



ROY CITY COUNCIL MEETING AGENDA

SEPTEMBER 6, 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. 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;

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. Action Items

1. Oath of Office – Community Economic Development Director/Assistant City Manager, Brody Flint
2. Resolution 22-16 A resolution declaring the week of September 17th – September 23rd as Constitution Week
3. Resolution 22-17 A resolution approving the addition of street sign toppers in the Roy High School area.
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.

G. Discussion Items

1. Recreation Complex
2. Building Height Ordinance
3. 2350 West streetlight
4. Historical First Leaders Sign at Municipal Center
5. General Plan

H. City Manager & Council Report

I. 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 2nd day of September 2022. A copy was also posted on the Roy City Website and Utah Public Notice Website on the 2nd day of September 2022.

Visit the Roy City Web Site @ www.royutah.org
Roy City Council Agenda Information – (801) 774-1020

Brittany Fowers
City Recorder



ROY CITY
Roy City Work Session Meeting Minutes
June 14, 2022– 5:00 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 June 14, 2022, at 5:00 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; Public Works Director, Ross Oliver; Management Services Director, Amber Fowles; Glenda Moore

A. Welcome & Roll Call

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

B. Discussion Items

1. Proposed FY 2023 Budget

Mayor Dandoy reported the police department wanted five additional officers which would cost \$600,000, and the fire department would like nine more firefighters which would cost an additional \$800,000, and the Complex would like to do upgrades that would cost around \$1 Million. He said the Complex had been shut down for swimming because of the boilers and stated they had received emails from residents asking questions.

City Manager Matt Andrews reported the tax rate had come in on June eighth at 28.5%, and had been sent to Council.

Management Services Director Amber Fowles said she wanted to give Council an idea of the process they would go through at the following meeting. She said at the next meeting they would have to approve a final budget or a tentative budget, and if they wanted to keep the tax revenue the same they would approve the final budget, but if they wanted to change the property tax revenue then they would still need to adopt a tentative budget and then go through the Truth in Taxation process. She stated the County backed into the rate based on home values and the revenue the City had received, and explained if they requested more revenue, then they would have to go through the Truth in Taxation process.

Management Services Director Fowles explained on June 22nd, the City would have to submit

a request to the County with the amount of revenue they wanted, and if it was anything above what they had requested the previous year they would go through the Truth in Taxation process and they could not request more after that time. She said the holding tax rate had come in at 28.5%, which was an indication of how much property had increased over the previous year. Mayor Dandoy asked what the best guess for the date of the Truth in Taxation meeting would be. Management Services Director Fowles replied they had to adopt it before September first, so she would suggest their last meeting be held in August. Councilmember Joe Paul clarified there could be a Truth in Taxation meeting without raising the rates.

City Manager Andrews stated they could meet on August 30th and vote before the September 1st deadline. Management Services Director Fowles added they could vote for a lower rate than what they submitted to the County, but they could not go over the original amount. City Manager Andrews also clarified that it did not have to be a percent, it had to be an actual dollar amount.

Mayor Dandoy asked what an increase in property tax would yield in terms of revenue. Management Services Director Fowles replied that a 5% increase would yield approximately \$200,000 per year and it would be \$16.20 per year increase on the average home in Roy. She said if they went from 5% to 10%, those figures would double, and the average home price was \$433,000.

City Manager Andrews stated they needed to discuss city employees, taxes, the Complex, and the position of economic development director. He said they could not vote on the budget tonight, but they needed to discuss these items before they voted the following week.

Mayor Dandoy stated the Fiscal Year 2022 budget allotted \$12,966,000 to salaries, and because of some requirements they needed to pay to Public Safety, the budget going into this year was \$14,788,000. He noted throughout this process they had not discussed revenue increases to match the expenses incurred due to salary. He opined it was the duty of the Council to generate revenue and the duty of the City Manager to spend it. He said Ogden had made a declaration to pay their firefighters 14% more, their police officers 8% more, and most of their employees 13% more, and he discussed the cities were in a wage war and asked where they could find sources of revenue to match the expenses. He said this was a conversation they needed to have, and if they wanted to have conversations about any of the four items Mr. Andrews had addressed, this was the time to have them before they approved the budget.

Councilmember Joe Paul thought they needed cold hard numbers for the Complex. He asked Public Works Director Ross Oliver what it would cost them to put a boiler in. Public Works Director Oliver replied that with the plumbing associated with installation, it would be around \$200,000 for a new boiler, or they could rebuild the old one for \$50,000 and they would need to have an air coil which would cost \$25,000. He elaborated if they were going to be shut down for that construction, they might as well replaster the Complex at that time, which would cost around \$300,000. He said they had replastered the first year he worked for the City, which was 32 years ago. City Manager Andrews stated if they were going to replaster, they should replace all the plumbing underneath because they would need access to it at some point, to which Public Works Director Oliver replied that most of it had already been replaced on the pool side. Councilmember Joe Paul clarified they would be looking at \$600,000 in total for the work. Councilmember Sophie Paul asked if that figure included the electrical and the remodel of the bathroom. Public Works Director Oliver stated that it would be \$910,000 for the three projects, including electrical work.

Councilmember Joe Paul commented that Orem had the same exact building built in the same year, and they had closed it two years earlier because they had decided it was not worth it to fund it

anymore. He thought it did not make financial sense to put \$1 Million into the pool, as they would lose \$400,000 every year. Councilmember Diane Wilson pointed out that statistically, programs at the Complex had reduced the crime rate in the City, and she further stated since there was projected to be an increase in the younger population of the City, it would be worth it to put that money into the Complex if it would make it last another 20 years. She thought it was a balance between public safety and the recreation Complex, and she thought since there had been a lot of money put into the Complex over the years already, they should not give up on it. She commented it would be \$50,000 per year on average to do the required maintenance, and she thought that was worth it. Councilmember Wilson concluded the Complex provided more to the City than they realized and the programs that were held there were essential.

Councilmember Joe Paul suggested they move the programs to the aquatic center. City Manager Andrews said the Complex was going to be down for six months and they would lose \$1.3 Million. Councilmember Wilson talked about subsidization. Councilmember Ann Jackson commented that all of the citizens she had talked to wanted the Complex to be fixed. There was discussion about subsidizing from the General Fund, and Councilmember Joe Paul suggested they put it on the ballot for citizens to decide. City Manager Andrews said the only way he would put it to the public was if they wanted to supplement the cost with increased taxes, in case they could not raise the funds elsewhere or were unable to bond for it. Mayor Dandoy rhetorically asked if they would want to bond for an old horse or a new horse. Councilmember Joe Paul said he would want to bond for something at the aquatic center.

Councilmember Jackson thought they needed to advertise better for it ,because there were a lot of people who did not know what the Complex had to offer. Councilmember Joe Paul said there was no way in good faith he could raise someone's taxes for something that was losing \$400,000 a year. Councilmember Wilson stated there was a 57% increase in dropout rates when there were not good after school activities available to teens, 47% increased drug use, and 30% increase in arrest rates. Councilmember Joe Paul replied all after school activities did not require a swimming pool and said they had a great Program Coordinator who could get creative and come up with activities that did not require a swimming pool. Public Works Director Oliver agreed they had great Program Coordinator, but he would not want to add anything more to her plate.

City Manager Andrews commented they also had the Hope Center. Public Works Director Oliver said they had access to the Hope Center in the winter months from six o'clock onwards when school was in session, and they used it for basketball from September to March. He did not know if they had the resources to have winter activities outside of that. Councilmember Joe Paul asked what cities that did not have a swimming pool did, and Public Works Director Oliver replied that some cities had recreation centers without a pool. Councilmember Joe Paul did not deny that recreational activities were important and that they had a great recreational program, but he did not think a swimming pool was required. City Manager Andrews said that went back to how many programs they offered outside of swim lessons at the Complex and listed the programs offered. Councilmember Joe Paul said if they held out for a couple of years, then they could bond for a tax increase to put something down, and he thought they were on borrowed time with the School District seeking to obtain the property. Councilmember Wilson asked where they would put a new facility.

Councilmember Joe Paul thought they they should enclose the aquatic center and have the same programs there. He said he would rather invest \$1.5 Million into that than in repairs for the Complex. Councilmember Jackson thought half of the appeal for the aquatic center was to be able to have open area, and she did not think it was worth putting any money into covering the aquatic center because it served a different purpose. Councilmember Joe Paul thought they needed to look

outside of the box and see what other programs they could do versus dumping more money into the Complex.

Councilmember Jackson asked if the new boiler and re-plastering the pool would be sufficient repairs while leaving the rest of the Complex open. Public Works Director Oliver replied all of the repairs would need to eventually be done and it would be better to do it all at once.

Councilmember Joe Paul said they were not ADA approved but they were grandfathered in and he wondered how long that would last. Public Work Director Oliver replied he was not able to answer that question, and noted there was a lift for wheelchairs but no elevator access. Councilmember Wilson said she knew they wanted to keep it open but nobody else did and thought they needed to do a vote.

Councilmember Sophie Paul said they were going to have a lot of people mad if they closed it and they were going to have a lot of people mad if they kept it open. She expressed frustration that while this had come up in every Council for the last 10-15 years, it never got onto the budget and now the current Council had to be the bad guys to make the decision. City Manager Andrews commented the Complex had great staff who had kept it maintained as well as possible, but they needed more money to keep it operational and sustainable. He said that the fact of the matter was they would be throwing money at it and it would still be losing money, and that in good conscience he knew they needed police officers and firefighters and he was not willing to spend more capital to fix the Complex.

Councilmember Joe Paul commented if he was voting with his heart, he would vote to keep it open, but he was voting with every citizen's pocketbook and said they needed to make good financial decisions. He added they did not even own the property, but they leased it. Councilmember Jackson thought it was unfair to consider that they did not own the property as a factor because they did not own the parks which lost more money overall than the Complex, and she added the Complex was an important resource they had already put a lot of money into. She said every City with a pool lost money to it, but it was a resource for the citizens. Councilmember Joe Paul replied that most cities were not 7.5 square miles with 40,000 residents and a need for more businesses to generate sales tax. He said their forefathers wanted Roy to be a bedroom community and had not been thinking to the future, and now the Council had to deal with it.

Public Works Director Oliver stated the Complex was open 4500 hours a year which was more than anything else in the community. He saw the amount of people that came to the Complex and received physical and emotional well-being, and it gave them a place to hang out with people their age. He said he saw a lot of kids using the basketball courts in the evenings and was scared of what would happen if they lost the courts.

City Manager Andrews stated the senior citizen population would be the first to bring the pitchforks and torches if they raised the taxes because they were a part of a program that was 100% government subsidized, yet the only path forward that he would agree with was if they did a tax increase. Councilmember Joe Paul asked why it was happening on the back of a tax increase and commented this year had the highest inflation rates they had seen so far, and it had killed him to give out \$1.5 Million for salaries let alone the Complex.

Public Works Director Oliver stated this was what the Reserve Fund was for, and the point of public taxes was to pay for public safety. Councilmember Wilson asked if they had money in their reserve account for something like this. City Manager Andrews replied there was money in the reserve account with a lot of money in it, and they just needed to decide what they wanted to do with that

money.

Mayor Dandoy asked if they were thinking of completely shutting down the Complex and locking the door, or if they wanted to retain as much as they could of the Complex. Councilmember Joe Paul thought there were a lot of discussions that needed to happen with the School District. City Manager Matt Andrews replied he would be fine with doing a tentative budget and including the Complex but with no capital, just so they could have an open and honest conversation with the School District to see if they could come to some sort of an agreement. He commented he would sell the Complex to the School District for \$1 just to get it off of their books, and that the School District was going to own it one way or another.

Mayor Dandoy said they needed to decide whether or not to lock the doors or find something in between. Councilmember Wilson said if there was money in the reserve account to fix it, that was what she would like to see happen. Councilmember Jackson agreed, and believed that a fully operational Complex was important for the City. Mayor Dandoy clarified that the other position was to entirely shut it down and yield control to the School District because they already owned it. Councilmember Wilson clarified it would not be for the current year because school season started in October. Mayor Dandoy commented the School District was all about school, not recreational programs. Public Works Director Oliver stated the School District played good host to the City on the weekend, but they would not be able to give up any use of the facility during the week because of all of the athletic programs. Councilmember Sophie Paul stated she did not agree with taking money out of the reserve and she opined they close the Complex completely and lock the doors.

Mayor Dandoy said it seemed the majority was in favor of shutting the doors and transitioning out of the Complex. He said Council would have to set a date for when that would be implemented, and it would have to be part of the budget because it was changing the expenses and revenues and the budget would have to reflect that dramatic change. City Manager Matt Andrews stated there were a couple different ways they could handle this because the budget was a breathing document, and they could make adjustments as necessary.

Councilmember Joe Paul said he had been at the fire station the previous weekend and reported they had received three calls and still had one asset left at the station, but no personnel left so if they had received another call they would have had to rely on Riverdale. He discussed that firefighters and police officers were not allowed to take time off for vacation and the City spent a lot of money on those people and needed to continue to work with them. He stated they needed to look at ways to fund another firefighter and a minimum of two or three more police officers. Mayor Dandoy commented that was the conversation they were having, and said it came down to what the Council was willing to give up in order to afford these extra officers. He said if the decision was made to shut down the Complex, \$500,000 of the \$700,000 would go for salaries and they could relocate the three full-time employees to other departments in the City if they were qualified, and let go of all of the part-time employees. There was discussion about the variables about the change in expenses and expenditures.

Public Works Director Oliver stated if they needed to rent out pool time for swim lessons, it would be \$150 an hour, which would amount to around \$17,000 per year. He said the other option would be to open the Aquatic Center a month early, which would amount to \$20,000 in utility costs.

Councilmember Jackson asked if they could transfer the Complex to Roy High if they closed the doors. Mayor Dandoy replied that the problem was the building had become a liability, and the school had not budgeted for the extra personnel that they would need to manage it. He said it would not be open to the public and would be absorbed into the School District. Councilmember Jackson

commented the Athletic Director had just texted her and told her than he wanted it, and she said she would call the Superintendent that night.

Mayor Dandoy said if the decision was going to be made to close the door, that needed to be presented to the School District because they were the most likely recipients of it, and reminded the Council that giving the Complex to the School District would shut down public access. He said they had not talked about the people who had lifetime memberships to the Complex, and pointed out the City would have to compensate them in some way. Councilmember Sophie Paul said she had had memberships before for a business which had closed, and said it did not automatically mean she was entitled to a refund. Mayor Dandoy replied it might put them in a legal issue and thought they should look into it, and cautioned people were going to be bitter.

Councilmember Jackson said there were avenues they could look into to shift funds towards the infrastructure, and said there were funds available through other programs which could help with recreational programs.

Mayor Dandoy stated they needed to make a decision because a budget needed to be voted on in a week. He clarified that three of the Council members wanted to shut the doors of the Complex, and said if that was the case, they needed to work out the details regarding staff and programs and they needed to officially make it a part of the budget.

City Manager Andrews commented that 1,300 people out of the 40,000 residents in Roy used the Complex. Public Works Director Oliver said there were other communities that used the Complex and there were thousands of Roy residents who used it quite often.

Mayor Dandoy explained how the process would work, and said there would be a public meeting regarding the approval of the budget the following Tuesday and if people had concerns, they needed to attend the meeting and talk with Councilmembers before the vote was taken. He said he did not know what the public opinion was about this, but he knew if any sort of tax increase was presented at the Truth in Taxation meeting, then people would be lined up at the pulpit to express their concerns. He wanted their definitive plan to be a part of the budget that would be voted on the following week and that most people would approve a tax increase only if it went to public safety.

Management Services Director Fowles added that whatever decision they made, they would not immediately have the funds to spend, and it would take time to figure out the costs. She anticipated there could be unforeseen costs which would come up throughout the process of the closure.

City Manager Matt Andrews said the County was currently working on figures for fire costs. Fire Chief Craig Golden discussed response times and responsibilities in the County and what they would need to add to staff to fulfill better response times. Mayor Dandoy clarified Chief Golden was only speaking about paramedic services. Chief Golden stated they would receive \$450,000 from the County to supplement this.

Mayor Dandoy referred to the book on fire suppression and gave some figures. He read from the report, and said a majority of the fires that the Roy Fire Department had responded to were outside of Roy and they did not get paid for these responses because they provided their services as part of their interlocal agreement at the Roy City residents' expense. Mayor Dandoy said he wanted Council to keep in mind that the public safety they were providing was not just for Roy. City Manager Andrews said the reliance they had on other cities was going down because they were understaffed, and reliance on Roy was going up. Mayor Dandoy stated he had gone over the

numbers and had found Roy provided services out of the City more than they did within the City. He felt this was just something they had to deal with as the “big dog” in the area. There was discussion about disbanding the interlocal agreement. Fire Chief Craig Golden said the district would cost the taxpayers around \$1 Million per station and they would lose access to equipment and buildings if they got rid of the agreement.

Mayor Dandoy stated the single biggest expense in the City was public safety, and a big piece of that expense was providing public safety to everyone else. Councilmember Joe Paul said if they went to district, they would not receive the same level of service. There was discussion about response times and staffing. Mayor Dandoy said this was a discussion about raising property taxes because that would be the only way to fund this.

Mayor Dandoy summarized they were talking about closing the Complex, and said they would need time to flush out the technicalities due to the impact of the closure, and asked if they wanted to wait it out or close the doors. He elaborated it was all about having the right timing.

Councilmember Joe Paul thought they should have been implementing gradual increases instead of implementing one large tax increase all at once. Mayor Dandoy got consensus from the Council that they wanted to put the closure of the Complex into the budget, and they would work out the best timing for that. He asked if they were willing to do a Truth in Taxation at a lower amount based on the numbers Management Services Director Fowles had given them.

Councilmember Wilson thought it was too early to address that question, and said they still needed to discuss the Economic Developer position and that it should be eliminated. She thought the Truth in Taxation should come up, but not before they analyzed more data. Mayor Dandoy said if they wanted to do a Truth in Taxation, Management Services Director Fowles needed to put it in the budget and they needed to vote on it the following week. Management Services Director Fowles said she just needed the number that they wanted to top out at and added they could always go lower. There was discussion about what percentage increase they wanted to set the cap at, and it was decided to set the cap at a 15% increase and close the Complex.

Mayor Dandoy said they still needed to discuss whether they wanted to spend \$160,000 for a Community Director and COLA. He discussed the COLA figures. Councilmember Wilson said she thought they needed to take care of what they had before they considered any more additions to the Public Safety staff, so they did not run off to other cities that had more competitive wages.

Mayor Dandoy stated they would need to spend \$500,000 on vehicles. Police Chief Gwynn said the old vehicles were worth money. City Manager Andrews said they could not account for gap profits and they needed to put a figure in the budget. Mayor Dandoy asked what the administrative vehicles which had been proposed in the budget were for, and City Manager Andrews replied they would be for Chief Gwynn and the two captains. Mayor Dandoy said the challenge was that the way the accounting system worked, they could not budget for a sellable vehicle to be revenue-generating. Management Services Director Fowles explained she could budget for the sale of the vehicles, but did not want to put it in the budget in case they did not sell the vehicles for any reason. She said she would rather wait until they sold the vehicles and then record the revenue.

Mayor Dandoy said it was Council’s responsibility to determine how they were going to generate revenue. He said they had just had a \$1.8 Million raise in salaries, and they needed to find a way to compensate that. He pointed out if they wanted to eliminate the Community Director position then they could eliminate the need for a vehicle for that position. Mayor Dandoy said Police Chief

Gwynn had been very clear about his need for more officers, and that with crime increasing he agreed they needed more support on the force. Councilmember Joe Paul said Mayor Dandoy had just told them that if they added more officers then those officers would be taking care of other cities, and asked if the new officers would be taking care of Roy or other cities. Mayor Dandoy clarified that his data was based on firefighting not police, and that they got reimbursed for paramedic service but not for firefighting or police services. He said that was an internal policy issue that they had to figure out. Councilmember Joe Paul asked if it was a budget issue or a policy issue, and Mayor Dandoy replied it was both a policy and a budget issue.

Councilmember Wilson did not doubt that more personnel was needed but she thought they needed more information with regards to sales tax before they made that decision, and explained she preferred to take care of the officers they currently had. Police Chief Gwynn said prevention was important, but response time was what they were looking to improve. He said officers are spending three times more time on a call than they were ten years ago because of increased requirements about collecting data. There was discussion about the costs of vehicles and the rotation they needed to keep vehicles valuable.

Mayor Dandoy asked about the position of Community Director. Councilmembers Wilson and Jackson did not want to fill the position. Councilmember Sophie Paul asked what percentage that position would be to assist City Manager Andrews in his current duties, and City Manager Andrews said that the position of Economic Development Director would take over the facilitation of strategic plans and taking over talking to developers. He said he had been doing quite a bit of that work, but it was up to Council to decide where they wanted to go with it. There was discussion about the role of an Economic Development Director. Councilmember Sophie Paul voted to keep the Economic Development Director position in the budget.

Mayor Dandoy stated the Truth in Taxation piece needed to be decided now which was why these decisions had to be made within the week. Councilmember Wilson thought they needed to know more about sales tax revenue before they made any decisions.

Mayor Dandoy said Management Services Director Fowles would run some numbers and present them at the August 16th meeting. He said if the decision was made to close down the Complex, they would need to do everything they could to protect those employees. Management Services Director Fowles said these budgets had been prepared in February and there had been a lot of inflation since February, which needed to be taken into consideration. She said there were a lot of things that had been approved from the previous year but not yet completed, so they would add a page to the budget to indicate that those projects had been previously approved. There was discussion about what would happen at the meeting on the following Tuesday.

Mayor Dandoy said he did not know what was about to happen, and it bothered him because even the experts had mixed emotions. He said recessions had impacts on sales tax revenues and they needed to plan and hope for the best.

C. Adjournment

Robert Dandoy

Mayor

Attest:

Brittany Fowers
City Recorder

dc:



ROY CITY
Roy City Council Meeting Minutes
June 21, 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 June 21, 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 Wilson	
Councilmember Sophie Paul	

Excused:

Also present were: Police Chief, Matthew Gwynn; Police Captain, Danny Hammon; Police Captain, Kevin Smith; Sergeant Tubbs; Fire Chief, Craig Golden; Parks and Recreation Director, Travis Flint; Public Works Director, Ross Oliver; Management Services Director, Amber Fowles; Public Attendance – see attached attendance sheet.

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. Approval of the April 27, 2022, Roy City Council Work Session Meeting Minutes; May 3, 2022, Roy City Council Meeting Minutes; May 16, 2022, Roy City Council Work Session Meeting Minutes; and May 17, 2022, Roy City Council Meeting Minutes.**
- 2. Financial Statements**
- 3. Approval of surplus vehicle: 2011 Ambulance VIN# 1FDXE4FS7BFB27786.**

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

E. Public Comments

Mayor Dandoy opened the floor for public comments. No comments were offered, so Mayor Dandoy closed the floor for public comments.

F. Action Items

1. Swearing in newly promoted Police Sergeant Joshua Taylor.

Police Chief Matt Gwynn introduced Sergeant Taylor and highlighted his career, and City Recorder Brittany Fowers delivered the Oath of Office.

2. Employee of the Month – Elizabeth “Lizzy” Badger

Deputy Director Jody Call read her nomination for Ms. Badger, and highlighted several of her achievements on the City Staff. Councilmember Joe Paul motioned to approve the nomination for Employee of the Month. Councilmember Wilson seconded the motion. All Councilmembers voted “Aye”. The motion carried.

3. Public Hearing – Consideration of Resolution 22-7 Amending Roy City FY 2022 Budget.

Management Services Director Amber Fowles summarized some aspects of the budget. She said this would be the last budget for the current fiscal year. She stated the new budget increased the previously approved General Fund budget by \$1,156,497; the Capital Projects fund budget by \$3,000,000; transportation infrastructure by \$175,000, and the Information Technology fund by \$350,000. She said the General Fund included a higher sales tax than previously budgeted, which would be set aside for future needs. She added they had deferred grant revenue to the fund as well. Next, Management Services Director Amber Fowles said the Fire Department received the largest increase in budget and up to \$3 Million more dollars could be passed onto the information technology fund. Based on previous findings, she recommended the Council approve the budget.

Mayor Dandoy asked for a motion to enter a public hearing. Councilmember Wilson motioned to approve entering public hearing. Councilmember Jackson seconded the motion, all Councilmembers voted “Aye”. The motion carried.

There were no comments.

Mayor Dandoy asked for a motion to close the public hearing. Councilmember Sophie Paul motioned to approve closing the public hearing. Councilmember Wilson seconded the motion, all Councilmembers voted “Aye”. The motion carried.

Councilmember Wilson motioned to approve Resolution 22-7 Amending Roy City FY 2022 Budget. Councilmember Jackson seconded the motion. A roll call vote was taken, all Councilmembers voted “Aye”. The motion carried.

4. Public Hearing – Consideration of Resolution 22-8 Approving Enterprise Fund Transfers

Management Services Director Amber Fowles said this portion of the hearing was part of the State’s efforts to make Enterprise Fund usage more transparent to the public. She explained the Enterprise Funds were transferred to City utility funds, and also was used to pay salaries for City jobs related to utilities. She stressed the City did not transfer Enterprise funds into areas which were not tied to City utility operations. She said the fund currently provided \$1,290,048 to cover administrative costs, \$154,770 to

cover sewer and storm water related costs, and \$2,000 to cover labor costs. She recommended the City receive public input.

Mayor Dandoy asked for a motion to enter public hearing. Councilmember Joe Paul motioned to approve entering public hearing. Councilmember Jackson seconded the motion, all Councilmembers voted “Aye”. The motion carried.

There were no comments.

Mayor Dandoy asked for a motion to close the public hearing. Councilmember Wilson motioned to approve closing the public hearing. Councilmember Sophie Paul seconded the motion, all Councilmembers voted “Aye”. The motion carried.

Councilmember Joe Paul motioned to approve Resolution 22-8 Approving Enterprise Fund Transfers. Councilmember Wilson seconded the motion. A roll call vote was taken, all Councilmembers voted “Aye”. The motion carried.

5. Public Hearing – Approving Fiscal Year 2023 Proposed Budget.

Mayor Dandoy made a disclaimer, noting this budget did not suggest the closure of any complex, nor did it propose amending any complex.

Management Services Director Amber Fowles said this budget did not include operational repairs, though this could be changed later. She said the proposed tax rate must be submitted by June 22nd, and the final vote will occur in August. She added most aspects of the budget had been previously approved.

Mayor Dandoy asked if the Council had any comments to make. City Attorney Andy Blackburn reiterated that Capital expense repairs were not included in this budget. He urged the Council to look at the budget from a long term perspective, especially from an education point-of-view.

Councilmember Joe Paul expressed gratitude over the comments he has received from the public. He stressed how the supply chain issues in the country had created a lot of questions, and stated their goal as a City was to figure out how to work around those challenges.. He estimated about a third of the emails he has received were not from Roy City citizens, and he suggested that they look to other communities for answers.

Councilmember Sophie Paul spoke up and praised the complex. She said the damages she had seen at the complex the last time she visited broke her heart. She lamented how she did not want to raise taxes to fund these repairs, though she understood the need for repair funds. She expressed hope in moving forward.

Councilmember Ann Jackson felt they could make these repairs without a tax increase, and simply fundraise the money.

Councilmember Wilson spoke next. She felt there were a lot of unanswered questions in new staffing changes included in the budget. She said her biggest issue was the inclusion of an economic development director position. She felt this took away from money for both the complex and other city areas like the fire and police departments. She added how mental health is one of the biggest problems nationwide, and they need to fund this as well.

Mayor Dandoy noted all emails submitted would be a part of the public record.

A study from the public high school chimed in saying she felt keeping the complex open was of the utmost importance. She said she would make a commitment to helping fundraise.

Mayor Dandoy asked for a motion to enter public hearing. Councilmember Jackson motioned to approve entering public hearing. Councilmember Scadden seconded the motion, all Councilmembers voted “Aye”. The motion carried.

Alan Paul came up first. He stated his address though it was unintelligible [0:44:40]. He said he had lived in Roy for decades. He noted he was incredibly happy living in Roy and offered up his perspective as a venture capitalist in keeping the complex intact. He felt the complex was a treasure, and said they would do anything to keep it safe.

Kay Marcus gave his address as 2265 West 4975 South. He began by saying he wrote to the local paper last week. He stressed how much Roy City needed to address its citizens’ health issues. He said he himself has suffered from heart issues which have required surgery. He added he had a tumor removed from his chest a few years ago. He stressed how his medical history was important and relevant to the conversation, as he had participated in therapy at the complex, and he knew several other people who did the same. He also said elderly Roy City citizens relied on the complex for daily exercise. He expressed dismay at the City’s decision to take away positive things from the community. He said he appreciated the time he was given.

Next Arlene George spoke. She stated her address as 5439 S 1800 West. She said this complex is very important to the community. She expressed concern over what could happen with the absence of the complex. She said she understood how people in the community were not wealthy, though she stressed how the community will fight for this resource. She urged the Council not to take away this resource.

Mallory Quadis came up next. She noted she does not currently live in Roy City, though she grew up in Roy and was the current head coach of the Roy City High School swim team. She said she is speaking on behalf of the high school. She noted how the complex and the high school have a symbiotic relationship. She emphasized how much she cares about this issue and noted how, without the complex, students would have to drive 15 minutes to Ogden to use a pool for practice. She said this could impact the number of kids able to participate. She implored the Council not to take away the complex.

Another person came forward though their name was unintelligible [1:00:23]. She said she also did not live in Roy City, but she also had grown up there. She discussed she had been in an accident as a kid, and the complex had helped her rehabilitate. She commented the City went to great lengths to protect their football team and should do the same for their swim team.

Sam Richards spoke, and clarified that while he did not live in Roy City, he was a former lifeguard and had spent hours training at the complex. He stressed the point of the complex is to serve the community. He said there would be a massive upset if they closed the complex - particularly because the complex teaches and trains people in ways which inform their future skills and career. He pushed the Council to take money from a rainy day fund and spread word around town.

Mikayla Rider stated her address as 5756 South 47 West. She said she just graduated from Roy City High School as salutatorian. She said she felt the complex served the town’s elderly community, and the City could not push this off much longer. She urged the body to keep the complex open.

Shawna Hadey came forward next. She stated her address as 5424 S 25 West. She asked the Council to keep the complex open. She felt closing the complex would negatively impact the town - particularly for

children and diversity. She felt the last thing the City should do was limit opportunities for students.

Christian Corbit came up next. He noted he was not currently a Roy City resident, though his parents lived in town. He stated his advocacy for the high school swim team. He noted, while he hated school, he always had the complex for after school swim practice. He felt the skills attained at the complex helped with opportunities related to college and scholarships.

Next Sherrie Lewis spoke. She stated her address as 1964 SW 4550 South. She said she was a lifeguard and started off practicing at the complex through her high school swim team. She shared a story of her friend's mom going to water aerobics classes at the complex and seeing a notable improvement in her health. She said almost every lifeguard and high school swim team member has practiced at the complex.

Analise Haywood gave her address as 5564 S 3200 West. She said she was both a member of Roy City's high school swim team and a lifeguard. She said this was not only a place where she honed her swimming skills, but a place where she found a community. She said she has struggled with her mental health, and the complex has given her a healthy outlet. She also said she has a sister with long term medical struggles with walking. She praised the complex for giving her sister an athletic outlet and warned against closing it.

Steven Johnson of address as 449 South 2250 West said he had noticed a shift in the room, and felt those coming up to speak were very passionate. He felt the City had not considered the liability of closing the complex. He said the City needed to look into continuously funding the pool, versus waiting for the repairs to add up. He referenced Councilmember Wilson's suggestion to find alternative funding, but said he was baffled by the idea they could keep up maintenance and keep lowering taxes. He said building a community costs money.

Lisa Jackson then came forward, and stated her address as 3635 West 3550 South Road. She said while she was on the swim team in high school and enjoyed the complex, she was on the fence on the issue because she did not like the 20% tax increase, and had realized this would mean an extra \$21 a month. She went on to say, however, that she had not heard anyone say they do not want this pool complex, and stressed she would be more than willing to pay that amount. She pointed out people should exercise in order to be healthy, and shared a personal story of how swimming helped both her health and her relationship with the community.

Ashley Stone came forward next. She stated her address as 5723 South 35 West. She said the responsibility to fund the swim team should not be the taxpayer's responsibility. She said this cost should be taken out of the County costs, since other towns use the complex pool. She personally thought the money should be put towards the Fire and Police departments, and said she only wanted her taxes to raise if it was for public safety.

Michael Gann gave his address as 2174 West 56 South. He warned against taking away youth activities, as it pushed kids to unlawful or unsafe activities. He shared a story of a woman who did physical therapy at the pool, but had to stop because of the pool closing. He noted people from other cities came to their complex pool, and said Roy City set a standard. He added without the pool, crime could rise as kids would not have an outlet. He also said the complex needed more employees and support from the City to remain operational.

Eric Hay spoke, and gave his address as 563 South 27 West. He said he took his kids to the complex. He added he worked as a scout master and took his scouts there as well. He said kids can find a future in this complex. He said the complex needed to be continuously restored.

A man came up though his name was unintelligible [1:46:05]. He listed his address as 5241 South 21 West. He felt the complex was a community good, and the City should not take it away from the community. He said it was not just about the swim team but also the surrounding area.

Samuel Smith spoke next. His address statement was unintelligible [1:49:07]. He said he was on the high school football team. He said the complex was especially important for athletes whose practice times are limited.

Richard Jenson came up to speak. He listed his address as 5464 South 26 West. He asked if there would be a tax increase regardless of what happened with the complex. Mayor Dandoy confirmed there would be an increase. He criticized the Councilmembers that they had not given the issue appropriate thought, despite having known for a while that the complex needed repair. Councilmember Joe Paul stressed the fact he and the other Councilmembers had not had time. Richard Jenson thanked the Council for their time and consideration, all the same.

A woman came forward but did not state her name or address [1:56:00]. She said other cities should help pay for the complex and expressed concern as a senior citizen.

Hallie Ray spoke next. She listed her address as 2560 West 4560 South. She said her father was a firefighter, and noted as part of his benefits, her and her family held passes to the complex pool. She stressed how important this was to her and other families - especially if they did not have a lot of money. She said she is currently raising her daughter in Roy City, and thought resources like the complex pool were a valuable addition to her upbringing. She urged the Council to look into grant money and other resources. She added the pool had been particularly important to her lately, as her heart had been damaged since getting Covid, and swimming had helped her rebuild her heart health. She expressed confidence in both the City government and its citizens to make the best decision for them.

Carina Kender came forward. She listed her address as 289 West 57 South. She expressed that she felt dismayed by the accessibility features at the complex. She told a story of having to carry her son, who has a wheelchair, up and down stairs. She said people are not attending the complex because of its lack of accessibility features, and urged the Council to make changes. She then went on to discuss all the issues in Roy City's public safety plan. She told a story in which her son had had a seizure, and had gotten an ambulance from Ogden City. She said they need to invest in accessibility for residents, and not just at the pool.

A child came up and said they have the same address as someone before [2:10:05]. They shared a story of their struggles with their mental health and how the swim team made a huge impact on them. They talked about the difficulties they have faced at home and in school, but stressed the importance of the pool in helping their relationship with the community.

Naya Casper spoke next. She listed her address as 2950 West 70 South. She said she attended high school and worked as a swim captain. She stressed the importance of the Roy City complex in teaching them skills outside of school. She said she also works as a lifeguard and teaches classes. She said the pool makes a huge impact on people.

Jenn Fisher stated her address was 3784 West 6000 South. She began by stating she saw both sides of the issue. She felt the complex brings the community together, and thought people needed to be willing to give money and support the complex.

Next Michelle Debula spoke. She gave her address as 2014 West 100 South. She shared a story of her son's involvement in the complex, and discussed how it had benefited him as an adult. She said Roy City

needed to invest in the long term well-being of its citizens.

Charlotte Dawson came forward. She gave her address as 4654 West 100 South. She said she does not live in Roy City though her kids go to school in town. She said she exercises at the complex and stressed older people have value. She said the City should consider the impact on the senior citizen community. She stressed how much she values other departments in the City, though they need to make the complex a priority.

Michelle McCork spoke next. Her address was unintelligible [2:20:40]. She said she lives out of town, though she felt the impact of the complex. She felt no one could put a price tag on the value of the complex. She said she has seen the impact on communities when community centers close.

David Young spoke next. He gave his address as 4870 South 27 West. He said he does not personally use the complex, though many in his family do. He discussed he worked with old cars and knew they key to longevity was consistent maintenance. He said Mayor Dandoy had done a great job, though the City Council needed to look forward, and be more proactive in long term solutions.

Jill Hilbert came forward. She listed her address as 4178 West Lake Drive. She said there may not be a right way to fix the issue, but she did not like the idea of pitting the police department and firefighters against the complex. She said they also need to start more businesses that were right off the highway. She said starting these new businesses could make things better economically, and bring back more money into Roy City. She said they Council needed more details before they could make an informed decision. She wished the best of luck to the Council in making this decision.

David Wilson spoke next. He gave his address as 4302 South 675 West. He said they should use the funds in the reserve account to pay for the complex. He said they need to place a price tag on the community. He asked the Council to consider what kind of community they want to support. He said they cannot get by without a tax increase and keeping the community alive.

Marge Pincraft spoke next. She gave her address as 1992 West 777 South. She suggested involving the district, and wished the Council luck.

Indicott Tyler spoke next. She did not give an address, though indicated her status as a high school student. She said many people would be willing to mobilize and support the complex. She said no one wanted to raise taxes, and they needed to find other ways to save the complex.

Yvonne Sherman came forward. She gave her address as 5505 South 2200 West. She spoke on the importance of the complex to her, and said he helped her get healthier after undergoing heart surgery. She also felt they needed to focus more on their police and fire departments. She suggested the City find another place for the swim team to practice.

Pat Carney spoke next, and stated she lived in Riverdale. She said the money exists, and the Council simply needed to find it.

Lastly, Michael Wellman came forward. He said this project must be worth the time and money, and expressed confidence the City could take care of this problem.

Councilmember Joe Paul felt there were still many unanswered questions, and they simply needed more time. He suggested approving the budget tentatively until they receive more data in the ensuing months. He added they should look for other avenues of getting money. He said the Truth in Taxation meeting should also provide more information.

Councilmember Wilson noted there were citizens coming forward to spearhead fundraising committees. She noted the swim team pays the City \$3,000 to use the complex. She suggested adding complex fees to bring in revenue versus raising taxes.

A member of the public [2:59:50] said her primary concern was that her concerns would be forgotten by the Council.

City Manager Matt Andrews reminded the Council they were still beholden to supply chain issues, and this could impact the timeline. Councilmember Jackson commented they still had the Rainy Day fund.

Councilmember Diane Wilson proposed they amend the budget, and get started on fundraising. She again stressed they needed to remove the Economic Development Director position from the budget.

Councilmember Randy Scadden agreed with Councilmember Wilson, and added they should approve the next stage of the budget planning. An unidentifiable member of the community shouted out, and demanded they set aside \$1 Million dollars in the budget. They asked for reassurance that the complex would be safe.

Mayor Dandoy said if they approved the final budget, they would not need to have a Truth in Taxation meeting, but if they approved a tentative budget, they would have the meeting. He suggested they earmark a percentage of potential funds needed to repair the complex in a tentative budget. He suggested putting aside roughly \$500,000 or \$650,000 within an amended budget, including a 15% tax increase cap to recoup any additional costs, and reassess the issue after the Truth in Taxation meeting.

Councilmember Scadden felt they did not need to put out a specific number that day. Councilmember Joe Paul asked how they could formulate a budget without knowing the specific numbers.

Councilmember Joe Paul attempted to motion with an addendum which suggested they fundraise for the repairs. The public still present were audibly against this. Mayor Dandoy stressed the need to pass a motion that evening, as they had a legal requirement to have a budget passed by the following morning. There was a flurry of voices from the public. A member of the public accused Councilmember Joe Paul of not representing the people. Councilmember Joe Paul said he could show them all his emails from citizens demanding they shut down repairs [3:33:18].

Mayor Dandoy asked for a motion once again. He insisted they could work through this, and Councilmember Sophie Paul said they could agree on a 15% cap, along with withdrawing \$500,000 from the Slush fund, with no public match.

Mayor Dandoy asked for a motion to close the public hearing. Councilmember Scadden motioned to approve closing the public hearing. Councilmember Jackson seconded the motion, all Councilmembers voted “Aye”. The motion carried.

Councilmember Wilson motioned to approve Resolution 22-9 Adopting the tentative budget for Fiscal Year 2023 with amendment as noted. Councilmember Jackson seconded the motion. A roll call vote was taken, Councilmembers Sophie Paul, Wilson, Jackson, and Joe Paul voted “Aye”, Councilmember Scadden voted “Nay”. The motion carried.

6. Consideration of Resolution 22-10 Approving Roy City Police Department Towing Service Agreements

Councilmember Wilson motioned to approve Resolution 22-10 approving Roy City Police

Department Towing Service Agreements. Councilmember Scadden seconded the motion. A roll call vote was taken, all Councilmembers voted “Aye”. The motion carried.

7. Consideration of Resolution 22-11 Approving Interlocal Agreement with Weber County for 24-hour ballot box surveillance.

City Manager Matt Andrews noted this item was in response to a new state requirement. Councilmember Diane Wilson asked if the City would be required to pay for it. City Manager Matt Andrews replied they would not.

Councilmember Jackson motioned to approve Resolution 22-11 approving the Interlocal Agreement with Weber County for 24-hour ballot box surveillance. Councilmember Wilson seconded the motion. A roll call vote was taken, all Councilmembers voted “Aye”. The motion carried.

G. Presentations

1. Open Meeting Act – Andrew Blackburn

City Attorney Andy Blackburn presented this portion of the meeting. He noted the Utah State Legislature required them to go over these items every year, and said the Council must meet the State requirement of “convening.” He clarified this did not apply to certain kinds of government meetings, including retreats. City Attorney Andy Blackburn said the Councilmembers needed to be mindful of email they sent, and explained they could send emails which involved the sharing of information, but could not make concrete decisions within an email, as that could lead to complications. City Attorney Andy Blackburn said closed meetings were permitted to occur, but they cannot make decisions in these meetings. Moreover, he said when they discuss items previously discussed in closed meetings, they must have a roll call vote and each Councilmember would have to give an explanation for their vote. He further noted closed meetings could not go outside of the previously agreed upon discussion points. He said the Council can take action within 90 days if a Councilmember violates protocol and discussed a closed meeting item outside of these meetings.

Councilmember Sophie Paul asked when they would have a closed meeting. City Attorney Andy Blackburn said closed meetings would largely involve sensitive information not yet available to the public, or name specific parties. Mayor Dandoy chimed in and said these meetings often involved City personnel or purchases.

H. Discussion Items

1. Fireworks

Fire Chief Craig Golden went through fireworks safety with the Council. He said they would be communicating the hours fireworks are permitted along with the specific locations for fireworks. He said the primary concern was monitoring potential fires given the dry heat.

2. Pioneer Days Rodeo and Parade

Mayor Dandoy asked if the Council was okay with having the parade on either the 24th or 25th. He asked if they would be supportive towards the Chief having a showcase. Mayor Dandoy asked if the Council was comfortable contributing a small amount to the parade, and elaborated their contributions will be matched. Councilmember Diane Wilson found this acceptable.

3. Playground at Sandridge Park

Parks and Recreation Travis Flint said they need to demolish the playground and restrooms at Sandridge Park. Councilmember Joe Paul asked about repurposing the area and Councilmember Diane Wilson immediately asked what they had done in the past. Parks and Recreation Director Travis Flint said they were simply planning on leveling it.

I. City Manager & Council Report

City Manager Matt Andrews said they have an upcoming airshow. He then expressed concerns over contracted bids over city changes and repairs. Councilmember Joe Paul asked if they had an alternative to the bid. City Manager Matt Andrews said it would depend on available funds. Councilmember Diane Wilson asked if they could check into other options. City Manager Matt Andrews said they could look into this, but he did not want this investigation to result in inaction.

Mayor Dandoy asked a question about their water conservation plan and the data collection involved. City Manager Matt Andrews said he would keep him posted.

Mayor Dandoy asked for a status update on the Title 10, which would change restrictions on water basin water. City Matt Andrews said the Planning Commission had assessed the plan and made changes to chapters 10, 11, 12, and 13. He said they should stay tuned.

J. Adjournment

Mayor Dandoy motioned to move into a recess. The motion passed unanimously.

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

dc:

City Council Minutes

June 21, 2022

Page 11



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 in 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:



Minutes of the Roy City Council Meeting held in person in the Roy City Council Chambers and streamed on YouTube on July 19, 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 Pro-tem Joe Paul	City Manager, Matt Andrews
Councilmember Jackson	City Attorney, Andy Blackburn
Councilmember Scadden	City Recorder, Brittany Fowers
Councilmember Sophie Paul	

Excused: Mayor Dandoy and Councilmember Wilson

Also present were: Police Chief, Matthew Gwynn; Fire Chief, Craig Golden; Parks and Recreation Director, Travis Flint; Public Works Director Ross Oliver, Parks and Recreation Deputy Director Jody Call, Lizzy Badger, Terry Wilson, Shauna Havey, and Glenda Moore.

A. Welcome & Roll Call

Mayor Pro-tem Joe Paul welcomed those in attendance and noted Councilmembers Scadden, Sophie Paul, and Jackson 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 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. Alcohol beverage license for Holiday Oil #72, located at 4328 W 5500 S.**
- 2. Re-appointment of Torris Brand and Christopher Collins to the Planning Commission.**

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

E. Public Comments

Mayor Pro-Tem Joe Paul opened the floor for public comments.

Terry Wilson gave his address as 3819 Foxland Drive, and stated he had spoken with the Mayor last week in regard to Table 10, part three, which discussed accessory units in residential areas. He recalled last year, he had asked how many feet needed to be between a shed and the property line, and he said the answer he

had been given by the Planning Commission was that the distance needed to be eight feet. Mr. Wilson discussed there were many people in the area who had sheds that reached all the way to their property line, and said he did not want to get anyone in trouble, but he wanted to have a shed near his property line as well. He reported he had worked with Home Depot last fall to have a temporary shed installed, near the edge of his property, and he shared some details of the shed. He said his next-door neighbors had reported the shed, and he had been issued a citation and told by the City that he needed to tear it down. He complained this was unfair, and claimed the shed was not an eyesore and was entirely on his property. He said while it was close to the property line, it followed all of the other regulations of an accessory unit.

City Manager Matt Andrews replied he did not think the public comment section of a Council Meeting was an appropriate place to debate a citation for violation of an ordinance. He said it would be better for Mr. Wilson to request a variance, and said from the City's point of view, the shed was technically not allowed, and the only course of action they would have would be to change the entire ordinance. He further suggested Mr. Wilson speak with City Attorney Andy Blackburn and City Staff first, and he could come back before the Council after that.

Mayor Pro-Tem Paul closed the floor for public comments.

F. Action Items

1. Resolution 22-12 A resolution adopting the memorandum of understanding between the City of Roy and the United Way of Northern Utah.

City Manager Andrews stated there was an MOU between the City and United Way. He explained it allowed United Way to collect funds for the complex, and they would set up a payment method for a 2% administrative cost. He said the City was not set up to deal with taxes and filing, so this gave people a way to make donations which would be tax-deductible. Councilmember Diane Wilson asked if Venmo or paper checks would be accepted, and it was explained it would be preferred for all donations to go through United Way. City Manager Andrews added all of this would be explained on their website as well. Councilmember Wilson asked when donations would be accepted, and City Manager Andrews said he wanted to get everything ready as soon as possible. He said they were nearly done building the website, and they anticipated they would accept donations between August and November. He added the QR code would be posted on Roy City's website and their social media channels.

Councilmember Scadden motioned to approve Resolution No. 22-12 a resolution adopting the memorandum of understanding between the City of Roy and the United Way of Northern Utah. Councilmember Jackson seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye". The motion carried.

2. Resolution 22-13 A resolution to update the Master Officer Policy.

Police Chief Matthew Gwynn thanked the Council, and stated he wanted to update the Master Officer Policy. He stated they had addressed the policy several times over the years, and said different police chiefs over the years had differed in their opinion of what constituted a Master Officer. He said that currently, their policy was that one could not be considered a Master Officer until they had eight years of experience, regardless of their education, although in the past a bachelor's degree had qualified one to be a Master Officer. He said the standard was generally, after five years, an officer was considered to have sufficient experience in the field. He explained that once an officer was a Master Officer, they were eligible to become a Sergeant or other promotions. Police Chief Gwynn proposed a new career ladder, in which it was the determination of the police officer as to how quickly they became a Master Officer. He discussed this would incentivize police officers to work hard, and entice officers to continuously be

training and working to be better officers. He asked the Council's approval to make this change.

Councilmember Wilson thought this was a great way to incentivize officers to be better. Councilmember Sophie Paul asked if the officers had seen the proposed plan, and Police Chief Gwynn replied they had seen it and were in favor of the changes. He then shared the scoring matrix, which awarded points for experience, physical fitness, and education. Mayor Pro-Tem Paul commented this would help officers to become more well-rounded. Police Chief Gwynn also discussed that with the new program, officers would have to apply and submit documentation which showed they qualified to be a Master Officer, and it would no longer be automatically assigned to an officer after eight years on the force.

Councilmember Scadden motioned to approve Resolution No. 22-13 a resolution to update the Master Officer Policy. Councilmember Sophie Paul seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye". The motion carried.

3. Ordinance 22-9 An ordinance amending the Roy Municipal Code, portions of Title 9 Building and Construction Codes.

City Attorney Andy Blackburn stated the International Building Code was updated every few years, and they were required by the State to accept the changes in their City Code. He explained they were updating their Code to ensure they remained in compliance.

Councilmember Scadden motioned to approve Ordinance 22-9 an ordinance amending the Roy Municipal Code, portions of the Title 9 Building and Construction Codes. Councilmember Jackson seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye". The motion carried.

G. Discussion Items

1. CJC Funding

City Manager Andrews said they had received an interlocal agreement between them and Weber County, which stated the building would be owned by Weber County. He said the Council could choose to approve the interlocal agreement at the next Council meeting, and if they wanted to do anything with the budget, they would have to add it to the official budget. He said the current budget for the project was \$142,895, and the agreement proposed they use ARPA funds for the building. He clarified that amount was a one-time cost, and did not obligate them to any yearly fees or ongoing costs. Councilmember Sophie Paul asked where the next closest building would be, and Police Chief Gwynn replied most Counties had access to a facility, and he thought the closest one to them was in Farmington. He said in his professional opinion, the services the City received from the facility were important, and he explained the CJC was a clearinghouse for their investigations in child abuse cases. He discussed the process of how child abuse cases were handled at the Children's Justice Center, and he noted it freed up a lot of time for their investigators. He said it gave children a place to go that was not the police center, and allowed them to speak with professionals who were licensed and certified to work with children. He also noted it was more cost-effective for them to utilize a facility like that, and he liked the idea of using ARPA funds.

Councilmember Paul asked how many Cities were participating in the funding of the Center, and Police Chief Gwynn responded that while many of the smaller cities had dropped out, Weber County would be funding a large portion of the project along with Roy City. Councilmember Paul asked if Cities that did not pay for the Center would still be able to utilize it, and Police Chief Gwynn responded they would be able to use it, and added it was not mandatory to use the Center to process child abuse cases, but it helped

greatly.

2. Roy Days Safety

Parks and Recreation Deputy Director Jody Call reported on public safety issues in regard to Roy Days. She focused on the parade, and stated the parade had been a point of conversation in her seven years of being an event director for Roy Days. She said there was a lot of pressure on City Staff to ensure everyone's safety, and said they tried to get better every year. She recalled her first year, she had been terrified by the amount of people in attendance at the parade, and remembered there had been an unfortunate accident recently at a parade in Kaysville. She said in response to the accident, she had spent time meeting with the Kaysville police chief and other nearby cities to determine what had gone wrong, and find solutions to circumvent those issues. She acknowledged people did not like change, but felt the changes were necessary to keep everyone safe.

Parks and Recreation Deputy Director Call stated she did not want to have any rules in place which would not actually be enforceable, and she gave an overview of the parade route. She overviewed some of the main safety concerns of the parade routes, and shared some photographs to support her comments. She distributed updates to the full list of safety rules for the upcoming year. She announced there would be two safety lanes, and said they had come up with a new, more safe model for candy distribution. She explained the main change was that candy could not be handed out from a moving motor vehicle. She also indicated they had updated the entry and exit lanes for cars coming in and out of the parade area. She acknowledged these rules were more stringent than in some other cities, but pointed out the Roy parade was much larger than what other cities did, and as such, there were more safety risks. Parks and Recreation Director Call indicated there would be a separate area for performers, so they would be securely out of the way from any moving vehicles. She said there were 80 entries from people and groups who wanted to participate in the parade.

Councilmember Jackson noted the Councilmembers would not be able to throw candy from their float or golf cart, and Parks and Recreation Director Call confirmed they would not be allowed to do so, unless they wished to walk rather than drive. Councilmember Scadden thought these measures were an overreaction, and did not think it made sense to change all of their policies in reaction to once incident which had occurred in another City. He cautioned if they changed the parade too much, people would stop coming altogether. Parks and Recreation Director Call said their current rule was that no one under the age of 13 should walk in the parade or throw candy, although that had happened in years past. She pointed out enforcement was an issue, and said having children walking in the parade close to trailers and cars was dangerous. The Councilmembers acknowledged that was an issue. The Councilmembers discussed the issue of enforcement, and thought it made the most sense to mitigate candy-throwers to a designated "safe" lane that was well removed from moving vehicles. Councilmmember Scadden thought they should give the general public one more chance to adhere to the safety standards when it came to safety standards, and then if there were more infractions this year, then they would eliminate candy-throwing altogether in the coming years. Parks and Recreation Director Call pointed out it would be hard, if not impossible, to ensure that everyone was made aware of that. She said she needed better direction as to how Staff could enforce the rules that were already in place. Councilmember Jackson reiterated the biggest draw to the parade was the candy, and said while she understood the need for safety, she was conflicted since she did not want to discourage people from going to the parade. Councilmember Sophie Paul asked if the Council chose to walk in the parade, they would be allowed to pull wagons and throw out candy that way.

Parks and Recreation Director Call imagined that most of the participants in the parade would have a significant issue with the new safety measures. She thought most people would understand in light of the accident in Kaysville. She added if they did not take action and anything happened, they would be blamed

for not taking better safety measures. Mayor Pro-Tem Paul agreed it was very important that they took appropriate safety measures, and said the Council needed to adhere to the new precautions as recommended by Parks and Recreation Director Call and the police force. Councilmember Sophie Paul suggested since they could not hand out candy on the float, they should have bags of candy at the “Save the Complex” fundraising booth. Councilmember Jackson thought people would wonder why the City did not have candy for them otherwise. City Manager Andrews thought it would be fine to have candy at the booth for the Complex.

Councilmember Scadden said in terms of enforcement, they should tell people who threw candy that they had to leave the parade, and if they found repeat violators of that rule, those people would be banned from the parade for at least several years. Parks and Recreation Director Call said she intended to email the new safety rules to the participants that evening, and said her department was considering doing a video as well that would highlight the new rules, as well as expand on the need for safety. She said that things were not the same as they had been in previous years, and they needed to keep everyone safe.

Police Chief Matthew Gwynn discussed the issue of gang violence at and around the Roy Days festival. He stated another nearby town had experienced a shooting at their recent Heritage Days festival, and said it had been a problem in years past in Roy City for rival gangs to show up and cause issues. He said one of the main issues in previous years was the amount of dead space in the park where there was no lighting and plenty of trees and brush that people could hide behind. He explained that for that year, they had roped off that area to inhibit people from loitering there, and they had also posted police officers at every entry and exit for the parade to look out for anyone suspicious. He added they were still debating if they were going to allow people to bring bags in. He explained they did not have the manpower to have police officers every bag for guns or other weapons, so they would just have to ban every bag, other than possibly diaper bags. He added there would also be fences around the entire vicinity. He clarified people would still be able to crawl over the fences, but it would serve as a deterrent. He shared on the map exactly where the fences would go. The Councilmembers discussed that many people would need bags to bring water and other necessities into the parade, and Police Chief Gwynn stated from a safety standpoint, it was better to have no bags. He added free water was provided inside the grounds, and said people found solutions to carry their belongings when they went to other places in which bags were not allowed. He further clarified he was not trying to make the area a gun-free zone, as he did not have an issue with people who had legal conceal-carry permits.

H. City Manager & Council Report

I.

City Manager Andrews reported the Farmers Market would begin on August 3rd on Wednesday nights from 5 to 8 PM. He said that although it would be going on during Roy Days, it would not interfere with the staging for the parade. He also announced the Pioneer Days parade was coming up, and the City had put in a float. He stated it was on July 25th at 8 AM, and said he needed a list of Councilmembers who wanted to participate in the float. He added their float was the new fire truck, and it would be the back of the parade. The Councilmembers replied they were all unable to attend the parade for various personal reasons.

Public Works Director Ross Oliver reported a mechanical engineer had looked over the boiler in the complex, and said he would have a bid ready for them in mid-August. He said RFP would be advertised for two weeks, so the earliest they could have an approval would be in early September. He said after that, the earliest estimate to obtain a new boiler and all the materials needed would be about 90 days, so at that rate, the earliest that the repairs would be done would be at the beginning of the next year.

The Council returned to the earlier conversation banning bags from the Roy Days parade. Mayor Pro-Tem Paul said they had thought about banning bags, skateboards, and bikes. Councilmember Jackson asked if those items would be explicitly banned, or if they would have signage which stated those items might be

checked. Police Chief Gwynn recommended they do a blanket ban on all bags, except for bags related to those with ADA needs. Councilmember Jackson worried a lot of people would be mad, and she thought it would be enough of a deterrent for people if they knew their bag might be searched. She also feared cars would be broken into if people had to leave their purses and valuables in the car. Police Chief Gwynn discussed that he wanted to find a happy medium that worked for everyone, and reiterated his earlier point that at concerts or similar events, often only very small bags such as fanny packs were allowed. Councilmember Jackson suggested they ban backpacks, but not all bags, and Police Chief Gwynn discussed that would be difficult to enforce, and it might incentivize people to bring even bigger bags, such as a duffel. Councilmember Jackson pointed out they would need to have a lot of signage if they wanted to ban bags, to mitigate scenarios in which people walked all the way to the entrance only to find out they had to turn around and leave their bags in their car. Police Chief Gwynn said they were still considering all their options, and said enforcement would be difficult if they went with the signage that “bags may be checked.” He said if they did that, they would also need an ordinance which explicitly gave the City permission to check people’s bags. Councilmember Sophie Paul thought it would be good to see how people responded to the fences this year, and then make decisions from there for following years. Mayor Pro-Tem Paul agreed they had many options, and said they could even sell clear bags at the doors that people could use to carry their belongings.

City Attorney Andy Blackburn said he did not want to look into their legal options if the Council was not going to ban bags anyway. The Council directed City Attorney Blackburn to determine if they were legally allowed to prohibit bags, and he said they would be within their legal rights to do so, as long as there was clearly posted signage. City Attorney Blackburn said he would come up with appropriate verbiage for the signs.

J. Adjournment

Joe Paul
Mayor Pro-tem

Attest:

Brittany Fowers
City Recorder

dc:



ROY CITY
Roy City Council Special Work Session Minutes
August 1, 2022– 5:30 p.m.
Roy City Council
5051 S 1900 W Roy, UT 84067

Minutes of the Roy City Council Meeting were held in person in the downstairs conference room at Roy City Municipal Building and streamed on YouTube on August 1, 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 Wilson	
Councilmember Sophie Paul	

Excused:

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; Glenda Moore and Leon Wilson also attended.

A. Welcome & Roll Call

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

E. Discussion Items

1. FY 2023 Budget

Councilmember Diane Wilson asked what the current rate of inflation was, and wondered if the tax increase would relate to inflation. Mayor Dandoy directed the Council to define how the money would be spent, if there were to be a property tax increase. He imagined that a portion of the increase would go towards the complex, and another portion would go towards Public Safety. He elaborated they were not required by State law to define the money attribution, but thought it would be good for the public to be aware of how the funds would be spent. Councilmember Joe Paul thought all of the money, if there were increased taxes, should go towards public safety. Councilmember Wilson reiterated her question as to if inflation would be accounted for, and if there would be a tax increase. Mayor Dandoy replied the high rate of inflation was a compelling argument to increase the property tax rate, but Councilmember Joe Paul opined that the Rainy Day fund was intended to account for changes in inflation, and did not think the tax rate should necessarily have to rise in light of increased inflation rates.

Management Services Director Amber Fowles explained they were required to keep the property tax rate between 5% and 35% of revenue, and the Council historically stayed at around 18% of revenue, which was about \$6 Million. She said since they had taken out \$500,000 for the complex, they would have a little less than \$6 Million for that year. She elaborated that they would need to pull additional expenditures from the fund balance. She estimated they would need about \$100,000 to cover their expenses, since they had taken so much money out for the complex. Councilmember Joe Paul said there was more money than

that amount in the Rainy Day fund, so they would be able to pull the money from that fund. Management Services Director Fowles discussed the rising prices of fuel, and said it was hard to estimate if those prices would continue to rise or if they would fall next year, which made it hard to make estimates for the next year. Mayor Dandoy discussed the United States inflation rate, compared to the CPI, and said it would be interesting to see if those inflation rates were the same.

Councilmember Joe Paul said \$100,000 would be a tax increase of about 2%, and Councilmember Wilson imagined they would get a lot of public backlash at the Truth in Taxation meeting if they raised the tax rate. She commented everyone she had spoken with wanted a tax rate of 5% or less, and said the general public consensus was that they were a safe city that would not be impacted by tax hikes. Councilmember Joe Paul replied it was important for the public to understand where and how their tax money was spent, and he pointed out that the City's tax increase would be the smallest portion of the tax increase. He said they would need someone to articulate very well at the Truth in Taxation meeting, and discussed that many members of the public were accusing Roy City of raising taxes. He added Roy City had actually not raised the City tax in five years.

Management Services Director Fowles said a large percentage of people would experience a 15% tax increase, even if there was no increase at the City level, just because of how tax brackets worked. She pointed out the increase would not impact everyone equally. Councilmember Joe Paul added that many people were complaining the inflation of property values was also increasing their taxes, and he explained briefly why that was actually not correct, and the arbitrary inflation of home prices did not necessarily mean that tax rates would also increase.

Mayor Dandoy summarized that if the Council supported a 15% tax rate, they would receive about \$600,000 dollars, and he asked what they would get in just Public Safety with that amount of money. Management Services Director Fowles responded that would break down to about \$114,000 per police officer, \$90,000 per firefighter, plus an additional police vehicle for \$60,000. She clarified those figures included their equipment.

Councilmember Joe Paul stated firmly he did not support 15%, although he supported the Police and Fire departments. He further stated they needed to be interacting with their constituents now, rather than just at the Truth in Taxation meeting. Mayor Dandoy agreed that was important, but said they also needed to pay attention to what was going into the public record. Mayor Dandoy said the meeting on August 16th would be very important. He said if the rate was to be less than 15%, they needed to think about what they would still be able to do for Public Safety. The Councilmembers discussed how money would be allotted if they went with 10%, and debated if they would prefer to hire more police or more firefighters. Mayor Dandoy stated they would choose the tax rate, and then turn it over to City Manager Matt Andrews to determine exactly how that money should be spent.

Councilmember Wilson and Councilmember Joe Paul discussed the possibility of using the Economic Development Director position to fulfill the duties of assistant City Manager. Councilmember Joe Paul said he was not sure of how the breakdown would go, but said they needed an employee being proactive about developments in Roy City. He pointed out that Clearfield, which had a similar population to Roy City, had both a full time Economic Development Director and a full time City Manager. He commented there were tasks in the City which needed to be accomplished that neither the current City Manager or the Councilmembers had time to work on. Councilmember Wilson pointed out they would need a tax increase to account for the salary of an Economic Development Director, and said if they did City Manager duties then the salary would have to be pulled from the General Fund, rather than the RDA. She said the estimated salary was \$190,000, which would require a 5% tax increase, but Councilmember Joe Paul explained that was not the base salary, but the entire compensation package including benefits, and he worried there was a lot of misinformation about the position circulating around. Councilmember Wilson

still argued that benefits would be costly. Councilmember Joe Paul replied that initially, the majority of the position could be geared towards economic development, so the salary could be taken from RDA, and they could adjust that over time.

City Manager Andrews said they had great need for both more policemen and firefighters, as both departments were understaffed. He said at least one more employee in both departments would be beneficial. He said they also were still waiting for the Safety report to come back from the County, and once they received that report back, they would also get additional funding from the County. He clarified the purpose of those funds would be for the staffing of an additional emergency vehicle.

Councilmember Wilson asked what the tax percent would be if they were to hire two more police and two more firefighters, and it was responded that would require a 10% tax rate. Councilmember Wilson acknowledged that an Economic Development Director would be beneficial to Roy City, as it could incentivize new businesses to come to the City. Mayor Dandoy explained how the structuring would work if they were to hire an Economic Development Director. Councilmember Joe Paul added if they hired a good candidate, they might not need to contract as many other people for extra services, so they might save money in that way, and he stated there would be plenty of work to justify a full-time Economic Development Director. The Councilmembers briefly discussed they could also incentivize developers into Roy City if their website was easier to navigate, and they could find building permit applications and other resources easily online.

Mayor Dandoy commented many of their ordinances were archaic, and so it was difficult for developers to adhere to the standards outlined in them. He said they were very restrictive in what they allowed developers to do, and so they needed to modernize their zoning in the Code. He recalled that years ago, he had worked with a previous Mayor to update some of their building Codes, but there was still a lot of work to be done. He discussed the advantages of having more businesses in their town. There was also a short tangent about UDOT's plans with Woodbury, and the Mayor Dandoy commented UDOT had told residents and business owners in that area to not make any plans, but they had not yet announced any formal acquisition plans.

Mayor Dandoy stated he had been in favor of an Economic Development Director for many years, although his issue was that the Council was also discussing a tax rate increase. He said his concern was that 5% was a lot of money, and if they did not fill that position, they would be able to allocate those funds across the board. It was brought up in response that those funds were RDA, so they actually could not be allocated across the board. Councilmember Wilson pointed out that bringing in more businesses to Roy City would increase the sales tax revenue. Mayor Dandoy said they would not know what downtown would look like until they received a design plan from UDOT, and cautioned it would be unwise to make decisions before UDOT had an official design plan. Councilmember Wilson suggested they utilize Randy Sant to help them make economic decisions, without the expense of hiring a new full time position. Management Services Director Fowles explained 20% of the Economic Development Director position was funded from the General Fund, and the rest of the position was funded from RDA, so they would not be able to reallocate that money to Public Safety, if they decided not to fill the position. She added 20% was about \$38,000, which could fund a part time position. Mayor Dandoy said if the Councilmembers wanted to withdraw their approval of the Economic Development Director position, they would need to do so quickly, since the budget would be approved on August 16th, and the position was approved in the tentative budget. The Councilmembers, with the exception of Councilmember Wilson, expressed support of the full time position.

City Manager Andrews stated they had allocated \$500,000 for all the repairs needed at the complex, but they had received an estimation of \$695,000 for just the boiler and the plumbing repairs. He said it still needed to be sent out to bid, but per State law, they could not send out bids until they had the money

allocated somewhere in the budget. It was discussed that all of the repairs could be put off for another year, with the exception of the boiler. City Manager Andrews stated the tunnel that was used to access the boiler was starting to collapse in on itself as well, and would need to be repaired in the near future, but the main thing that was keeping the complex from opening was the broken boiler. Mayor Dandoy summarized that they would not know how much the total repairs would cost at this stage. He said the Council would have to make a decision based on the information that they had currently, and they would have to find other sources of money. He hoped that Roy Days would be a good source of fundraising, and said they would have to find some donors to raise the money. Mayor Dandoy also suggested they needed to be thinking about a new complex several years down the line. He proposed they add it to the ballot, and let the public decide when they would want to fund a new complex. He assumed, given the state of disrepair at the current complex, that it would not be functional in ten years time. Councilmember Wilson expressed frustration that the complex had not been maintained over the years, and now they were faced with the burden of fixing it. City Manager Andrews agreed this was a difficult year for the Council, and they had many things to deal with in light of staff shortages.

Councilmember Sophie Paul summarized that \$500,000 would merely be a bandaid solution, and asked if they should start taking steps to add a proposal for a new complex to the ballot. Mayor Dandoy said they needed to consider if they could get ten more years out of the current complex, which would give the Council time to get a bond approved that they could use to buy a new building. Councilmember Wilson said if the development team did their work right, they could even get 15 or 20 more years out of the current complex, but they would have no way of knowing how sustainable the repairs would be until the work was done. Mayor Dandoy said part of the problem was that, due to location, the complex would never see its full potential, since they were limited by parking. He said due to the limited parking, the Council in years past had never been willing to fully fund the complex, since they would not see the return on that investment. He did note that when the new high school was built, it would help alleviate the parking issues.

Mayor Dandoy reiterated that the Council needed to seriously think about getting a new complex, and suggested they consider a regional complex. He said they could approach Riverdale and other nearby cities to discuss a shared, regional complex that they could all pay for and utilize. The Councilmembers discussed they could share a complex with other cities, as long as they were in the same county. Mayor Dandoy clarified he had not reached out to other mayors at that point, but thought it would make sense to have a shared facility.

Management Services Director Fowles said if they went with a 10% tax increase, that could comfortably yield them two new employees in both the police and fire departments, plus a little extra. She asked how the rest of the money should be allocated. City Manager Andrews said that was a tough choice, since both police and fire could benefit from at least one more employee. He said the fire department had three shifts, and the police department had five, and it was hard to recruit a floater employee who could pick up random shifts. He said it would be easier to find employees if they could offer a regular schedule. He commented inflation added about a \$100,000 hit to the budget, but said they had accounted for inflation in the emergency fund, so they did not need to factor inflation costs into the tax revenue. Management Services Director Amber Fowles repeated that with a 10% tax rate, they could get two employees in both the police and fire department, or three firefighters and one new police officer. City Manager Andrews said that was correct, but clarified that was the minimum cost for new employees, and the amount would rise in subsequent years as benefits and wages increased.

Councilmember Wilson asked how many citizens Roy had per police officer, and Police Chief Matthew Gwynn replied they had one officer per 1,008 residents, which was higher than the national average of one officer per 400 people. He added even with two additional staff, they would still be understaffed overall. Mayor Dandoy overviewed the process of the Truth in Taxation meeting. He said Council had the

authority to make a decision on the tax rate between 0 and 15%. He said he did not want to spend the entire evening going through votes, and said he would like to have a roll-call vote that could get to a final number quickly. He instructed the Councilmembers to get feedback from the public before the meeting, so they came to the meeting with a number in mind that they were prepared to vote for. Councilmember Joe Paul added that while he appreciated public comments and was grateful for the amount of people that showed up to speak, they needed to have structure for the meeting to ensure it did not get out of hand. He proposed they limit public comments to three minutes. The Councilmembers discussed they had purchased a time clock for that purpose, and agreed that they needed to set a limit for public comments. It was further discussed that the public would only have one chance to speak, and could not shout out comments from the audience when it was not their turn.

Mayor Dandoy recalled their last public meeting had gone until well after midnight, and he cautioned he did not want that to happen again. He said they needed to make it clear that taxes were the only topic that would be spoken about, and they would not allow the meeting to get off topic, and specifically, comments about the complex would not be permitted. He suggested the Council answer questions that members of the public asked during their comment, as other people might have similar questions, and answering the questions as they went along might help expedite the public comment section of the meeting. It was also discussed that at the last meeting, some people who had a dissenting opinion from the majority had felt it was unsafe to voice their opinions, and Mayor Dandoy noted a police officer would be present at the upcoming meeting. Mayor Dandoy directed the Council to come to the meeting prepared to articulate and defend their positions, while still listening to the public comments. He said there would be a lot of emotion at the meeting, and the Councilmembers would need to be able to explain why they held the opinions that they did. He also stated the Councilmembers must remember that the decisions they made about taxes had very real financial impacts on their residents, and the country was facing difficult times. He said local governments had a great impact on residents, and they needed to be cognizant of that fact as they determined the tax rate.

F. Adjournment

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

dc:

RESOLUTION 22-17

A RESOLUTION OF THE ROY CITY COUNCIL DECLARING THE WEEK OF SEPTEMBER 17th THROUGH SEPTEMBER 23rd, 2022, AS CONSTITUTION WEEK.

WHEREAS: The Constitution of the United States of America, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS: September 17, 2022, marks the two hundred thirty-fifth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

Now, therefore we, the Roy City Council do hereby proclaim the week of September 17 through 23 as **Constitution Week**. And invite our citizens to observe such week in schools, churches, and other suitable places with appropriate ceremonies and activities.

In Witness Whereof, I have set my hand and caused the Seal of the City of Roy to be affixed this _____ day of September 2022

Robert Dandoy
Mayor

Attest,

Brittany Fowers
City Recorder

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

Resolution No. 22-18

A RESOLUTION OF THE ROY CITY COUNCIL DESIGNATING 4800 SOUTH SHOULD ALSO BE KNOWN AS “ROYAL WAY”.

WHEREAS, the Roy City Council appreciates Roy High Schools vital contributions to the community which enhance and further the city’s mission of being a great place to live; and

WHEREAS, Roy High School opened it’s doors on 4800 South in 1965; and

WHEREAS, the Roy City Council desires to recognize Roy High School by requesting that 4800 South be also known as “Royal Way”; and

WHEREAS, the Roy City Council and Roy High School wish to install the “Royal Way” street marker sign toppers above City maintained street marker assemblies within the public right of way along 4800 South; and

WHEREAS, the City regularly installs and maintains post-top mounted street markers in the City right of way and on City owned property; and

WHEREAS, the City Manager can designate the Public Works Director to be responsible for the implementation of sign topper designs;

NOW THEREFORE, BE IT ORDAINED by the Roy City Council, that 4800 South should also be known as “Royal Way” and that street marker sign toppers be installed above city-maintained street marker assemblies within the public right of way on 4800 South designating such and is hereby adopted on this _____ day of September 2022.

Robert Dandoy, Mayor

Attested and Recorded:

Brittany Fowers, City Recorder

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



SYNOPSIS

Application Information

Applicant: Conner Atkin; Tagg-N-Go
Request: 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.

Staff

Report By: Steve Parkinson
Staff Recommendation: Approval

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10 - Zoning Regulations
 - Chapter 13 – Mixed Use
 - 10-13-3 – Building Types – Table 3.1 (1),
§ 3) Store Fronts,
§ 4) General Stoop Buildings,
§ 8) Row Buildings.

PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing on July 12, 2022.

Vice Chair Payne opened the floor for public comments.

No comments were made

After some discussion on the proposed changes and how it will affect the City as a whole, the Commission voted 7-0; to table the item in order to discuss the language further and get it right.

During the July 26, 2022 Planning Commission Work-Session the Commission **discussed the issue in depth** and after reviewing a couple of options of how to ensure that the properties that have frontage to both 1900 West and a secondary type street (i.e. 2000 West, 5200 South & 5300 South) would still be required to have commercial along 1900 West and still have the ability to have residential along the secondary streets which is more compatible with surrounding developments.

On August 9, 2022, the Planning Commission voted 7-0; to forward to the City Council a recommendation to approve of 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 as written.

ANALYSIS

Background:

The applicant would like to amend Title 10, 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.

Consideration as outlined in section 10-5-9 “Criteria for Approval of a Zoning Ordinance ... Amendment”



When considering a Zoning Ordinance Amendment, the Commission and the Council shall consider the following factors,

- 1) The effect of the proposed amendment to advance the goals and policies of the Roy City General Plan.
- 2) The effect of the proposed amendment on the character of the surrounding area.
- 3) The compatibility of the proposed uses with nearby and adjoining properties.
- 4) The suitability of the properties for the uses requested.
- 5) The overall community benefits.

The goals and policies of the current and proposed General Plans is to promote and provide a variety of housing types within the City.

The character of the surrounding area, by allowing Row Building along secondary streets like 5300 South and 2000 West where Single-Family dwellings are across the street provides more **similar** character than requiring commercial businesses would.

Compatibility & Suitability, within the Northern portion of the DT-G zone, 5300 South has a R-2 zone along it as well as 2000 West, So allowing Row Buildings would be more compatible and suitable than Commercial. Within the Southern portion of the DT-G zone, 2000 West, between 5700 South and 5950 South have R-1-8 zoning across the street and having residential along here is more compatible and suitable than any Commercial.

This change to the Code would only affect areas around the Downtown area of the City.

An additional question that the Commission and Council needs to reflect upon is:

- Does changing are not changing the Zoning Ordinance provide the best options for development within this area of the City?

FINDINGS

1. The proposed amendments are consistent with the General Plan.
2. Is consistent with previous discussions with the Planning Commission.

ALTERNATIVE ACTIONS

The Planning Commission can recommend Approval, Approval with conditions, Deny or Table.

RECOMMENDATION

Staff recommends forwarding a recommendation of approval to the City Council regarding the proposed amendments to 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.

EXHIBITS

- A. Applicant's Narrative
- B. July 12, 2022 Planning Commission meeting minutes
- C. Street Views of 2000 West & 5300 South
- D. July 26, 2022 Planning Commission work-session minutes
- E. Distance Options as discussed during July 26, 2022 PC Work-Session
- F. Ord. No. 22-11

EXHIBIT “A” – APPLICANT’S NARRATIVE

We would like to amend 10-13-3, more specifically table 3.1 (1) to allow Row Buildings in the DT-G zone.

We feel the intent of the Gateway Commercial zoning was for the Downtown feel. 5300 South and 2000 West fall into this zone, but he feels that these “Side Streets” should have an exemption since they are off of the main road and should be considered for different uses.

EXHIBIT “B” – JULY 12, 2022 – PLANNING COMMISSION MEETING MINUTES

3. PUBLIC HEARING – TO CONSIDER AMENDMENTS TO TITLE 10 ZONING REGULATIONS, AMENDING 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.

Applicant Jaden Rasmussen came forward and presented his address as 15464 Midnight View, Bluffdale. He said his company came from Georgia, and they wanted to hire more young people in the area and invest in other long term careers for Roy City residents. Applicant Jason Rasmussen said they hoped to amend the ordinance to allow more buildings downtown. He explained they planned to build on a side street adjacent to residential areas. He then offered some physical copies of site plans to the Commission, and noted part of their plan included outdoor covers and local expansion. He opened the floor for questions from the Commissioners.

Commissioner Brand asked if the development would later be a private business room and Applicant Jaden Rasmussen said it would be.

Steve Parkinson, City Planner, said the first part of the ordinance did allow these businesses near residential areas, although only through gateway zones. He recalled the Council had previously banned certain businesses from being in the downtown zone, though this would not affect this business.

Mr. Parkinson addressed the dimensions and exterior plans of the business, and said the applicant’s business met all the requirements, with one caveat related to access from certain streets. He said the Commission’s biggest decision would be whether to allow the business on certain streets over others. He commented streets with hedges lining the front of homes and businesses alongside 2000 West as a potential issue. He cited 5200 South, 6000 South, and 1900 West as other potential streets that the Commission would need to make a decision on.

Mr. Parkinson walked the Commission through photos of these streets to provide greater context, and noted the proximity between several homes and businesses in the downtown area. He felt a greater issue could be allowing commercial businesses on the bottom floor of multi-level buildings and permitting residential homes on the top floors. He noted many of these streets had a single family unit nature, so he explained City Staff recommended they change the zone to specify which streets were allowed to have mixed zone usages.

Commissioner Brand suggested they make limitations in cases where changing the entire zone would significantly alter the overall appearance of the street.

Vice-Chairman Payne agreed with this, and added the addition of townhomes could benefit the downtown area.

Commissioner Tanner moved to open the public hearing. Commissioner Collins seconded the motion. Commissioners Bills, Brand, Collins, Felt, Payne, Sphar and Tanner voted “aye.” The motion carried

Vice-Chairman Payne opened the floor for public comments.

No comments were made.

Commissioner Collins moved to close the public hearing. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Collins, Felt, Payne, Sphar and Tanner voted “aye.” The motion carried.

Commissioner Brand asked if they should restrict the changes or allow them. Commissioner Tanner thought they needed to first specify where they were making restrictions. He suggested they limit the language in reference to access points on homes.

Commissioner Bills asked if they only want these regulations to apply in those very specific areas. She said they would need to write a definition of what these regulations would look like.

Commissioner Tanner thought they would need to differentiate between entrance points and access points.

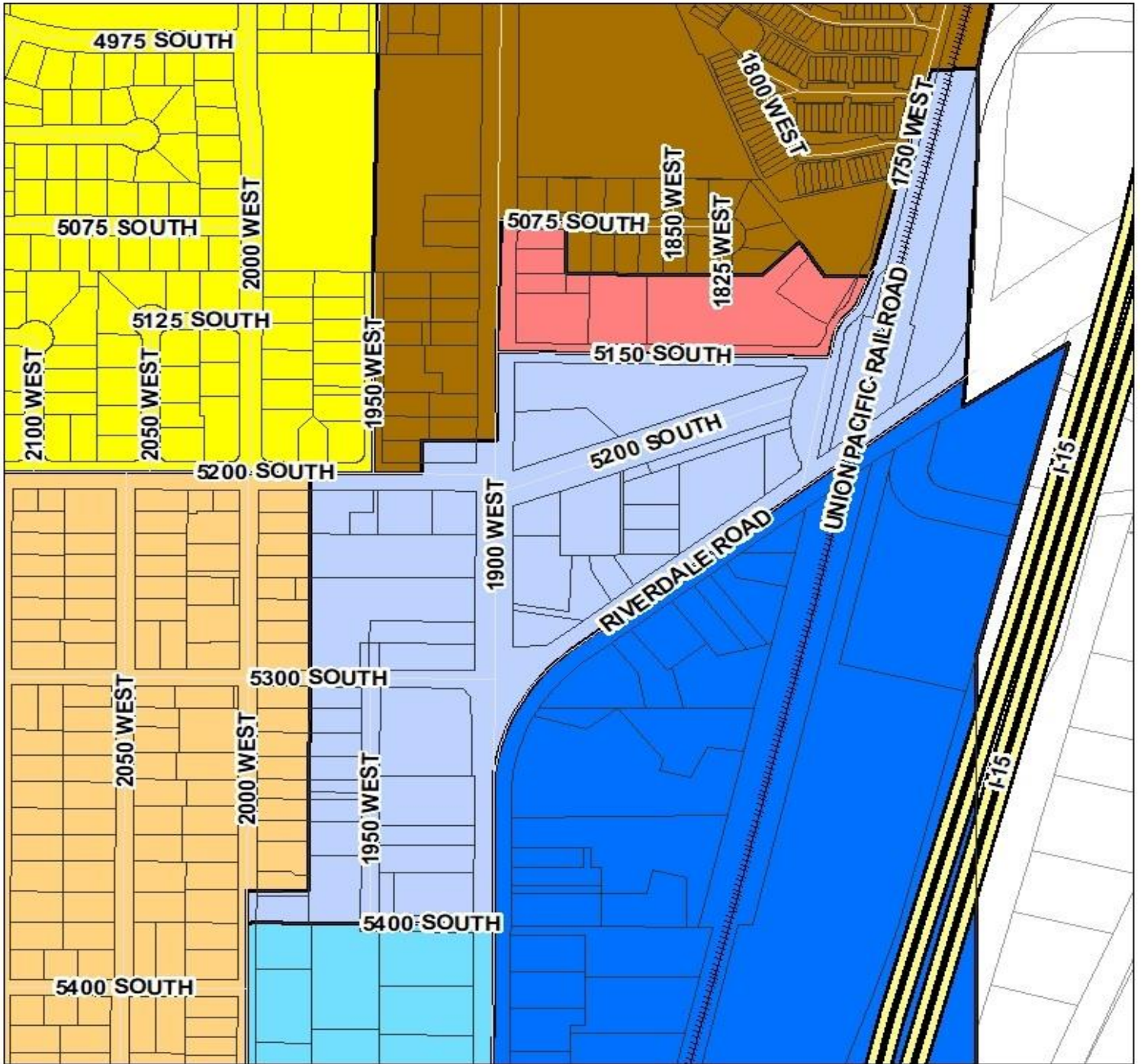
Commissioner Felt pointed out in that case, they would need to define access.

Commissioner Bills cautioned if they did not define their terms correctly that could possibly lead to certain businesses being torn down to build townhouses at a later date.

Commissioner Sphar suggested they table this discussion for later.

Commissioner Sphar moved to table the proposed amendments to Title 10 Zoning Regulations, amending 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, in order to discuss the language and get it right. Commissioner Bills seconded the motion. Commissioners Bills, Brand, Collins, Felt, Payne, Sphar and Tanner voted “aye,” The motion carried.

Northern portion of the DT-G zone

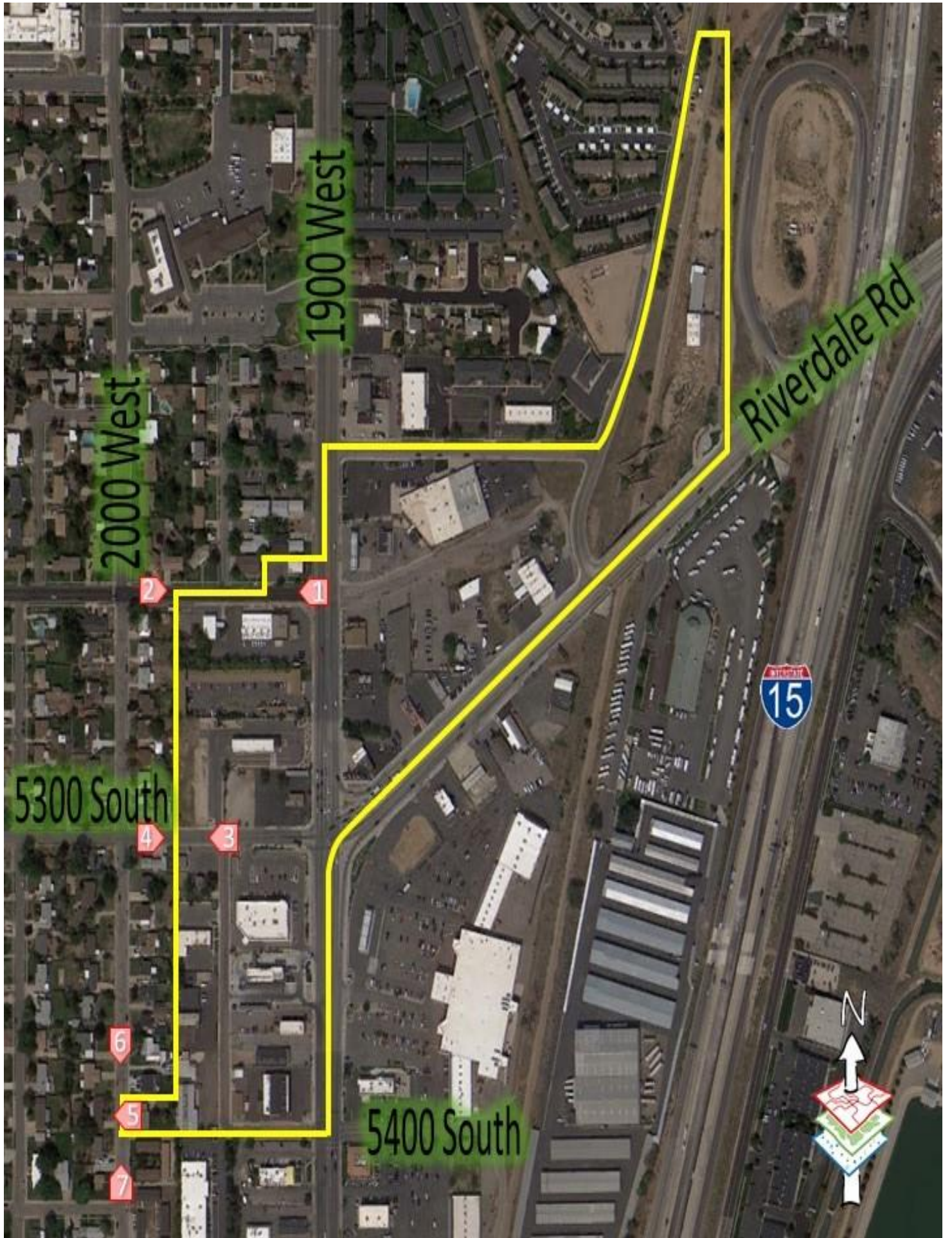


Legend

- City Boundary
- DT-E
- DT-W
- DT-G
- S-C
- S-N
- S-S
- BP
- CC
- M
- LM
- R
- R-2
- R-3
- R-4
- R-1-6
- R-1-7
- R-1-8
- R-1-10
- R-1-15
- RE-15
- RE-20
- Parcels
- RIO
- RMH-1
- D&RG Trail
- I-15
- Railroad

Zoning Map





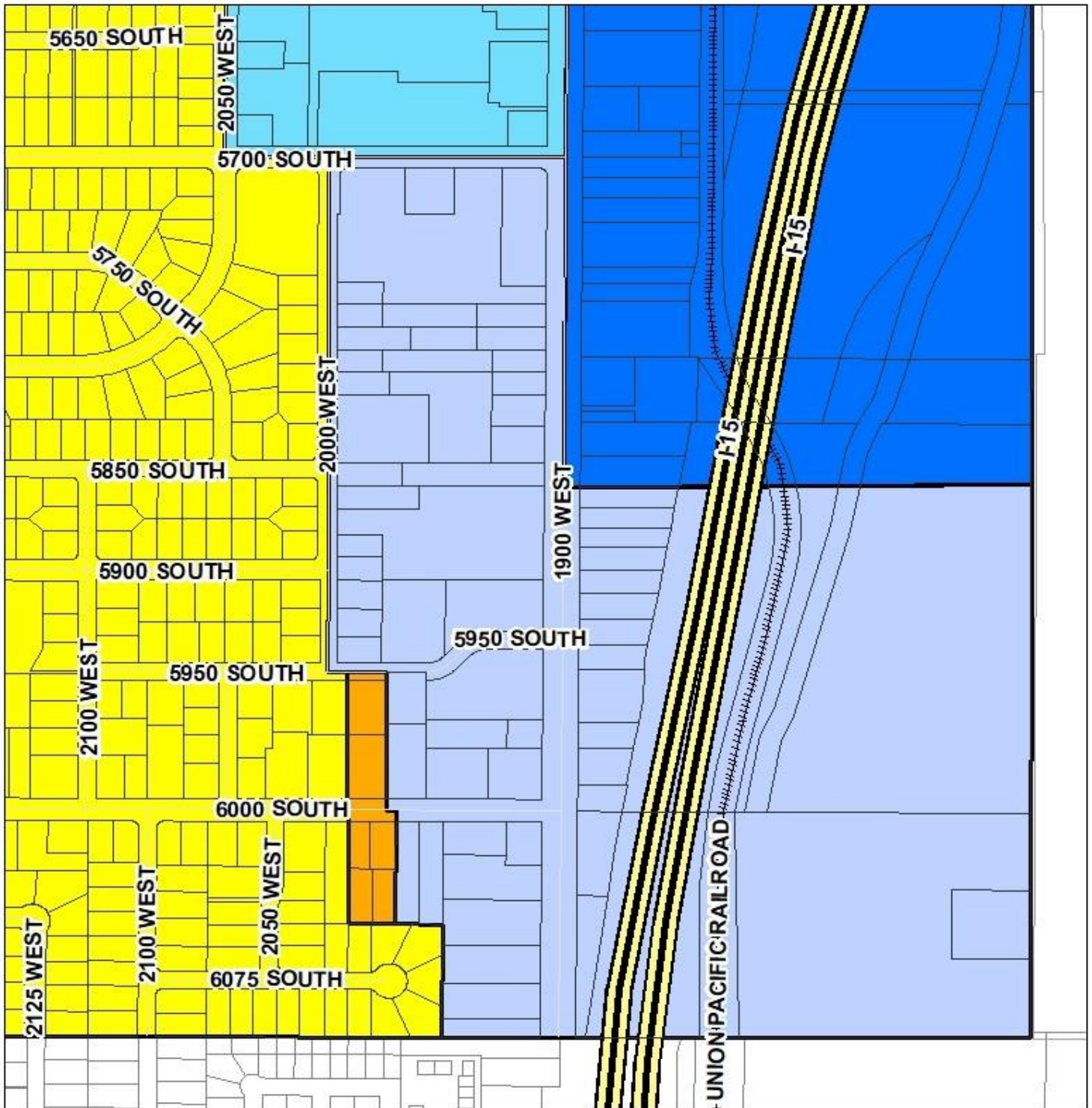








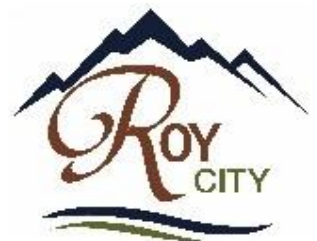
Southern portion of the DT-G zone



Legend

	City Boundary		DT-E		CC		R-1-6		Parcels
	DT-W		M		R-1-7		RIO		RMH-1
	DT-G		LM		R-1-8		D&RG Trail		I-15
	S-C		R		R-1-10		Railroad		
	S-N		R-2		R-1-15				
	S-S		R-3		RE-15				
	BP		R-4		RE-20				

Zoning Map











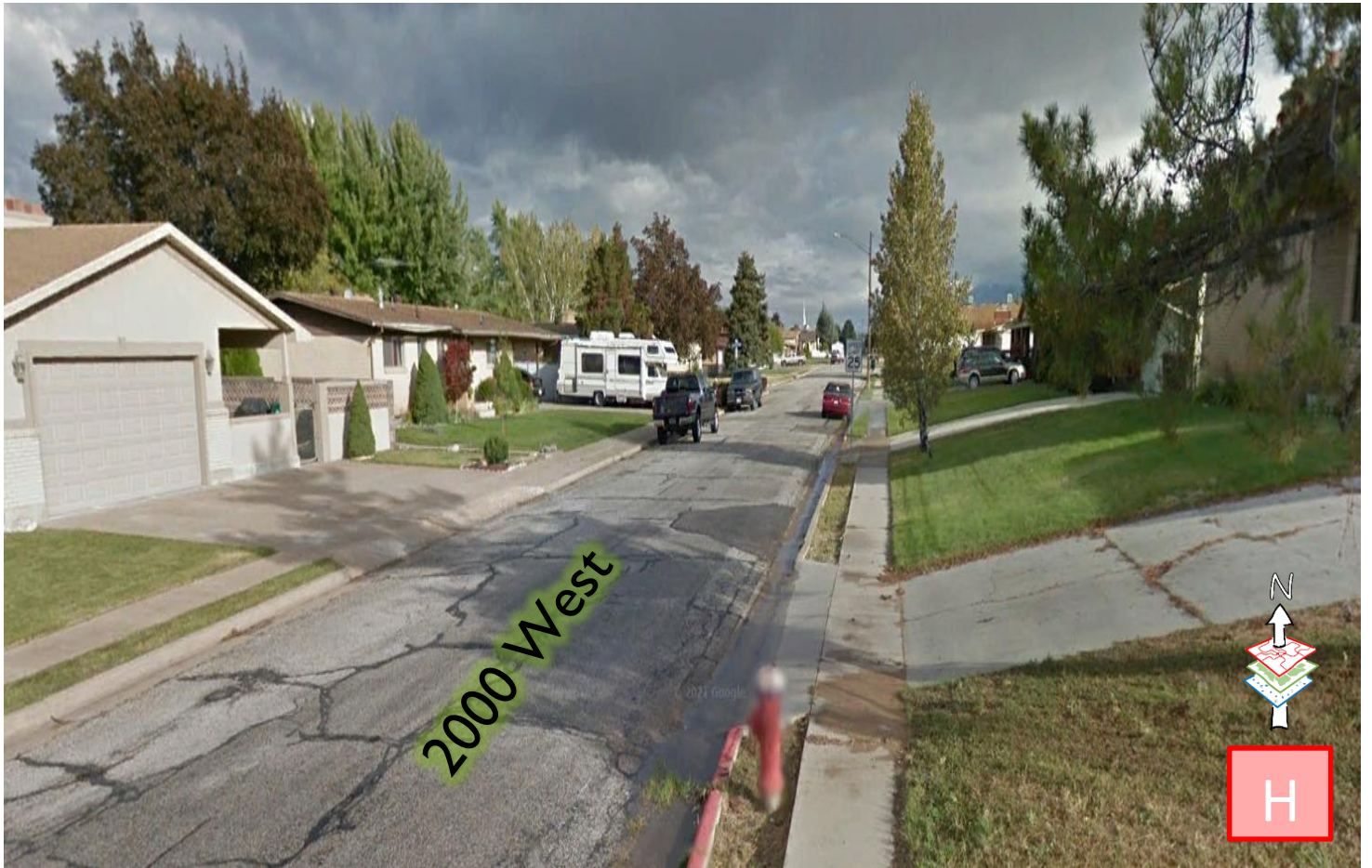
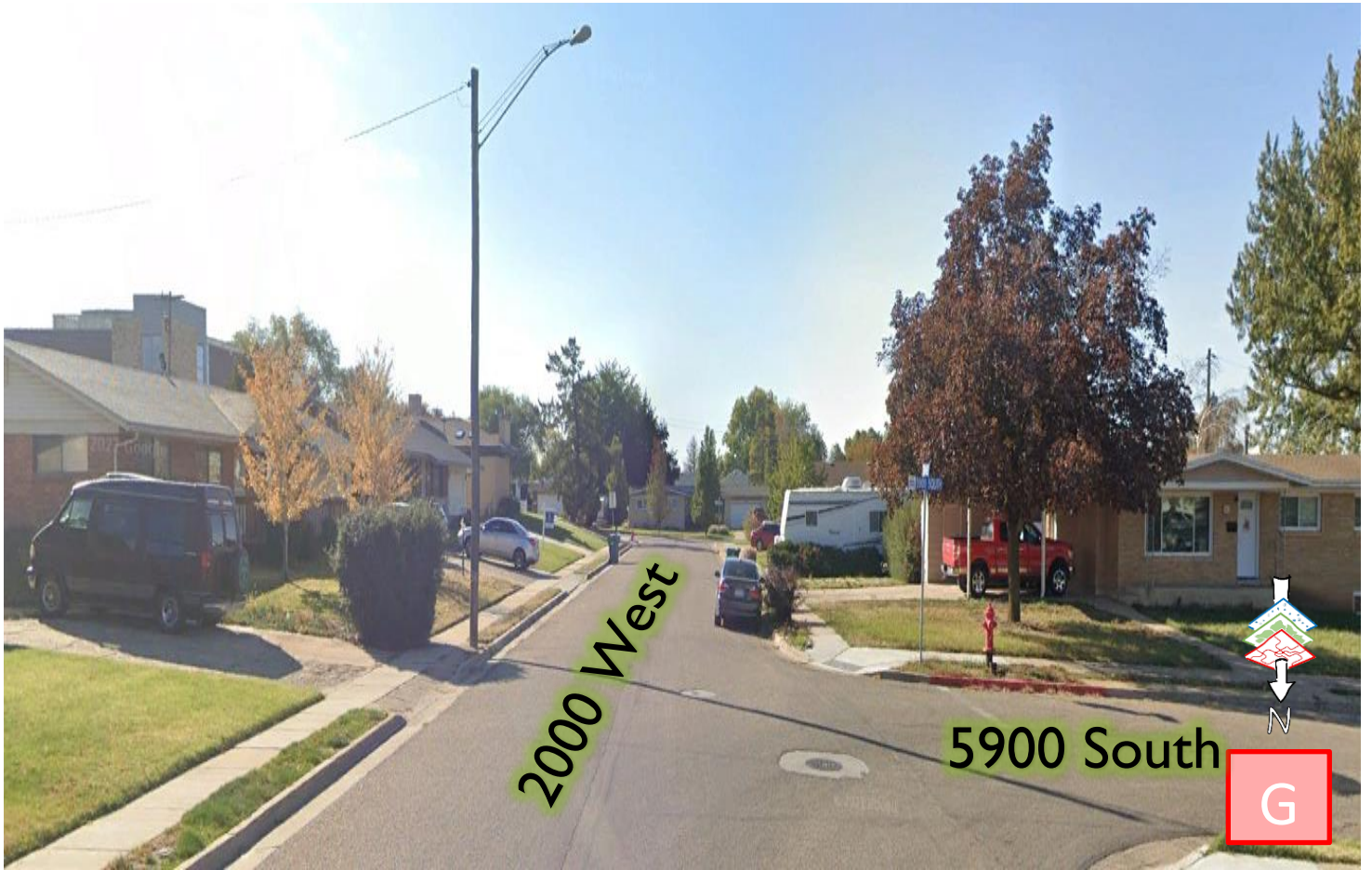




EXHIBIT "D" – JULY 26, 2022 – PLANNING COMMISSION WORK-SESSION MINUTES (SUMMARIZED)

NOT OFFICIAL

2. CONTINUED DISCUSSION ON AMENDMENTS TO TITLE 10 ZONING REGULATIONS, AMENDING 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.

Steve Parkinson, City Planner, went over what was discussed during the July 12th PC meeting. He also brought up an email that was within the packet that was received after the Public Hearing requesting the maximum height of buildings be 35 feet.

The main discussion for tonight is the language of note #10, do we allow things on certain streets or be restrictive and say you can't do things are these streets? The problem we discovered were those parcels that have frontages on a secondary street and a main road. So how do we work that issue out? Staff wants to get the Commissioners thoughts before staff presents their thoughts.

Commissioner Collins I think what we discussed last time, we were all on the same page where we wanted the 1900 West Corridor to be clean and have commercial along it and not have just residential along it. We were hung up on do we allow it on properties with frontage & access to 1900 West and secondary streets but the overall consensus was in keeping 1900 West a commercial district.

Mr. Parkinson the concern came with the parcel in question of the applicant, where it has frontage along 1900 West but only access on 5300 South. If we use language that is allows such only with access on secondary streets what is stopping someone from demolishing anything next to 1900 West and building residential only type buildings? Or do you use restrictive language where you can't do it on main roads like 1900 West but what about those properties that have access on a secondary street. So how do we "Word" it?

Commissioner Tanner, do we do some sort of setback or a certain distance off of 1900 West, in order to qualify for that. So whatever that distance is from 1900 West to the back property line of Burger Bar, 300 feet? There's no access from 1900 West but if they are able to get side access from a secondary road, as long as it is setback that far off of 1900 West then it can be permitted. Making it an allowances & restrictions type.

Mr. Parkinson, you can combine the two together, having allowances on secondary roads and restrictions on main roads with a certain distance from. In Chapter 13, that concept is not unusual concept, within the Downtown East zone it has a height restriction of 60 feet from the first 100 feet from 1900 West then after that the height can go to 80 feet.

Commissioner Hulbert, it seems like ideally we want mixed use, so why couldn't it work on this parcel?

Mr. Parkinson, stated that the current code requires commercial only on the main level with residential above. The applicant is thinking that the western area of their parcel is more residential in nature and not commercial. Then looking at 2000 West both the Northern & Southern portions of the zone is Residential in nature. So does it make since on a 50 foot R.O.W. to require commercial on the main floor of a building? Hence the request to change the code to allow residential on the main floor.

To give you my thoughts, they were along the same as Commissioner Tanners, to allow it on properties with frontages on secondary streets (i.e. 2000 West, 5200 South [west of 1900 West], 5300 South [west of 1900 West]), then put a restriction in it with properties with frontage on 1900 West, residential on the main floor is not allowed within ?? feet back of curb from 1900 West. Showed images of both the Northern & Southern portions of the DT-G zone with different distances from back of curb 1900 West, 100

feet is shown by the blue line, 200 feet is shown by the green line and 300 feet is shown by the red line. He went through properties that have access to 1900 West and secondary roads.

Commissioner Payne, stated that he liked the 300 foot setback distance, it seems to fit really well with what is already there.

Commissioner Tanner, do we define the development with building location and not street, so the building has to be behind the 300 foot setback distance.

Commissioner Cowley, we don't want to restrict commercial along 1900 West and we don't want to encourage residential only where commercial could be developed, because we don't have that much commercial space today

Mr. Parkinson, posed a question on which secondary streets could be included, (i.e. 5200 South [west of 1900 West], 5300 South [west of 1900 West], 6000 South, 1950 West, & 2000 West), or do you exclude some of them like, 1950 West & 6000 South.

Commissioner Cowley, asked is 300 feet in general leave enough space for commercial. Just trying to think if Residential only buildings are built we'd lose the potential commercial space.

Commissioner Felt, I think with what you've got drawn there seems to keep the spirit of what we've been looking for.

Commissioner Hulbert, what are the existing uses on the west side of 1950 West.

Commissioner Felt, even if things changed to go back to single-family things wouldn't change along 1900 West. Not saying that would ever happen.

Commissioner Cowley, I don't want to incentivize single-family in one of the few areas we have commercial.

Mr. Parkinson, if you exclude 1950 West then the option for these parcel to develop as residential only would not be an option.

Commissioner Tanner, asked if we made the distance 400 or 450 feet how would that affect those parcels.

Commissioner Felt, this is basically what we were looking for, to visually see it, I think that works.

Mr. Parkinson reminded the Commission that the applicant was on the zoom meeting if they had any questions for him.

Commissioner Cowley, asked if the applicant isn't able to develop that area commercially. Mr. Parkinson responded that's what they want, but informed them that they weren't able to do that without amending the code.

Commissioner Hulbert, I guess that is what I was asking in the beginning of why can't they beside the fact they don't want to.

Jaden Rasmussen, applicant, we've tried to use that space for a multitude of different options we couldn't get anything to fit and pencil with the cost of developing such a tiny little portion. The only way we could find that actually makes sense. We'd still lose money developing it residential only but not as much as other developments we could do. Our incentive is to house some of our employees. To develop that

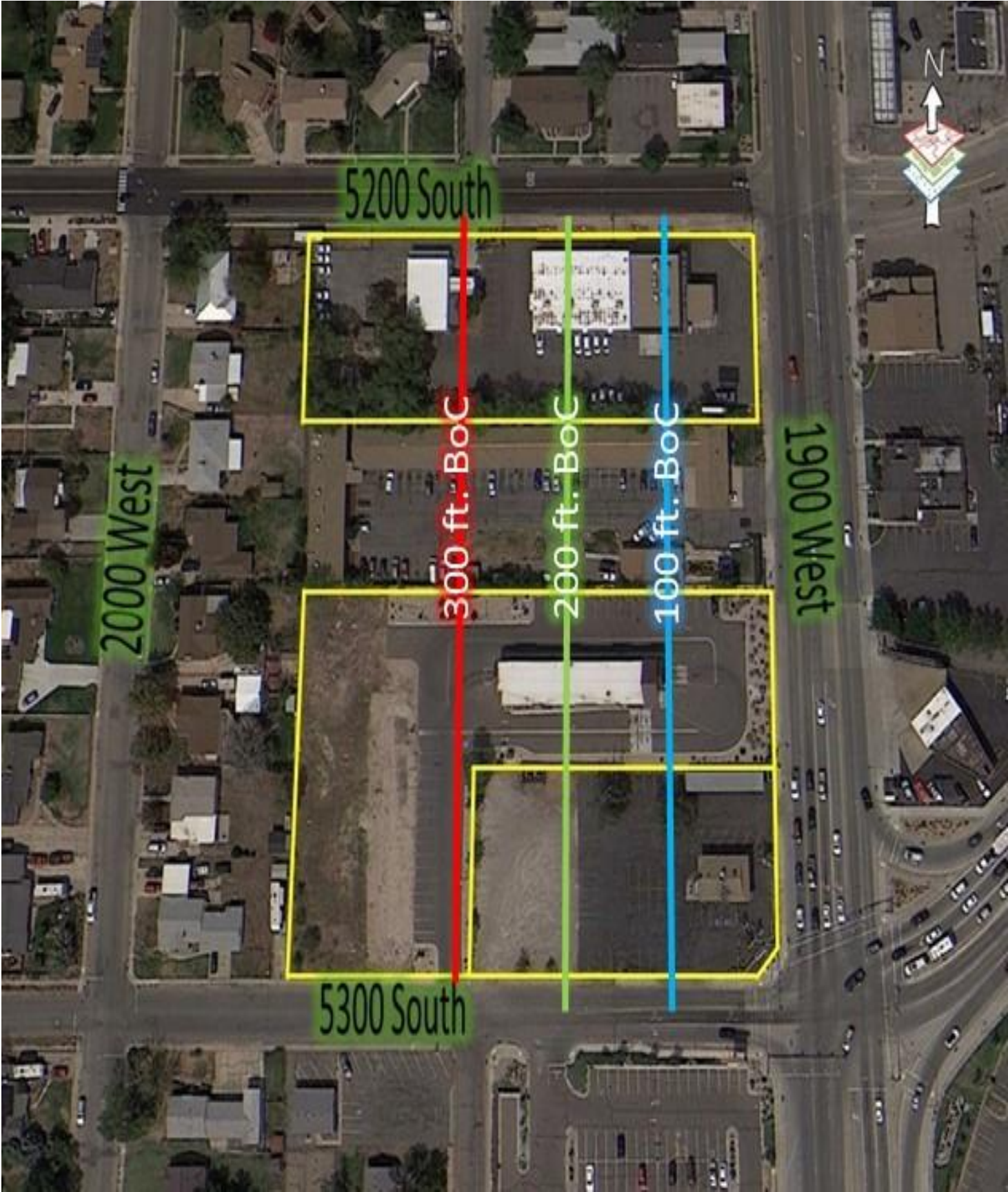
area we'd have to move the detention pond to an underground system and that would eat up some of the space needed for development.

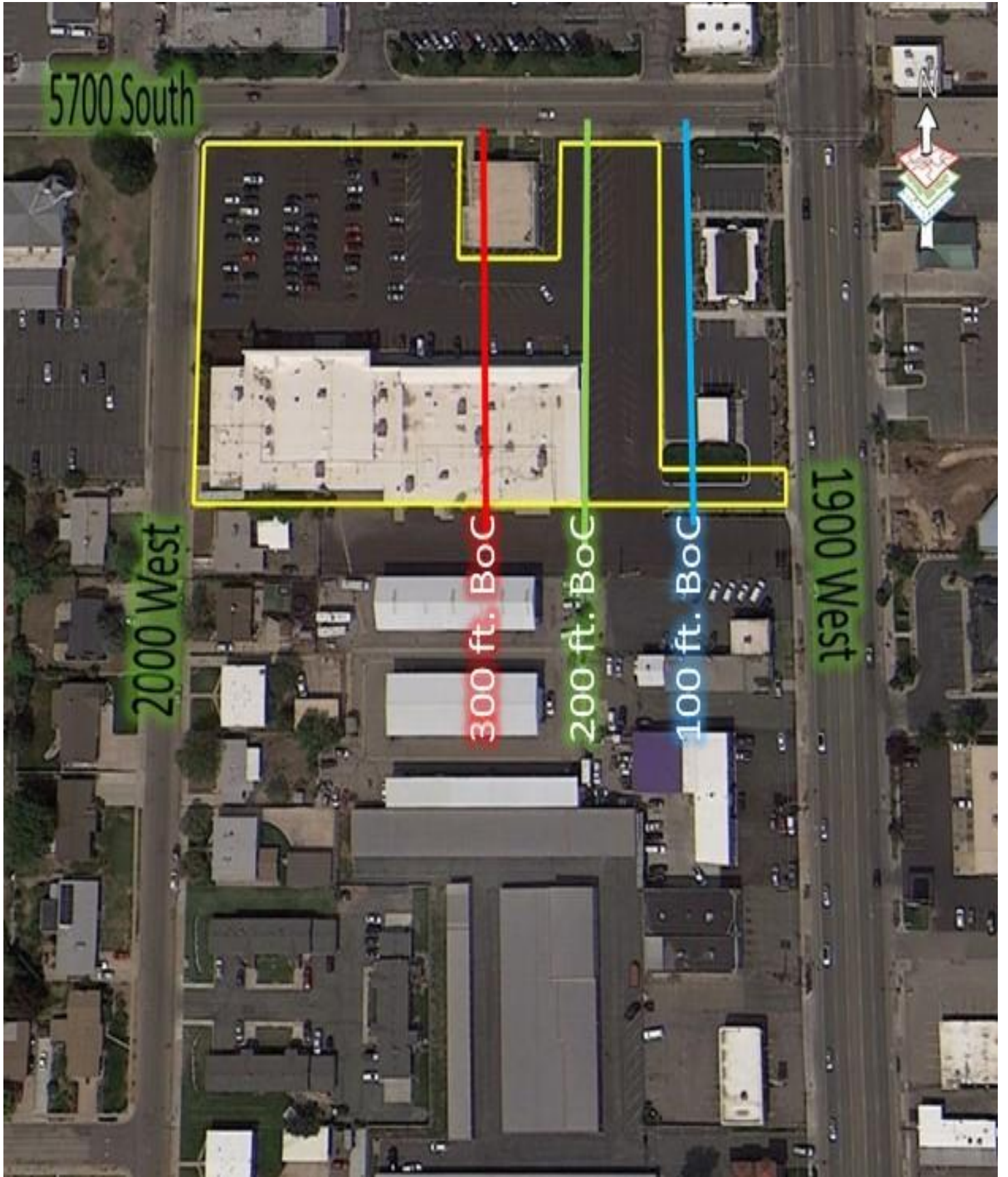
Mr. Parkinson asked do we exclude 1950 West, and/or 6000 South. As for which streets, the Commission wanted to exclude 1950 West and 6000 South

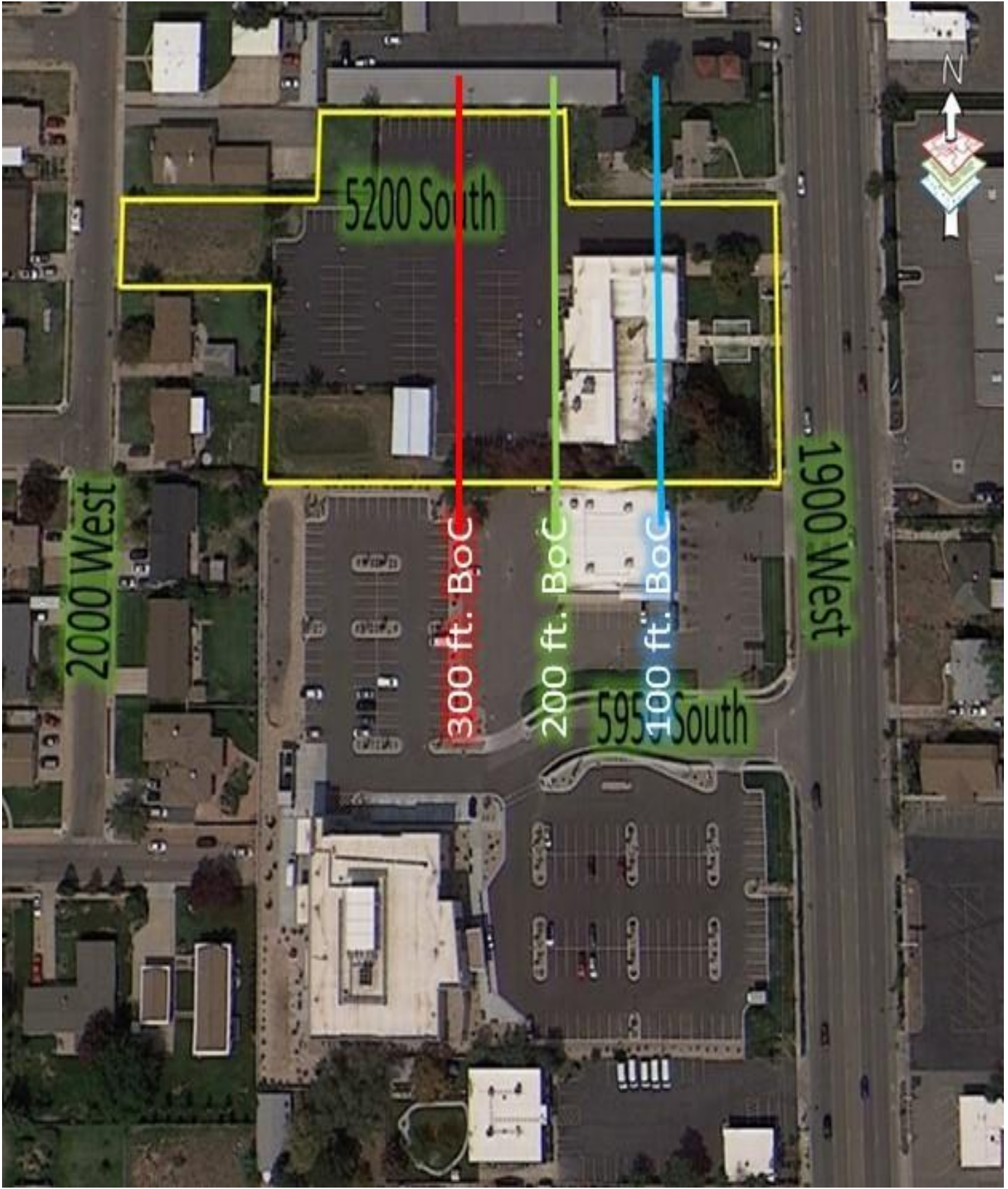
As for language the Commission stated they like the 300 feet.

Commissioner Cowley, that keeps the residential only type developments back and preserves as much viable commercial space.

EXHIBIT "E" – DISTANCE OPTIONS AS DISCUSSED DURING THE JULY 26TH PC WORK-SESSION







ORDINANCE NO. 22-11

AN ORDINANCE AMENDING THE ROY CITY MUNICIPAL CODE 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.

WHEREAS, the Roy City Council finds that it is advisable and beneficial to make an update to 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.

WHEREAS, the Roy City Council finds that the modifications regulating the proposed changes will be of benefit and use in enhancing and increasing long-term viability of development within residential, commercial and manufacturing areas which is important to the City; and

WHEREAS, the Roy City Planning Commission held a public hearing as required by law and has favorably recommended amendments to the City Council; and

WHEREAS, the Roy City Council has received and reviewed the recommendation of the Planning Commission and City Staff, finding it to be consistent with the goals and policies of the Roy City Zoning Ordinance and General Plan, and has reviewed and considered the same in a public meeting.

NOW, THEREFORE, Be it hereby ordained by the City Council of Roy City, Utah, that 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., as attached:

Note - Language to be added has been **bolded** and language to be removed has been ~~struck~~ through.

10-13-3 Building Types:

- 1) Introduction to Building Type Standards.

		Districts						
		DT-E	DT-W	DT-G	S-C	S-N	S-S	BP
Building Types	Storefront	P	P	P	P			P
	General Stoop	P	P	P	P	P		P
	Limited Bay			P				P
	Large Format	P	P	P				P
	Civic Building	P	P	P	P			P
	Row Building			P	P	P	P	P
P Permitted								

Table 3.1 (1). Permitted Building Types by District.

3) Storefront Building

STORE FRONT	Permitted Districts				
	DT-E	DT-W	DT-G	S-C	BP
(1) Building Siting Refer to Figure 3.3 (1)					
Multiple Principal Buildings	permitted	permitted	permitted	permitted	permitted
a Front Property Line Coverage	80% ¹	80% ¹	80% ¹	80% ¹	80% ¹
Occupation of Corner	required	required	required	required	required
b Front Build-to Zone	0' to 15' ²	0' to 15' ²	0' to 15' ²	10' min	0' to 15' ^{2,9}
c Corner Build-to Zone	0' to 15' ²	0' to 15' ²	0' to 15' ²	10' min	0' to 15' ^{2,9}
d Minimum Side Yard Setback	0' ³	0' ³	0' ³	5' ³	5' ³
e Minimum Rear Yard Setback	0' ³	0' ³	0' ³	5' ³	5' ³
f Minimum Lot Width	none	none	none	none	none
f Maximum Lot Width	none	none	none	none	none
g Parking & Loading Location	rear & side yard ¹	rear & side yard ¹	rear & side yard ¹	rear & side yard ¹	rear & side yard ¹
(2) Height Refer to Figure 3.3 (2)					
i Minimum Overall Height	1 story	1 story	1 story	1 Story	1 Story
k Maximum Overall Height	60' ⁴	60'	40'	60' ^{5,6}	80' ^{5,7,8}
(3) Uses Refer to Figure 3.3 (2). Refer to 10-13-1 Uses for permitted uses.					
n Ground Story	retail, service, office	retail, service, office,	retail, service, office residential ¹⁰	retail, service, office, residential	retail, service, office, residential
o Upper Story	any permitted use				
p Parking within Building	permitted fully in any basement and in rear of upper floors				
q Required Occupied Space	30' deep on all full floors from the front facade				
(4) Street Façade Requirements Refer to Figure 3.3 (3)					
r Minimum Ground Story Transparency Measured between 2' & 8' above grade	60% front only				
s Minimum Transparency per each Story	15%				
Blank Wall Limitations	required per floor (refer to 10-13-3 2 d ii)				
t Front Façade Entrance Type	storefront, arcade				
u Principal Entrance Location	front or corner facade				
Required Number of Street Entrances	1 per each 100' of front facade				
Vertical Façade Divisions	every 40' of façade width				
Horizontal Façade Divisions	required within 3' of the top of the ground story, and every third story above the ground floor				
(5) Roof Type Requirements Refer to Figure 3.3 (3)					
v Permitted Roof Types	parapet, pitched, flat				
Tower	permitted				

Notes

- 1 – Lots wider than 140' are permitted one double-loaded aisle of parking (maximum width of 72'), located perpendicular to the front property line, which is exempt from front property line coverage.
- 2 – Building along Riverdale Road, 1900 West and 5600 South are exempt from Front Build-to Zone requirements, and shall follow setback requirements:
 - a. A 15 foot setback is required on all new development along these streets
 - b. All setbacks areas must contain either landscape, trees, patio space, or sidewalk space
 - c. Trees, landscaping and other improvements should be used to mitigate the negative impacts from the heavy fast moving traffic
- 3 – As required for Site Plan approval, also reference 10-13-3 2 b iv
- 4 – Building heights on Riverdale Road, 1900 West and 5600 South shall not exceed 60 feet high in the area beginning at the back of the curb and extending 100 feet therefrom. In areas beyond 100 feet building height may be increased up to 80 feet.
- 5 – Above the third story, the upper stories of any building façade with street frontage shall have a step back from the lower stories that is a minimum of 6'
- 6 – Maximum density is 25 units per acre
- 7 – Building Type not allowed along 4200 South
- 8 – West of 1900 West Building Height is 60' maximum
- 9 – 20' setback off of 4000 South
- 10- Allowed only on properties that have frontage along 2000 West, 5200 South (west of 1900 West), and 5300 South (west of 1900 West), for properties also with frontage along 1900 West, use of the ground floor as residential only is not allowed within 300 feet from back of curb of 1900 West.**

4) General Stoop Building

GENERAL STOOP	Permitted Districts					
	DT-E	DT-W	DT-G	S-C	S-N	BP
(1) Building Siting Refer to Figure 3.4 (1)						
Multiple Principal Buildings	permitted	permitted	permitted	permitted	permitted	permitted
a Front Property Line Coverage	80% ^{1 & 2}	80% ^{1 & 2}	70% ^{1 & 2}	80% ^{1 & 2}	70% ^{1 & 2}	80% ^{1 & 2}
Occupation of Corner	required	required	required	required	required	required
b Front Build-to Zone	0' to 15' ³	0' to 15' ³	0' to 15' ³	10' min	10' min	0' to 15' ^{3,11}
c Corner Build-to Zone	0' to 15' ³	0' to 15' ³	0' to 15' ³	10' min	10' min	0' to 15' ^{3,11}
d Minimum Side Yard Setback	0' ⁴	0' ⁴	0' ⁴	5' ⁴	5' ⁴	5' ⁴
e Minimum Rear Yard Setback	0' ⁴	0' ⁴	0' ⁴	5' ⁴	5' ⁴	5' ⁴
f Minimum Lot Width	none	none	none	none	none	none
f Maximum Lot Width	none	none	none	none	none	none
g Parking & Loading Location	rear & side yard ²	rear & side yard ²	rear & side yard ²	rear & side yard ²	rear & side yard ²	rear & side yard ²
(2) Height Refer to Figure 3.4 (2)						
i Minimum Overall Height	1 story	1 story	1 story	1 story	1 story	1 story
k Maximum Overall Height	60' ⁵	60'	40'	60' ^{6,7}	60' ^{6,8}	80' ^{6,9,10}
(3) Uses Refer to Figure 3.4 (2). Refer to 10-13-1 Uses for permitted uses.						
Ground Story	Retail, service, office		Retail, service, office, residential ¹²	any permitted use		
n All Upper Stories	any permitted use					
p Parking within Building	permitted fully in any basement and in rear of upper floors					
q Required Occupied Space	30' deep on all full floors from the front facade					
(4) Street Façade Requirements Refer to Figure 9.4 (3)						
r Minimum Transparency per each Story	15%					
Blank Wall Limitations	required per floor (refer to 10-13-3 2 d ii)					
t Front Façade Entrance Type	stoop, porch, storefront					
u Principal Entrance Location	front or corner facade					
Required Number of Street Entrances	1 per each 100' of front facade					
Vertical Façade Divisions	every 40' of façade width		every 50' of façade width	every 40' of façade width		
Horizontal Façade Divisions	required within 3' of the top of the visible basement and of the ground story, and every third story above the ground floor					
(5) Roof Type Requirements Refer to Figure 2.4 (3)						
v Permitted Roof Types	parapet, pitched, flat					
w Tower	permitted					

Notes

- 1 – A courtyard covering up to 35% of the front façade is permitted and may contribute to the Front Lot Line Coverage requirements.
- 2 – Lots wider than 140' are permitted one double-loaded aisle of parking (maximum width of 72'), located perpendicular to the front property line, which is exempt from front property line coverage.
- 3 – Building along Riverdale Road, 1900 West and 5600 South are exempt from Front Build-to Zone requirements, and shall follow setback requirements:
 - a. A 15 foot setback is required on all new development along these streets
 - b. All setbacks areas must contain either landscape, trees, patio space, or sidewalk space
 - c. Trees, landscaping and other improvements should be used to mitigate the negative impacts from the heavy fast moving traffic
- 4 – As required for Site Plan approval, also reference 10-13-3 2 b iv
- 5 – Building heights on Riverdale Road, 1900 West and 5600 South shall not exceed 60 feet high in the area beginning at the back of the curb and extending 100 feet therefrom. In areas beyond 100 feet building height may be increased up to 80 feet.
- 6 – Above the third story, the upper stories of any building façade with street frontage shall have a step back from the lower stories that is a minimum of 6'
- 7 – Maximum density is 25 units per acre
- 8 – 1100 feet south of Hinckley Drive the Maximum height is 50'
- 9 – Building Type not allowed along 4200 South
- 10 – West of 1900 West Building Height is 60' maximum
- 11 – 20' setback off of 4000 South
- 12 – **Allowed only on properties that have frontage along 2000 West, 5200 South (west of 1900 West), and 5300 South (west of 1900 West), for properties also with frontage along 1900 West, use of the ground floor as residential only is not allowed within 300 feet from back of curb of 1900 West.**

8) Row Building

ROW BUILDING	Permitted Districts				
	DT-G	S-C	S-S	S-N	BP
(1) Building Siting Refer to Figure 3.8 (1)					
Multiple Principal Buildings	permitted ¹	permitted ¹	permitted ¹	permitted ¹	permitted ¹
a Front Property Line Coverage	65% ²	65% ²	65% ²	65% ²	65% ²
Occupation of Corner	required	required	required	required	required
b Front Build-to Zone	10' min	10' min	10' min	10' min	0' to 15' ⁹
c Corner Build-to Zone	10' min	10' min	10' min	10' min	0' to 15' ⁹
d Minimum Side Yard Setback	0' per unit; 15' between buildings	0' per unit; 15' between buildings			
e Minimum Rear Yard Setback	10' ³	10' ³	10' ³	10' ³	10' ³
Minimum Unit Width	22' per unit	22' per unit	22' per unit	22' per unit	22' per unit
f Maximum Building Width	maximum of 8 units per building	maximum of 8 units per building			
g Parking & Loading Location	front, rear and side yard	front, rear and side yard			
(2) Height Refer to Figure 3.8 (2)					
i Minimum Overall Height	1 story	1 story	1 story	1 story	1 story
k Maximum Overall Height	40'	60' ⁴	35' ⁵	60' ⁶	80' ^{7,8}
(3) Uses Refer to Figure 3.8 (2). Refer to 10-13-4 Uses for permitted uses.					
n Ground Stories	residential only ¹⁰	residential only			
o Upper Story	residential only	residential only			
p Parking within Building	permitted fully in basement	permitted fully in basement			
(4) Street Façade Requirements Refer to Figure 3.8 (3)					
r Minimum Transparency per each Story	15%	15%			
Blank Wall Limitations	required per floor (refer to 10-13-3 2 d ii)	required per floor (refer to 10-13-3 2 d ii)			
t Front Façade Permitted Entrance Type	stoop, porch	stoop, porch, limited storefront	stoop, porch		
u Principal Entrance Location per Unit	front or corner side façade	front or corner side façade			
Vertical Façade Divisions	not required	not required			
Horizontal Façade Divisions	for buildings over 3 stories, required within 3' of the top of any visible basement or ground story	for buildings over 3 stories, required within 3' of the top of any visible basement or ground story			
(5) Roof Type Requirements Refer to Figure 3.8 (3)					
v Permitted Roof Types	parapet, pitched, flat	parapet, pitched, flat			
Tower	permitted	not permitted			

Notes

- 1 – For the purpose of the Row Building, a building consists of a series of units. When permitted, multiple buildings may be located on a lot with the minimum required space between them. However, each building shall meet all requirements of the Building Type unless otherwise noted.
- 2 – Each building shall meet the front property line coverage requirement, except one of every five units may front a courtyard with a minimum width of 30'. The courtyard shall be defined on three sides by units.
- 3 – As required for Site Plan approval, also reference 10-13-3 2 b iv
- 4 – Maximum density is 25 units per acre
- 5 – Maximum density is 18 units per acre
- 6 – 1100 feet south of Hinckley Drive the Maximum height is 50'
- 7 – Maximum Building height along 4200 South is 35'
- 8 – West of 1900 West Building Height is 60' maximum
- 9 – 20' setback off of 4000 South
- 10- Allowed only on properties that have frontage along 2000 West, 5200 South (west of 1900 West), and 5300 South (west of 1900 West), for properties also with frontage along 1900 West, the use of this building type is not allowed within 300 feet from back of curb of 1900 West.**

This Ordinance has been approved by the following vote of the Roy City Council:

Councilmember Jackson _____
Councilmember J. Paul _____
Councilmember S. Paul _____
Councilmember Scadden _____
Councilmember Wilson _____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this _____ day of _____, 2022.

Robert Dandoy;
Mayor

Attested and Recorded:

Brittany Fowers;
City Recorder