding Water-Wise / Drought Tolerant Landscaping, amending CH 10 - General Property Development Standards - 10-10-20 - Required Front Yard Landscaping in Residential Zones; CH 13 – Mixed Use - 10-13-5 - Landscaping; CH 14 - Permitted Uses - 10-14-10 - Application Requirements to Establish a Permitted Use Proposing New Construction of a Building(s); & 10-14-11 - Additional Site and Building Design Standards for New Construction or Structural Modifications to an Existing Building(s); CH 15 – Conditional Uses -10-15-7 - Application Requirements to Establish a Conditional Use for New Construction of a Building(s); & 10-15-8 - Additional Site Standards and Design Requirements to Establish A Conditional Use; CH 31 - Definitions – Irrigation System Design & Landscaping.

City Planner Steve Parkinson led this portion of the meeting. He began by noting how Roy City qualified for a reimbursement program from the State as their water policies changed, though he said citizens could opt out of the Code if no changes were made to their property. He noted this ordinance changed water regulations in residential zones. City Planner Steve Parkinson said they have changed the language and definitions surrounding landscaping and shifted definitions relating to turf. He said the important requirements related to irrigation and the percentage of turf allowed. He went on to note park strips would also not be as heavily watered or irrigated. City Planner Steve Parkinson stressed the importance of this plan for water conservation. He said one of the bigger changes in this round of the legislation was to cut down the language and make a more succinct and understandable ordinance. He said the City Staff recommended the ordinance pass as written.

Mayor Dandoy opened the floor for questions and comments.

Councilmember Diane Wilson questioned the enforceability of this ordinance, particularly regarding water usage on front lawns as they are typically facing the sun. She felt the ordinance penalized future

homeowners. She added how this could negatively impact certain people more than others depending on the direction their front lawn faces. City Planner Steve Parkinson said these regulations are similar to existing regulations which locals have already been grandfathered into.

Councilmember Joe Paul expressed concern over educating the public on these water issues. Councilmember Sophie Paul noted how some individuals are being discouraged from modifying their yards. Mayor Dandoy reminded the Council of the agency locals have as a resource for remodeling their front yards. He also emphasized the tolerance many are already building regarding drought regulations. Mayor Dandoy said the reimbursement program is designed to reward individuals making an effort to conserve water.

Councilmember Sophie Paul asked if most individuals currently meet these requirements. City Manager Matt Andrews said they should consider the definition they currently have for “remodeling,” so they could effectively answer Councilmember Sophie Paul’s question.

City Planner Steve Parkinson reminded the Council of the ordinance’s distinction between ‘existing properties’ and ‘future properties,’ along with the specific zoning regulations for each ordinance.

Mayor Dandoy said they needed to find an effective way of communicating the shift and the reimbursement program to residents. City Manager Matt Andrews said they also need to stress the fact this is not a ruling but a recommendation which can be reimbursed.

Councilmember Sophie Paul motioned to Consideration of Ordinance 22-8; to amend Title 10 Zoning Regulations, regarding Water-Wise / Drought Tolerant Landscaping, amending CH 10 - General Property Development Standards - 10-10-20 - Required Front Yard Landscaping in Residential Zones; CH 13 – Mixed Use - 10-13-5 - Landscaping; CH 14 - Permitted Uses - 10-14-10 - Application Requirements to Establish a Permitted Use Proposing New Construction of a Building(s); & 10-14-11 - Additional Site and Building Design Standards for New Construction or Structural Modifications to an Existing Building(s); CH 15 – Conditional Uses -10-15-7 - Application Requirements to Establish a Conditional Use for New Construction of a Building(s); & 10-15-8 - Additional Site Standards and Design Requirements to Establish A Conditional Use; CH 31 - Definitions – Irrigation System Design & Landscaping. Councilmember Jackson seconded the motion. A roll call vote was taken. Councilmembers Scadden, Sophie Paul, Joe Paul, and Jackson voted “Aye” Councilmember Wilson voted “Nay”. The motion carried.

G. Presentations

1. Roy Police Department 2021 Annual Report – Chief Gwynn

Roy City Police Chief Matthew Gwynn gave his Annual Report. He began by expressing appreciation for working with various City officials throughout the year. He stated his report would be foundational and succinct. He compared the 2020 report with the 2021 report, and stressed that 2022 would look different for several reasons. He noted in 2021 the department had two firings, two resignations, and four retirements. Police Chief Matthew Gwynn noted the police force had started in 1951, and went through a brief history of the Police Chiefs that Roy City had had in the past. He then went through the different types of staff in their department which include narcotics, SWAT, and detectives. He noted these departments all went through similar training regarding procedure and firearms safety. He proudly reported vacation usage went up in 2021, and their staffing recovered after the 2020 dip from the COVID-19 pandemic. He reported their cases had lowered overall in 2021, and the majority of cases had been traffic stops. Police Chief Matthew Gwynn also reported the index crimes of Roy City met the county average.

He said the state of Utah had seen an increase in crimes in recent years, and Roy City followed this trend. He noted there was a 7% increase in crimes that year, though there had been no murders. Police Chief Matthew Gwynn broke down the crimes committed as follows: five robberies, 76 assaults, 301 reported sexual assaults (which was a 235% increase since 2017), 94 reported burglaries, and 203 reported thefts. He felt some of these crimes would continue to increase given the economic downturn. Police Matthew Gwynn then stated there were 515 reported domestic abuse cases reported in 2021. He said this number was down from 2017, though they had more arrests related to domestic abuse in 2021 than in 2017. He emphasized domestic abuse rates had gone down thus far in 2022. Police Chief Matthew Gwynn moved on to vehicular statistics, and noted the number of people on the road has decreased in 2020 which resulted in lower amounts of traffic stops and accidents, though this number went back up in 2021.

Police Chief Matthew Gwynn went on to discuss psychiatric and home crisis responses. He praised the handling of these cases, and stressed the department's goal was to lower these cases in the future. He then moved on to call and response times. He praised the department for their quick responses, though he said Roy City officers spend roughly one hour and 30 minutes at a location when they are called for priority one cases. He hoped to standardize these policies, as they decreased liability.

Police Chief Matthew Gwynn said the most consistent questions he received related to staffing. He noted they currently have one officer per 1,000 residents, though this was previously one officer for every 920 residents, and back in 2008, they had 40 officers per 293 residents. He urged the Council to pay more attention to public safety.

Police Chief Matthew Gwynn said they responded to 1,193 priority one calls in 2021. He then opened the floor for questions or comments.

Mayor Dandoy commented on Roy City's population, and felt that the new townhome developments which were being built would usher in more residents. He asked the Council to think about how staffing needs will increase. Mayor Dandoy then asked Police Chief Matthew Gwynn if they needed to refocus and invest in a neighborhood watch program. Police Chief Matthew Gwynn said if they get the staff, he would like to start a community program for neighborhood watch purposes. He expressed hope for this program to help community relations as well.

Councilmember Ann Jackson said hiring more officers could increase taxes. Councilmember Joe Paul noted there would be more costs associated with their new neighborhood anyway. Mayor Dandoy reiterated Councilmember Joe Paul's point, and stressed the Council's need to finalize the budget with new attention paid to officer staffing. Mayor Dandoy reminded the Council how new residents will increase town revenue in addition to adding costs.

Councilmember Diane Wilson thanked Police Chief Matthew Gwynn for his report. Councilmember Joe Paul echoed this gratitude, but also noted there were ways to improve the department. Mayor Dandoy suggested other departments have an Annual Report as well.

H. City Manager & Council Report

City Manager Matt Andrews reported CJC was looking into building a facility, and explained Weber

County would own the building and Staff would have to do a legal and financial review of the project. He said they would need to reassess this in early August. City Manager Matt Andrews then asked the Council if they would like to rework the General Plan and find room for \$15,000 for economic development. Mayor Dandoy noted they would need to change the General Plan, and he encouraged Staff to move forward on this. Councilmember Joe Paul did not think they should source the money from the General Plan, but said he would donate and look for the money in the RDA. Councilmember Ann Jackson agreed with this.

City Manager Matt Andrews reminded the Council that August 16th was coming up soon, and he asked the Council to schedule a work session for Truth in Taxation. Mayor Dandoy agreed with this, and added they also needed to finalize the budget as they only approved a tentative budget. Councilmember Joe Paul said they should look into a bigger venue for the final budget meeting as several people will want to attend.

City Manager Matt Andrews next noted Roy Days was coming up soon. He said an email would be sent out with reminders for the Council. Councilmember Diane Wilson asked if they had a timeline set yet, and City Manager Matt Andrews said they did.

Mayor Dandoy expressed concern over the parade given a recent incident. He stressed the need for heightened safety requirements. Parks and Recreation Director Travis Flint said his fear was kids running up to floats for candy. Mayor Dandoy said they should assess the risk, and decide if they wanted to allow candy throwing this year. Councilmember Ann Jackson said they would also need to reconsider if they wanted to allow the throwing of frisbees and other objects from floats. Councilmember Sophie Paul suggested having spotters walk around the floats. Mayor Dandoy thought they should move forward with caution.

Councilmember Sophie Paul spoke next on the Boys and Girls Club. She was excited to report the successful use of their new space.

City Attorney Andy Blackburn reported several residents had come forward with their own replacement boiler for the complex. He said they were unable to accept any of these, however, as they were not tailored to the building's specific needs. Councilmember Joe Paul did not believe all complex repairs should fall on Roy City residents. He said they need to look at new ways to increase revenue. Councilmember Diane Wilson said she had a conversation with someone recently, and they had felt the Council should not appropriate money to do repairs. She felt surrounding Cities should be asked to help fund complex repairs, given how much they used it. Councilmember Joe Paul pointed out other Cities paid for complex passes, and then gave them out to their residents at a discounted rate. He noted other Cities were also barely paying to use the complex, and felt this should be amended. Mayor Dandoy added how other City schools paid fees to use the complex, and the Council should reassess these fees. Councilmember Diane Wilson added how several schools and outside residents do not pay any fees at all.

Mayor Dandoy insisted the Council give the City Manager strong and explicit directions on how they want to address issues. He said he had observed miscommunication recently, and this needed to be addressed.

Councilmember Joe Paul motioned to adjourn. Councilmember Diane Wilson seconded. The motion passed unanimously.

I. Adjournment

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

dc: