



ROY CITY
Roy City Council Meeting Minutes
February 16, 2021 – 5:30 p.m.
Roy City Council
Electronic Zoom Meeting

Minutes of the Roy City Council Meeting held electronically via Zoom and YouTube on February 16, 2021 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	City Manager, Matt Andrews
Councilmember Paul	City Attorney, Andy Blackburn
Councilmember Saxton	
Councilmember Wilson	
Councilmember Jackson	
Councilmember Burrell	

Also present were: Management Services Director, Camille Cook; Police Chief, Carl Merino; Parks and Recreation Director, Travis Flint; Public Works Director, Ross Oliver, Morgan Langholf, Brandon Edwards, Steve Parkinson, Randy Sant; Kevin Homer.

A. Welcome & Roll Call

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

Mayor Dandoy read the Mayor's Determination to Hold Electronic Meetings, which stated that the meeting would be held online due to concerns about the substantial health risk of the Covid-19 virus.

B. Moment of Silence

Mayor Dandoy invited the audience to observe a moment of silence led by Councilmember Burrell.

C. Pledge of Allegiance

Councilmember Burrell led the audience in a recitation of 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 December 15, 2020 Roy City Council Work Session and Meeting Minutes and the January 19, 2021 City Council Meeting Minutes

Councilmember Paul motioned to approve the Consent Items, with changes to minutes as

noted. Councilmember Burrell seconded the motion. All Councilmembers voted “aye.” The motion carried.

E. Presentation

1. Y2 Analytics Survey Results

Y2 Representatives Kyrene Gibb and Danny Howser presented the results of the survey sent out to residents of Roy City. They provided an overview that residents viewed economic development as the City’s top priority. They also stated that the current evaluations of downtown revealed that it was not frequently used except for shopping and eating out, and many residents expressed a desire to update downtown Roy with more attractions.

The representatives said that some residents supported mixed use development, but there was a clear preference for focus on commercial development. Most residents felt that there was already sufficient housing available for people. The Y2 representatives explained that residents’ preferences in regards to the proposed mixed use were based primarily on building height limitations and the atmosphere of the development.

The representatives presented the survey methodology to provide a basis for understanding the statistical significance of the results. They stated that out of the near 6,000 randomly selected residents who were given the survey invitation via email, 814 residents within the Roy City boundaries responded. They also mentioned that they had a statistically insignificant number of responses from local business owners.

The representatives showed that the results were geocoded and participation was evenly spread throughout the City with sample sizes that ranged from 112 to 161. The data was weighted to reflect the population statistics and to ensure that it represented the voting population of the City. The survey was done online in January of 2021, and the margin of error was 3.4%.

The representatives discussed results that pertained to perceptions of Roy City and its downtown area. Most residents recommended Roy as a good place to live, and 81% felt that the City was headed in the right direction. 29% of survey participants felt that economic development was the most important issue, followed in order of importance by housing affordability, maintaining neighborhoods, crime and public safety, and lastly transportation.

The representatives explained that the majority of people who strongly believed that there was too little affordable housing available currently rented or lived with their relatives rent free. Only 34% of homeowners said that there was too little, and instead felt that economic development was the biggest issue. The strong underlying trend was that homeownership drove people’s choices. The representatives revealed that people who owned a home or who lived with their parents were more likely to not know what the housing situation was actually like in Roy, and therefore perceived it differently.

The representatives discussed the survey section that asked residents to answer questions on a likert scale that pertained to their evaluations of downtown. The consensus was that almost 80% of residents wanted to see Roy updated with more attractions. About half of the survey population thought the City had the right types of businesses. 58% disagreed that the downtown area was a destination in the City. People felt ambivalence towards the businesses and job opportunities

available, even though they enjoyed living in Roy. There was a clear desire for newer updated amenities in the business sector. Residents thought of downtown as the commercial center of the City, but had strong preferences for new and more attractive retail, dining, and entertainment amenities. In summary, residents used the shopping and dining options, but did not necessarily like them. 62% of residents indicated that retail and shopping options needed improvement, and 71% indicated that activities and entertainment needed improvement. 48% of individuals said the parking in Roy was good or excellent, while the atmosphere and walkability were rated second tier.

The representatives discussed survey results about the mixed use ordinance proposal, and what drove resident preferences. Residents had no sense of identity to the downtown area, although they were overall happy with the City. 52% of survey participants said that they would at least somewhat support the ordinance, while only 26% said that they would not. Comments in support of the ordinance expressed that Roy was running out of space, it needed more retail and housing options, and that condos should be above commercial space to maximize space usage. Comments in opposition expressed that highrise apartments detracted from the open and inviting feel of the City, they could attract residents who decreased the quality of life and increased traffic and gridlock, and building next to a road would cause a tunnel feeling. Most of the opposition stemmed from the growing pains associated with making downtown more of an attraction. They also did not want to end up like Clearfield, and expressed that they did not live in Salt Lake City for a reason. There was some strong opposition to that increased density. The representatives communicated that used geocoding, and they divided residents into four quadrants to see if there was a geographic correlation to question results. The differences were negligible differences.

The representatives explained that residents were asked about their feelings on multi unit multi story housing downtown. 41% supported it and 42% opposed. Comments offered in support of it referred to the success of Ogden's mixed use space by the megaplex. Residents felt it could be successful and beneficial in Roy with the right design. Most comments offered in opposition felt that the infrastructure could not handle it. The representatives pointed out that there was an interesting theme of residents focused more on if the City could actually afford to increase the capacity for residents before investing in infrastructure. They also felt that it was important to note that the strong opposition category on this question was nearly double the strong support category. They cautioned that if the City forwent commercial development at the expense of multi story multi unit housing, they would likely face an uphill public opinion battle from residents.

The representatives discussed perceptions about the future of downtown Roy. For the most important factors, 35% of participants felt it was economic development and 20% felt it was maintaining the look and feel of the neighborhoods. 51% of residents felt that the least important factor was keeping downtown as is. Residents did not care about preservation of the status quo, and were interested in the aforementioned changes.

The representatives explained that when asked about how they would prefer to see the downtown development divided between residential and commercial development, residents answered primarily with one of three sentiments: exclusively commercial development, a 50/50 split between commercial and residential, and a focus on commercial with some residential.

The representatives explained the science behind a conjoint experiment, and that the approach was used to facilitate a simpler choice in one portion of the survey. Survey participants answered five

questions that asked them to choose between two different combinations of features. Each combination included building appearance, building height, varying uses for the developments, and atmosphere. The overarching conclusion was that building height and atmosphere were the driving factors for resident consideration. Residents preferred shorter buildings and a pedestrian friendly atmosphere with walkable plazas and courtyards.

The representatives explained that in a comparison between chosen combinations, roughly two out of three residents did not find descriptions of the current development and zoning requirements appealing when given an opposing choice. Residents eager to see some sort of downtown change. The most appealing package to residents was one that included commercial space only, buildings up to three stories or no more than 40 feet, and walkable plazas and courtyards incorporated into the developments.

The representatives reviewed the two difference mixed use ordinance proposals referred to as Core A and Core B. Core A included a building height up to 7 stories no more than 80 feet, and received a 48/52 split in result. Core B included a building height of up to 60 feet, and it received a 56/44 split in results. Over half approved of this option if there was an effective, pedestrian friendly atmosphere. A mixed use space with non-street level residential was appealing if executed well. The representative noted that they did not present participants with a map of potential development locations. They then reviewed the demographic of the survey participants, and reiterated that they were weighted to accurately reflect the population of the City as a whole.

Councilmember Paul thought it was interesting that 814 individuals responded out of 6,000 surveys that went out. He expressed that it would have been nice if there was a question about whether residents thought the elected officials were doing a good job. He appreciated all the work that Y2 had done on the survey. The Y2 representative responded that it was actually a good response rate by industry standards. They were confident that it represented the broad base of the population of residents due to the sampling procedure used.

Councilmember Paul was informed that out of 140 businesses who had been sent invitations, they only received responses from 26. Mayor Dandoy was also surprised there were not more responses, and expressed that there might be a lot of residents who liked Roy as is. He asked if they could sense if a person did not participate because they found no need for a survey. The representative said that as survey researchers they always tried to combat that nonresponse bias. She discussed how they tried to mitigate some of the potential affects.

Mayor Dandoy summarized the results that pertained to opinions about the mixed use development ordinance, and it was confirmed that the Harmans Department Store was roughly 40 feet as reference for building height. He noted that the Core A proposal seemed to be more compatible if it were pushed further east.

Councilmember Paul asked if they could appeal to the residents by creating a balanced walkable district with a couple of 70 foot buildings mixed in. The representative said that the creation of an effective pedestrian friendly atmosphere with ample parking could mitigate concerns about tall buildings. Mayor Dandoy agreed with the Councilmember, and he stated the site plan was critical.

The question was asked as to how the data was isolated and reviewed for the Core A and Core B options. The representative clarified the statistical model used to create and understand resident

preferences in each option, and reviewed what features were included in each one. She confirmed that the only difference between the options was the building height, which drove resident choice. Council and the representative discussed how the specific location was not provided in the initial survey.

The representative said that the results would be sent to the Council, and that they were still available for followup questions and to offer helpful interpretations of the data.

Councilmember Wilson asked how they differentiated the size of impact across the different results, and how they calculated their margin of error. The representative explained that margin of error was based on population size and sample size of the survey. She then briefly outlined the statistical modeling used, and simplified that the results were based on a relative comparison to other features included in the combinations. Councilmember Wilson asked for the data from business responses. The representative said they had strong preferences for commercial development only, but it was not statistically significant. Mayor Dandoy expressed sentiments about the data reflecting a desire for change in the downtown area. He noted that even if mixed use was allowed, developers were not mandated to use it.

Councilmember Saxton and the Y2 representative discussed how this survey subject was unique to Roy, but that the anti-highrise sentiment was common in Cities along the Wasatch Front because it harmed their sense of identity. They also discussed that the 81% of survey public thought they were going the right direction was an above average sentiment. It was noted that the context of the 81% was a general sentiment from the City health report card view that reflected that people were overall satisfied with how the City was being run.

Councilmember Jackson agreed with a lot of the survey results, and discussed previous discussions they had had about building heights. Mayor Dandoy talked about the length of the project, and thought that the 81% result reflected that residents were happy with the vision, and were happy that there was actually movement.

The Y2 representative commented that the residents wanted a sense of community, but he did not think that sense of community was tied to the downtown area. Councilmember Wilson asked about statements made about the destination commercial. The representative explained that with destination commercial she meant things that would draw residents to downtown Roy for the activities that they were not currently visiting downtown for. There was a discussion about making downtown a destination for a variety of outings.

There were no more comments, and the presentation was adjourned. Mayor Dandoy, Matt, and Council appreciated the research and in depth analysis of the results.

F. Action Items

1. **Ordinance 21-3** to amend Roy City Municipal Code, Title 10- Zoning Regulations; amending Chapter 6 Establishment of Zoning Districts; Amending Chapter 10- General Property Development Standards; adding Chapter 13 Mixed Use; Amending Chapter 17 Table of Uses, Table 17-2 Non Residential Zoning Districts; amending Chapter 19 Off Street Parking and Loading, Table 19-1 Off Street Parking Requirements; and amending Chapter 31 Definitions

City Planner Steve Parkinson explained that this was about the approval of the mixed use ordinance, and he presented to the Council the specific changes to the entire zoning ordinance.

Steve reviewed the language changes for 21-3. He explained that the RC zone would be removed and replaced with information about the new mixed use zone in six different locations, which he subsequently identified in the document. Chapter 13 would be added. Chapter 10 and Chapter 17 would refer the reader to Chapter 13. New definitions would be added to Chapter 31. He also presented the following changes to the district titles: downtown east (Core A), downtown west (Core B), and downtown gateway.

Steve discussed that 21-4 would change the zoning map to remove RC. He explained the color coding of the proposed map. He communicated that one section of RC was changing to community commercial and discussed the location. Council expressed their support for all of the changes.

Councilmember Wilson motioned to table the Ordinance 21-3. Councilmember Burrell seconded the motion. A roll call vote was taken. Councilmember Saxton voted “yay” Councilmember Wilson voted “yay”, Councilmember Jackson voted “nay”, Councilmember Paul voted “nay”, Councilmember Burrell voted “yay”. The motion carried.

Mayor Dandoy and Council debated whether they had enough information and time from the survey results to effectively vote on the ordinance. Mayor Dandoy urged that they get this ordinance done because they were stopping City progress by stalling a vote on the item. He declared that they would have a work session, in which they would debate height, setback, and commercial. He asked the Council what they wanted to discuss.

There was discussion regarding the importance of thoroughly vetting the survey results and having a civil conversation before they voted, especially with how much citizen money was spent on the survey. There was subsequent discussion regarding an appropriate motion to make on this item.

- 2. Ordinance 21-5 to Repeal Title 3 Chapter 1 and Reenact a New and Updated Title 3 Chapter 1 to the Roy City Code also Enacting a New Section Chapter 10 Title 3 Regarding Residential Solicitation and providing for an effective date**

City Attorney Andy Blackburn presented this Ordinance to the City Council. He mentioned that more visually conducive copies had been sent out to Council that highlighted any changes made.

City Attorney Blackburn explained that it was an update and revision of their business and licensing regulations, with special consideration to change that the appeals process would be handled by an appointed hearing officer instead of by the City Council. He discussed the various points in the document where language was clarified or changed. He specifically noted that inspections were a prerequisite for obtaining a license, and that one of the reasons they could deny or suspend a license was if they failed to report their sales tax documentation to the State tax commission.

City Attorney Blackburn discussed that standard changes were made to the solicitation ordinance

because of constitutional issues, and he subsequently identified them in the document. He explained that they created a separate chapter for adult store business licenses, but for the appeals process the reader was referred back to the information in business licensing. He stated that a solicitation ordinance required a license and fee payment, but there were exceptions for religious or political speech. There was also language protecting people from solicitation whether it was exempt or not. City Attorney Blackburn asked that they removed the last sentence of 3-1-12 (1) in the regular business license ordinance before Council approved.

Mayor Dandoy and City Attorney Blackburn discussed that the variable fees were set and approved by the City Council. There was a discussion about whether Council wanted to review and amend the fee schedule. City Attorney Blackburn noted that fees could not be used for revenue, and that changes to the fee amounts could not be made without conducting a study. He also informed them that they had to go with the recommended changes from said study. The consensus among Mayor Dandoy and Council was that they would adopt the current proposed changes, and then receive further information on the fees to discuss at a late point in time. They could then come back with the fee study, and subsequently adopt a consolidated fee schedule that had the recommended changes.

Mayor Dandoy clarified that the most significant change to the ordinance was that the appeal judgement changed from City to a hearing officer. There was a discussion about the payment of a hearing officer, and Mayor Dandoy confirmed with the Council that they understood it would be paid by the City.

Councilmember Burrell motioned that we approve Ordinance 21-5 with the removal of the last sentence on 3-1-12 (1). Councilmember Jackson seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye.” The motion carried.

E. Public Comments

No Public Comment was made.

A. Discussion Items

F. Reports

1. City Manager Report

City Manager Andrews discussed the roughly \$100,000 in donations from the CARES funds. He relayed that the donations of the Electrostatic guns were mostly delivered the week prior and all of the recipients were very grateful.

Mayor Dandoy mentioned to the Council that federal law stated that they had to do an audit. He imagined they would call a contractor in to conduct it, and then the audit committee would hear and present the results back to the City Council.

2. Mayor and Council Report

Councilmembers expressed their appreciation for both the successful work sessions that had occurred and for support on the City buffet.

Mayor Dandoy brought up the community development block grant that had been tabled on 1/19/21. City Attorney Blackburn explained that the reason it was tabled was because they did not get the notification for the public hearing out in time due to timing changes for qualifications for notifications. He communicated that since the study went for three years, they would bring it up for the 2022 grant.

Mayor Dandoy discussed the dumpster program, and stated that he would have City Manager Andrews come to the City Council with more information. There was a discussion about the requests from different neighborhoods. It was noted that the stormwater policies had been strengthened, and there was a new policy that dumpsters put out required a lid. Mayor Dandoy concluded that they needed to have a community beautification conversation to address issues and costs.

Councilmember Jackson mentioned the voucher program, and Mayor Dandoy informed her that City Manager Andrews would bring it to the Council soon.

Mayor Dandoy and City Attorney Blackburn discussed the difference between dumpsters inside the public works facility and those dropped off on the street on Saturdays. It was said that the biggest variation between public works and roads was that public works had the ability to have it go down into the sewer if it had leakage from rain.

G. Adjournment

Councilmember Paul motioned to adjourn the City Council meeting at 7:56 p.m. Councilmember Burrell seconded the motion. All Councilmembers voted “Aye.” The motion carried.

Robert Dandoy
Mayor

Attest:

Morgan Langholf
City Recorder

dc: