

Minutes of the Roy City Council Meeting held in the City Council Chambers of the Roy City Municipal Building on January 7, 2020 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 posted.

The following members were in attendance:

Mayor Robert Dandoy
Councilmember Jackson
Councilmember Paul
Councilmember Saxton
Councilmember Wilson

City Manager, Matt Andrews
City Attorney, Andy Blackburn

Also present were: Management Services Director, Camille Cook; Police Chief, Carl Merino; Fire Chief Interim, Cody Draheim; Parks and Recreation Director, Travis Flint; Public Works Director, Ross Oliver; City Recorder, Morgan Langholf; Kevan Jensen, Devin Jensen, Megan Illum, Darrell Illum, Brandon Illum, Erin Illum, Ann Jackson, Trent Wilkins, Tyler Nelson, Nathan Johnson, Jason Sphar, Robert Knudson, Lynne Steging, Matt Jensen, Glenda Moore, Kevin Homer, Kathleen Mckinney, Nan Dixon, Tim Higgs, Matt Hunt, Jody Howard, Leon Wilson, Suzanne Page, Barry Mohlmar, Clifton Lavender, Stephanie Cornell, Teresa Buckley, Brayden Booz, Lacey Sozwell, Adam Sozwell, Chris Lewis, Braxton Nebeker, Jacob Bird, Dakota Castille, Trudi Crossley, Glen Thomas, Braeden Stander, Alexis James, Brent Hales, Elaine Hales, Edna Johnson, Baire Jordan

A. Welcome & Roll Call

Mayor Dandoy welcomed those in attendance and noted Councilmembers Jackson, Paul, Saxton, and Wilson 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.

Mayor Dandoy then proceeded to explain that without a full quorum the Council needed to swear its newly elected officials into office before the rest of the meeting could proceed.

City Recorder, Morgan Langholf then swore Councilmember Joe Paul into office, followed by Diane Wilson and Ann Jackson.

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 sale of surplus property from the Public Works department one Ford F150 and one 1998 80ft man lift JLG**
2. **Planning Commission nominations of Chair and Vice Chair for 2020**

The Minutes were tabled until the next meeting

Councilmember Paul motioned to approve the Consent Items as outlined. Councilmember Saxton seconded the motion. All Councilmembers voted “Aye.” The motion carried.

E. Action Items

1. Swearing in on Councilmember Paul, Councilmember Wilson, and Councilmember Jackson

Mayor Dandoy moved this item to the beginning of the meeting so the Council could have a quorum present. Morgan Langholf swore in the new three new Councilmembers.

Councilmember Paul stated that he was happy to be able to continue to serve Roy City.

Councilmember Wilson stated being honored to serve the citizens of Roy as well as to work with the Mayor, City Council, and Roy Staff. She thanked her husband and family and friends who were all supportive.

Councilmember Jackson stated she was excited to be part of the City Council and explained she had four children present as well as other family members, including grandchildren and siblings, along with her friends.

2. Planning Commission Recommendations

City Planner Steve Parkinson explained that every year the Planning Commission nominated a Chair. He explained that this was a rotating seat. He stated that Jason Sphar had been nominated as the Chair, with Ryan Cowley as a Vice Chair for 2020. Councilmember Paul thanked the Planning Commission.

City Manager Matt Andrews asked that the Mayor be willing to change the order of the meeting and allow one of the presenters to do their presentation early.

3. UTA Presentation

Beth Holbrook from UTA presented on the Living Connected strategy plan for Utah with the help of a visual presentation. Mrs. Holbrook thanked the Council for the opportunity to do her presentation. She explained wanting to present the services that the UTA offered to Roy City. She pointed to the route numbers that the City would see daily along with the ridership numbers. She explained that UTA wished to give service to the community and get citizens where they needed to go. She added that some of the Prop 1 funding was being used to improve bus stops in the area as some needed betterment. She continued that one bus stop on 4400 South had a dirt floor but that it had been improved. She added that the other bus stops would be completed in 2020. Mrs. Holbrook explained that a Master Plan had been established and mentioned she would be happy to answer any question. She explained that there was a Front Runner stop in Roy City and that some of the focus was on the Front Runner. She pointed that she wished to help Roy City access the opportunities available.

Mrs. Holbrook explained that the current development model was called the Transit Oriented Development Model. She mentioned that UTA owned land adjacent to the stop and that UTA wished to maximize the value of that land. She explained that if housing or work opportunities could be produced

in the location, people would have access to opportunities without excess cost. She mentioned the example of households needing only one vehicle as a result of nearby public transportation. Addressing the present and future needs of residents, she continued, would require maximizing land use and zoning associated with the transit stops. For Roy, she added, this would mean looking at density in housing. She explained new housing was critical for people to have access to affordable housing. She continued that millennials had a different perspective on housing: they avoided maintenance issues. She mentioned the growth that had occurred in the northern area of the Wasatch Front pointing that growth meant that ridership was important. She added that public transportation would help with air quality issues. A lot of data, she continued, showed that air quality would deteriorate in the coming years and that traffic was becoming increasingly difficult. She explained that the Wasatch Front Regional Council had established the Wasatch choice 2050 which addressed a lot of the present issues around transportation and land use. Cities, she continued, were responsible for these, and, as a result, UTA wished to work with cities to understand their needs. She concluded that any questions Councilmembers or residents might have could be directed towards UTA.

Beth Holbrook explained that when the model was changed for UTA, a full-time board of trustees had been established. She continued that she represented Davis, Weber, and Box Elder County.

Mayor Dandoy stated he had met with other mayors, and Mayor Cory Green had indicated that he had been approached by the landowners of Fremont Island who had a plan for development.

4. Employee of the Month

Public Works Administrative Assistant Jodi Fusselman read the nomination letter submitted to name Gage Bennet, Jeff Elmer, Jimmy Hamilton, Matt Howard, Darrell Illum, Cliff Lavender, Tyler Nelson, and Lee Wahlstrom as Employees of the month. Each of them, she explained had worked tirelessly in the snow and cold to fix 14 main water breaks during the Thanksgiving weekend of 2019 (Thursday to Sunday). She wanted the employees to know that their efforts were meaningful and appreciated. She also thanked the families of these employees.

5. Approval of the Mayor Pro-Tem and Liaison Assignments

Mayor Dandoy explained that the Mayor Pro-Tem position gave an individual the chance to step in when the Mayor was absent, with an opportunity to vote. He continued that the position was decided by the City Council and that both Councilmembers Jan Burrell and Bryon Saxton had expressed interest.

Councilmember Paul made a motion to appoint Councilmember Jan Burrell as the Mayor Pro-Tem. Councilmember Saxton seconded the motion. All Councilmember voted "Aye." The motion carried.

Mayor Dandoy stated that the packet he had provided included some information on Liaison Assignments. He continued that one appointment concerned the Sewer Board, while the other was part of the Weber Mosquito Abatement District. Those assignment were chosen by resolution, he explained. Councilmember Wilson inquired about the length of the assignments. Mayor Dandoy confirmed that they were four-year assignments. In the event of a change, the Mayor would change the appointment. Mayor Dandoy asked for a quarterly report from the new appointees.

Resolution 20-3 Appointing Councilmember Joe Paul to the North Davis Sewer District Board.

Councilmember Wilson motioned to approve Resolution 20-3 appointing Councilmember Joe Paul to the North Davis Sewer District Board. Councilmember Saxton seconded the motion. A roll call

vote was taken. All Councilmembers voted “Aye.” The motion carried.

Resolution 20-4 Appointing Councilmember Bryon Saxton to the Weber Mosquito Abatement District.

Councilmember Paul motioned to approve Resolution 20-4 appointing Bryon Saxton to the Weber Mosquito Abatement District. Councilmember seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye.” The motion carried.

6. Resolution 20-1 Approving a contract with CEM Aquatics for Aquatic Center pool liner replacement

Public Works Director, Ross Oliver presented this Resolution to the Council. The pool liner was meant to replace the liner on the small pool, he explained. He added that the contract proposal had been sent out to 6 different companies. The cost, he continued, would be of \$102,000.

Councilmember Wilson asked about the length of time the repair would last. Mr. Oliver answered that the new lining should last 18 years.

Councilmember Wilson motioned to approve Resolution 20-1 approving a contract with CEM aquatics for aquatic center pool liner replacement. Councilmember Paul seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye.” The motion carried.

7. Resolution 20-2 Approving an Agreement with Waste Management of Utah, Inc. for the collection of Solid Waste and recyclables.

City Manager Matt Andrews presented this Resolution to the Council. The terms of the agreement with Waste Management, he explained, were expiring on June 30, 2020. He explained that the Finance and Utility Staff had weighted the pros and cons of the contract. Most of the other companies required the City to own the cans: a move to a different company would mean buying new cans for the City for about \$1 million dollars. The City, he continued, paid WMU per can, which made it easy to budget. Some of the changes recommended were that a one-year termination clause be included for both parties. He explained that Weber County had talked of partnering with Solid Waste, in which case Roy needed to be able to get out of its contract. The CPI rate adjustment, he explained, was a yearly rate adjustment accounting for inflation. One required minor change was mentioned: an incorrect email.

Councilmember Wilson pointed that the service had a nice clause with special service for handicapped individuals and senior citizens. Mr. Andrews explained that if an individual was handicapped or elderly, they could submit an application to WMU who would come get the garbage cans themselves.

Councilmember Saxton asked whether the CPI rate included the increase. Mr. Andrews stated that the rate did not include the tipping fees. Every year, he continued, WMU could come with the CPI adjustment for inflation. Councilmember Paul asked whether the tipping fee was stable. Mr. Andrews explained that the fee had been stabilized with Weber County. Mayor Dandoy explained that there might be a transitioning to more types of recycling and added that the board handling these issues were important.

Councilmember Paul made a motion to approve Resolution 20-1 approving a contract with Waste Management for the collection of solid waste and recyclables with the amended email address. Councilmember Wilson seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye.” The motion carried.

8. Ordinance 20-1 CONTINUATION- Amendments to Title 10 Zoning Regulations; amending Chapter 10 General property development standards; Chapter 17 table of uses; and Chapter 31 Definitions

City Planner Steve Parkinson presented this resolution to the council. He explained that this was a continuation as the item had been tabled. He mentioned that the items were in the Staff report. He provided a brief overview for the new councilmembers. He explained that the ordinances had some ambiguity and had been clarified for both residents and developers. He discussed the different options the City of Clinton offered and why Roy had wished to follow this strategy. He described the different buffers yards required. He explained that the new ordinance offered 4 setback options: 15 feet, 20 feet, 25 feet, or 30 feet. The size of the buffer, he added, would dictate landscaping and such.

Councilmember Wilson asked about the canopy trees, which, she explained had a 50 to 70-foot diameter. As a result, this might mean 30 to 40 feet of tree over someone's yard, which might affect sunshine and shade. She mentioned this was something to be aware of, and that it was important to allow citizens to trim trees. She added that it was important to give examples of good canopy trees. Councilmember Paul stated that this would not dictate which trees could be used, but rather recommendations. Mr. Parkinson pointed to some of the questions surrounding the definition of a canopy tree. He mentioned different types of foliage.

Mr. Parkinson explained that portions of the ordinance had been removed. He pointed to the item needing to be removed in order to remove ambiguity. The table included, he continued, provided enough information.

Mayor Dandoy opened the meeting to public comment:

Braeden Stander, 5544 South 3750 West, stated being directly impacted by the ordinance. He did not see much changed considering the issues that had been brought up during the prior council. He explained that he had lived with the vinyl option and explained that he preferred the opaque fencing. He mentioned that trash continually got caught in the vinyl fence and that during holidays children hung out by the fence and added that those fences provided no privacy. He explained that the fencing proposed in the table did not address issues of privacy and solid walls also provided more shielding from noise issues. He stated work still had to be done on the ordinance.

Kevin Homer, 5398 South 4000 West, explained being glad that some citizens were here to check on the concerns that had been brought up several months prior. He mentioned that fence height was one of the issues that had been discussed and that he felt that the changes had not addressed these concerns.

Trudy Crossley, 5552 South 3750 West, explained that she too had had to deal with vinyl fencing, which she did not favor either: it caused noise issues from the nearby facility that was open 24/7. One of the workers, she explained, drove a mustang, which was loud and took some time to warm up. The impact was felt throughout her property and had had an effect on all of her family. She asked the Council look again at what the intent of the ordinance was and add some amount of transition when a commercial property met a resident property. She stated that as some recommendations were removed, residential property owners lost their chance to receive the buffer they needed. She explained that she was concerned with open fencing and/or living fence. A living fence, she explained, would take time to grow to its needed height. She added that she hoped councilmembers would work towards what was best for the residents.

Braeden Stander, 5544 South 3740, explained that on one side of the property line, there was a 4-foot retaining wall with a 4 foot fence. With the elevation difference, he continued, this was an issue. For the

neighbors to the South, the property sat higher which provided only 3 feet of privacy. The original complaint was for the fence to be higher to allow more privacy. He continued that because the property was used as a living facility, the purpose of the zone was changed. He explained that the current ordinance did not look at current zoning and added that the issues had to be addressed, particularly with new councilmembers.

Councilmember Wilson asked about the depth of setback and whether the fence was meant to be exactly on the property line. She was told that it was. She asked whether the increase in distance would increase privacy. She asked about the current distance between the fence line and house, causing issues with debris. She was told that that the buffer was 20 feet. Mr. Parkinson explained that issues arose in the transition between residential and commercial. Within the code, he continued, the living facility was articulated as a residential space. The landscaping ordinance did not specify the kind or number of trees required. He continued that the ability to have a vertical buffer was helpful. Mayor Dandoy explained that the options were to approve the motion or not. Another option could be to amend the ordinance or to table it. In the case of a lack of approval, the existing ordinance would continue to be in effect.

Councilmember Jackson stated that her brother lived behind the aforementioned fence. She explained that she had called him the day prior to receive his input. He told her that he had come to peace with the situation: he wished for things to be left as they were. Having a retirement facility, he had said, was better than having high density housing.

Mayor Dandoy stated that there was a proposal for another assisted living facility in the City. He explained that he was concerned that the Council had been trying to find solutions for the last six months. What was taking place could be addressed, but Mayor Dandoy explained that the situation had to be thought of as more than just this one facility.

Mr. Parkinson explained that whatever decision the Council made, existing facilities would be grandfathered in. Councilmember Wilson explained that there had been a lot of comments over the year. She suggested that the Resolution be tabled.

Councilmember Saxton made a motion that we table the Resolution until it can be discussed further. Councilmember Jackson seconded the motion. All councilmembers voted "Aye." The motion carried.

9. Ordinance 20-2 CONTINUATION- Amendments to Title 10 Zoning Regulations; amending CH 17 Table of Uses; Table 17-1 "Outside storage of recreational vehicles (Limited)"

City Planner Steve Parkinson presented this Ordinance to the Council with the changes requested during a work session. He explained that the current ordinance stipulated a period of 48 hours as a limit for RVs storage. He continued that this portion of the ordinance had been examined with the purpose to be changed. He provided a brief history of the ordinance change attempts for the new councilmembers. He explained that property owners with recreational parked illegally did not get ticketed. The ordinance had to be updated to current standards, however. Some aspects had been removed: the number or RVs, for example, as well as the time parked.

Councilmember Burrell asked about a cap on the number of vehicles. She was told that the size of the property would create the limit, and that the limit could be reached as long as the vehicles were legally parked.

Councilmember Wilson stated she was appreciative of the work councilmembers had done. She had

noticed that other cities were encouraging less cement and asphalt to allow better water penetration in the soil. Reclaiming an area that had been cemented was difficult and labor intensive, she pointed. Most RVs, she continued, were parked for long periods of time and used only occasionally. She explained that recommending soil would be very appropriate.

Mayor Dandoy opened the meeting to Public Comment

Barry Mohlman, address inaudible, explained that one of the issues was junk cars sitting in yards and that this could affect property value. He asked if having several campers and recreational vehicles was any better.

Tim Higgs, 5381 South 3400 West, explained that he understood the reasons for the changes. He explained that he had concerns about the units being on approved grounds while also not being an eyesore. He added, however, that people needed to be able to park vehicles on their properties and that the prior restrictions were too restrictive. He pointed that keeping the visual aspect was important.

Councilmember Paul motioned to approve Ordinance 20-2 amending Title 10 Zoning Regulations; CH 17 Table of Uses; Table 17-1 “Outside storage of Recreational Vehicles.” Councilmember Saxton seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye.” The motion carried.

10. Ordinance 20-3; amending Title 10 Zoning Regulations CH 17 Table of Uses allowing Cannabis Production establishments and Medical Cannabis Pharmacy as permitted uses CH 31- Definitions

City Planner Steve Parkinson presented this Ordinance to the Council. He explained that the State had helped the City go through with a vote in November, 2018. He continued that the Statute allowed these types of uses, though the City could dictate where. In this, he added, the manufacturing zone had been identified as a zone where a Medical Cannabis Pharmacy could be located: any non-residential zones. This, he continued, would not take place until the end of 2020. The Council, he continued, had deemed it important to indicate specific areas, as applications were being filled out for these types of pharmacies. All commercial zones were thus an option, unless they were also listed as Recreational (aquatic center and golf course).

Mayor Dandoy opened the meeting to public comment:

Kevin Homer, 5398 South 4000 West, explained he had attended the Planning Commission meeting where this discussion had taken place. He stated appreciating the definitions included as it helped use the correct terminology. He explained that the City might not become licensed by the State to actually have such businesses. He added that the ordinance defined what cannabis was. He explained that both State and City code had been listed there. He recommended that the resolution be accepted.

Councilmember Wilson stated that the ordinance had to be adopted.

Councilmember Paul motioned to approve Ordinance 20-3 amending Title 10 Zoning Regulations Chapter 17 Table of Uses allowing Cannabis Production establishments and Medical Cannabis Pharmacy as permitted uses Chapter 310 Definitions. Councilmember seconded the motion Burrell. A roll call vote was taken. All Councilmembers voted “Aye.” The motion carried.

A. Presentations

1. Cascade Energy - Matt Jensen

Mr. Jensen thanked the Council for being able to present for them. Cascade Energy, he explained, had been hired by Rocky Mountain Power to gauge the efficiency of the City's energy systems. Cascade Energy had approached the City two years ago, he added, for strategic energy management. He explained that the process took up to a year and half, starting in January of 2018. The time period ended in June 2019, he continued. He further presented the team, led by Ed Sorensen, who had worked on the project.

Mr. Jensen showed a graph representing the two prior years' energy and water use. He discussed the pressure reducing valves that the City had placed in the area with elevation. He explained that these valves could be open in the case of a fire. The valves, he explained, had been corrected for a more efficient water flow. The results, he explained by showing his graph, showed improved energy use. The saving, he continued, was of 2 million kilowatt hours, a rough estimate of \$50,000/year. The water energy used had been reduced by about half.

Councilmember Wilson asked whether the program was ongoing. Mr. Jensen explained that the power company had created the program to bring forth long term savings. He added that, at this point, no more easy things could be worked on as they had all been addressed. He explained that other things could be done but that they would require capital investment.

Mayor Dandoy explained that changes that had been suggested and implemented would be permanent and that the City could continue using the guidance provided as it developed its infrastructure.

Mr. Jensen presented the gentlemen who managed the energy efficiency outreach for Rocky Mountain Power. He presented a large check (one that was not legal to tender) to celebrate the amount the City had saved.

B. Public Comments

Mayor Dandoy opened floor for public comments.

Tim Higgs, 5381 South 3400 West, mentioned he enjoyed the newsletter, though he wished to point an error on the City Council meeting time. He also wished to ask what could be done about the rats that have become a problem from his neighbors keeping chickens and rabbits. He pointed that an ordinance had been approved allowing residents to fill out an application to have rabbits and chickens. He explained that the ordinance made sure that several things were done for the animals to be kept safely and cleanly. Some neighbors, though they complied with regulations, had created issues with feed and maintenance which had attracted rats. He explained that he had to set traps daily to get rid of rats. He asked if something could be added to the ordinance in terms of maintenance in order to avoid attracting rats.

Trudi Crossley, 5552 South 3750 West, stated that the new speed bumps on 5700 South needed to be fixed and painted. Councilmember Paul stated that the Staff was aware of the issues but had to wait until the weather was better to complete this kind of work. He also explained that some of the speed bumps were temporary.

Mayor Dandoy recapitulated the conversation stating that the current speed bumps would be turned into speed humps, which were wider. He added that to replace them would require some work and that it would be done in the spring.

Barry Mohlman, 4073 South 2075 West, mentioned Title 4 which deal with snow removal. He explained that Snow Removal on the sidewalks in front of the schools was not done when schools were not in

session. He explained that the sidewalks were supposed to be cleared within 12 hours of the termination of the depositing storm. He mentioned that when undone, tickets could be issued. He particularly pointed to the snowstorm on Thanksgiving when the school had not cleared the sidewalks. Being disabled, he continued, this had been an issue.

Kevin Homer, 5398 South 4000 West, welcomed the new members of City Council and asked for the website to be updated so he could communicate with said councilmembers.

Mayor Dandoy closed the floor for public comments.

C. Reports and Discussion

1. City Manager Report

Mr. Andrews reported on the following:

- Parks and recreation had officially moved into news buildings, namely the old library. Mr. Andrews explained that the Council was welcome to visit anytime. The change would create a significant saving. Public Works space had been cleared, he continued. He explained that there would also be a significant savings due to the property change. The entrance to Public Works would also be changed. Mayor Dandoy stated that change would allow for the front office and possibly the conference room to be on the main floor.
- Mr. Andrews explained that the MOWEDA demo was almost complete
- Mr. Andrews stated that Chief Comeau had officially retired from Roy City: he had accepted a job elsewhere. Mr. Andrews explained that there would be an interview process the last week of January, 2019.
- Mr. Andrews mentioned that on January 21, 2020, before the Council meeting at 4 p.m., a photographer with Bell Photography would take new headshots of councilmembers and Mayor.
- Mr. Andrews explained that the RAMP grant application was coming up. He explained that one of the changes was to have matching funding in place. He pointed that the proposal was for Roy West Park (northeast side) and explained that one of the ramps trailed off into grass and was therefore not ADA compliant. He pointed that no budget adjustment would be needed.
- Mr. Andrews explained that there had been a tie for first place in the Christmas Light Home Contest. He mentioned wanting to congratulate the three winners, with first place going to Larry Horsepool and Lance Carter. He added that Second Place was going to Stephanie Ware and Third place to Edna Johnson.

2. Mayor and Council Report

Councilmember Saxton reported that Kings Buffett should be set to open in August, 2020 and that the Sales Tax revenue was up \$261,000 over last year's budget.

Mayor Dandoy explained that the Council could bring projects or ideas to Council meetings to be reviewed. He added that the Council was a body that provided guidance. He thanked all those who were in attendance and praised attendees for their participation. He continued that within the next few months, there would be improvements in traffic. He added it was important to attend in order to contribute public input

D. Adjournment

Councilmember Paul Motioned to Adjourn the City Council meeting at 7:35 p.m. Councilmember Jackson seconded the motion. All Councilmembers voted "Aye." The motion carried.

Robert Dandoy
Mayor

Attest:

Morgan Langholf
City Recorder

dc: