

Minutes of the Roy City Council Meeting held in the City Council Chambers of the Roy City Municipal Building on February 18, 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 Burrell  
Councilmember Paul  
Councilmember Jackson  
Councilmember Saxton  
Councilmember Wilson

City Manager, Matt Andrews  
City Attorney, Andy Blackburn

Also present were: Management Services Director, Camille Cooke; Police Chief, Carl Merino; Fire Chief, Craig Golden; Parks and Recreation Director, Travis Flint; Public Works Director, Ross Oliver; City Recorder, Morgan Langholf; Robert Mallory, Branin Berrett, Carsen Weyland, Abraham Awadh, William Norksorom, Natalie Garrido, Glenda Moore, Trent, Bara Burnett, Robert Percival, Austin Gonzalez, Colton George, Thomas Hartley, Paul Sullick, Amy Buckway, T. Magruger, Shanna Davis, Gary Davis, Keiliee Stockseth, Willard Grey, Stan Hoellein, Kody Charlesworth, Charles Ivester, Roy Fire Department

**A. Welcome & Roll Call**

Mayor Dandoy welcomed those in attendance and noted Councilmembers Burrell, Paul, Saxton, Jackson were present with Councilmember Wilson participating electronically.

**B. Moment of Silence**

Councilmember Jackson invited the audience to observe a moment of silence.

**C. Pledge of Allegiance**

Councilmember Jackson lead 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 an alcoholic beverage license for KSK Quick Stop, located at 3971 South 1900 West**

**Councilmember Paul motioned to approve an alcoholic beverage license for KSK Quick Stop, located at 3971 South 1900 West. Councilmember Burrell seconded the motion. All Councilmembers voted “Aye.” The motion carried.**

**E. Action Items**

1. Swearing in of New Fire Chief, Craig Golden

City Manager Andrews stated that the City had been looking for a new Fire Chief. Eleven qualified candidates had applied and, after further researching the individuals, it was decided that Craig Golden was the best fit. City Recorder, Morgan Langholf swore in Craig Golden to be the Fire Chief. Chief Golden pointed to his family members present for his swearing-in.

**Councilmember Jackson made a motion to appoint Craig Golden to be the new Fire Chief. Councilmember Paul seconded the motion. All Councilmembers voted “Aye.” The motion carried.**

2. Consideration of Resolution No. 20-6 Approving an Agreement with Aqua Environmental Services Inc. for the sewer lift station grinders project

Public Works Deputy Director Brandon Edwards presented this Project to the Council. He explained being ready to answer any questions. He mentioned that the grinder was made to grind detritus going through the sewage.

**Councilmember Paul motioned to approve Resolution 20-6 an agreement with Aqua Environmental Services Inc., for the sewer lift stations grinder project. Councilmember Burrell seconded the motion. A roll call vote was taken. All Councilmembers voted “Aye.” The motion carried.**

3. Continuation of Ordinance 20-1 Amendments to Title 10 Zoning Regulations; amending CH 10 General Property Development Standards; CH 17 Table of Uses and CH 31 Definitions

4.

Steve Parkinson explained that the ordinance had been tabled twice before.

Mayor Dandoy mentioned that the conversation had begun with the fencing around the assisted living facility. He explained that there had been attempts at finding solutions and new recommendations had been proposed by the Planning Commission. Mayor Dandoy explained the three options available. He added that there had been discussion of another living facility being added. He mentioned that some solution had to be found: The Planning Commission would eventually have to approve a site plan.

Councilmember Paul pointed that the uses had been an issue. He explained that uses had been prioritized over zoning and that whatever the zoning stipulated would be followed, as opposed to the use dictating fencing.

Mayor Dandoy stated that the screening could be either residential or commercial.

Steve Parkinson stated that the Planning Commission had removed some sections and replaced them with the table to simplify the process.

Councilmember Paul stated that his proposal was that there be a 20-foot setback between residential and commercial. He continued that landscape screening presented some issues; therefore, a solid wall was his recommendation.

Councilmember Wilson clarified that there would be no foliage within the 20-ft setback. She asked whether the wall would require a building permit and engineering. She was told it should not. Councilmember Wilson stated that most people would want to build a 6-foot wall but added that 8-ft might be a better choice. She asked if, in the instance of an elevation issue, an 8-ft wall could be allowed.

Councilmember Paul stated that he had recommended 6-ft on highest point of property. Mayor Dandoy stated that the point was that consideration should be given for 8-ft.

Mayor Dandoy stated that the site plan approval should be a Planning Commission's decision. It was pointed that this process would increase the length of time needed for some projects. Councilmember Burrell stated that, for the sake of privacy, an 8-ft wall should be allowed. Councilmember Wilson stated that the issue was with the assisted living facility. Councilmember Paul explained that the ordinance mentioned the highest point of the property line. He pointed that there should be no partial screening and no vinyl screening.

Councilmember Saxton asked whether landscape was the best option. Councilmember Paul stated that trees died overtime and provided only a partial screen. Councilmember Saxton stated that when it came to deterioration, the property owner would be responsible for maintaining these spaces in good condition.

Councilmember Wilson explained that she believed the issues had been addressed. She mentioned that the vegetation could be used as beautification but not as the main buffer. She added that the ordinance had required that ten of the 20-ft barrier be landscape, thus preventing having a parking lot against a property line.

Mayor Dandoy stated that the desired changes were to have a minimum yard setback of 20 to 30 feet with a 10 ft landscape buffer. The wall would be masonry, he added. Councilmember Wilson explained that a stronger wall was recommended and that no Styrofoam filling should be allowed.

City Manager Andrews wanted to ensure the ordinance would be adopted as proposed with the discussed changes.

**Councilmember Paul motioned to approve Ordinance 20-1 with the discussed changes and requests. Councilmember Burrell seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye." The motion carried.**

#### **F. Public Comments**

Mayor Dandoy opened floor for public comments.

Austin Gonzales, 5382 South 2000 West, explained that he wanted his parcel to be included with the downtown mixed use. He explained that the properties next to him were high occupancy ones.

Robert Mowery, 2817 West 6000 South, discussed 3100 West and its lack of sidewalks. He stated this was not acceptable. He continued that 5725 South and 775 West also had no sidewalk. Councilmember Paul noted that one property owner had voiced not wanting to have a sidewalk in front of their house. During the winter, he explained, particularly when snow accumulated, he was left to walk in the street, which caused a public safety issue. He pointed that the 3100 West was also experiencing an increase in traffic. He mentioned that he had been told repeatedly that there were no funds in the budget, which he doubted, seeing other construction projects being completed.

City Manager Andrews stated that a grant was supposed to come in 2020 or 2021 for this project.

Dr Amy Buckway, 4863 South 2700 West, explained she wanted to make sure her signature in opposition to the development across her street had been recorded. Councilmember Paul explained that this particular project would be voted on at the end of March. She further asked whether changes would be made to traffic flow on 4800 and 2700. Mayor Dandoy explained that 4800 was a City owned road and

that the widening was expensive- three to four times the general fund. He explained that the City did not have these kinds of funds available, which might require the road to be turned into a State road. He continued that there had been a proposal made and that it should be approved this year.

City Manager Andrews added that Union Pacific had been holding up the process, but that the issue should be resolved in 2020.

Glenda Moore, 2088 West 3825 South, pointed out that the Mayor had stated on Facebook that he would publish a list of 2018 and 2019 accomplishments. She asked where the list was.

Mayor Dandoy stated that the accomplishments needed to be listed on the City's website.

City Manager Andrews explained that he had just received a message stating that May would be when the railroad crossing would be addressed.

Mayor Dandoy closed the floor for public comments.

**G. Discussion**

1. Form Based Code

City Manager Andrews explained that the discussion was meant to understand the details of form-based code. He added that it had been unanimously decided to split the form-based code. He continued he wanted to make sure Staff could split the document and explained this would allow separate conversations for the Downtown district and the other areas.

Councilmember Paul explained that he wished to separate the code into three distinct areas: downtown, innovative district, and train station. Based on the feedback, he continued, most of the concerns seemed to be about the train station. He added hoping that the Council could vote on the downtown area the following week.

City Manager Andrews stated that the separation was what the Planning Commission had recommended

Councilmember Wilson mentioned that she believed the Planning Commission was just splitting things into two. She continued that this could be quickly rectified. She added that Downtown would require a few more meeting before a vote was pushed. Councilmember Burrell stated that the Council could continue with the split. City manager Andrews explained that the Planning Commission was the one sending the recommendation and that the Council could split things subsequently.

Mayor Dandoy stated the he wished to pass a resolution the following week to create a form-based code ad hoc committee. Mayor Dandoy stated there would meetings on March 3 and March 17, 2020. He explained that he believed the Council was ready for a vote on March 3. Mayor Dandoy stated that March 3 could be dedicated to a workshop. It was noted that the March 3 meeting would not have anyone in attendance who knew the code well. Councilmember Paul stated the presentation could be done on March 17 and voted during the next meeting.

Councilmember Saxton stated that he did not know if a form-based code was needed in the station area: a traditional zone could be used. This would allow more control of what would work for citizens. Splitting zones would allow to move forward with the property around City center. He added no one in the area wanted three of four story apartment buildings.

Councilmember Paul explained that he agreed, but that he did not see an issue with form-based code as the City would still be able to stipulate what maximum height would be.

If the areas were split, Councilmember Burrell explained, the decision for the train station could be pushed to the future and allow time to decide what was best.

Councilmember Wilson agreed with Councilmember Saxton but added that another concern was form-based code in that area because of what it limited and what UTA wanted.

Mayor Dandoy discussed longed details and potential changes. He pointed that the question was whether form-based code had to be removed entirely or structured in a way that was acceptable.

City Attorney Blackburn went through a yearly training with the Council members. He explained that the City legislature required for cities to hold their meetings in the open. He then reviewed the definition of Quorum, which was three councilmembers, or two councilmembers and the Mayor. He added this also applied to executive sessions, work meetings, and conferences. He explained that chance meetings and social gatherings, however, did not apply. Regularly published meetings, he continued, had to be published once a year. He added that special meetings required a 24-hour notice in the paper as they were not regularly scheduled events. Employee termination did not need to be public at first but would require an open vote. Price bargain, he pointed, did not need to be public. He further specified that the deployment of security devices did not need to be public and continued that investigations in criminal allegations, ethics reviews and complaints would also be reviewed without the public. He clarified that no voting could take place in such meetings. Mr. Blackburn explained that a roll call vote with a quorum was required before going into a closed meeting. The reason for the closed meeting also had to be stated publicly. He added that closed meetings had to be recorded and minutes had to be kept. No contracts and resolutions could be approved during such meeting, he explained. He further mentioned that a Councilmember disclosing something that happened in these meetings would not be illegal but would remain an ethical violation.

If the Open Meetings Act were to be challenged, he continued, individuals would have 90 days to file with the District Court. He added this could be enforced by the Attorney General's Office or the County. A violation, he continued, was a class B misdemeanor.

## **H. Reports and Discussion**

### **1. City Manager Report**

Mr. Andrews reported on the following:

- Mr. Andrews explained that the Complex was doing the annual "Gold Dig" on March 14, 2020.
- Mr. Andrews mentioned that budgets had gone out to the departments. He continued there would be continuous workshops in the future.
- Mr. Andrews explained that the City had been awarded a \$56,250 grant for a sidewalk on 5500 South.
- Mr. Andrews stated that the Police Awards Banquet was upcoming.
- Mr. Andrews explained that in the days following the current meeting, the City would be hosting the PIO training. He mentioned that several employees were attending.
- Mr. Andrews explained that emails regarding the Form Based Code had been send out. Unfortunately, due to a SPAM issues, 16 emails had been returned. He stated that anyone who had not received their email should contact Staff to check the email address.

2. Mayor and Council Report

City Recorder, Morgan Langholf explained that she had extra room in the Newsletter. Mayor Dandoy stated that some citizens had asked for the Council to include a message in the newsletter.

Councilmember Jackson added that the first meetings for Roy Days were taking place. She explained that grand marshals had been considered.

**Adjournment**

**Councilmember Paul Motioned to Adjourn the City Council meeting at 6:49 p.m. Councilmember Jackson seconded the motion. All Councilmembers voted “Aye.” The motion carried.**

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Robert Dandoy  
Mayor

Attest:

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Morgan Langholf  
City Recorder

dc: