

Mayor
• Robert Dandoy

City Manager
• Matt Andrews



Council Members
• Jan Burrell
• Joe Paul
• Bryon Saxton
• Ann Jackson
• Diane Wilson

ROY CITY COUNCIL MEETING AGENDA

MARCH 3, 2020 – 5:30 P.M.

ROY CITY COUNCIL CHAMBERS – 5051 SOUTH 1900 WEST

A. Welcome & Roll Call

Mayor Dandoy called the meeting to order and took roll.

B. Moment of Silence

The audience observed a moment of silence.

C. Pledge of Allegiance

The audience recited the Pledge of Allegiance.

D. Consent Items

1. Minutes from the February 4, and February 18, 2020 Roy City Council Meeting Minutes.

Small changes were discussed. Morgan Langholf, City Recorder, confirmed that she had made the suggested changes.

Councilmember Wilson moved to approve the minutes with adjustments as noted. Councilmember Burrell seconded the motion. All Councilmember voted “Aye.” The motion passed.

E. Action Items

1. Employee of the month- Brock Durain

Fire Chief Leroy Gleichmann explained that Mr. Durain had been nominated as Employee of the Month. He read the letter he had sent the review board where he noted that Mr. Durain had made himself very available and had been careful to keep all apparatus in service. He pointed to a situation where the Roy City Fire Department had had an engine failure. He explained that Mr. Durain had offered options to do the work in house resulting in a \$5,000 saving with a dedicated 60 manhours. He explained that this had increased the work of employees, but that Mr. Durain had been able to have the Department handle all the work.

City Manager Matt Andrews explained that America First would be participating in the Employee of the Month process by providing a \$25 gift card along with a piggy bank.

2. PUBLIC HEARING—Resolution 20-7 Approving Adjustments to the Fiscal Year 2020 Budget

Staff presented the resolution which would amend the fiscal year as outlined in the Council’s packet. The budget was usually adopted in June and that budget could be moved within a department but not between departments or funds. As a result, the budget had to be amended a couple of times each year when grant revenue appeared or new projects needed completion. The proposed resolution would amend the approved budget by \$421,725. Some grants had been received, such as a \$20,000 ADF grant for the Police Department as well as a donation for a canine bullet proof vest. The Fire Department had received a FEMA AFG grant to pay for an SCBA breathing apparatus. She



added that included in the new budget was \$120,000 in grant revenue. With the upgrades that had been completed, \$31,000 was needed out of the fund reserve balance to pay for thermal imaging. She added that the boilers in the pool needed an upgrade as well as the diving board. The upgrades, she explained, would cost \$57,000.

It was explained that a match had been included for the Hill Air Force Base compatible use plan. The effort was between several counties to address current and future compatibility issues surrounding the base. The resolution suggested moving the overtime maintenance budget from the Complex and Aquatic Center to Building maintenance. In total, the adjustments to the General Fund would be \$96,000 to fund balance reserves.

It was noted that the Water and Sewer enterprise funds needed to take \$175,000 from fund balance to improve water lines on 2200 West and 5600 South. She continued that utility services would also be provided on 5130 South 1700 West. The funding also included funds for repairs in the utility office.

The comment was made that the IT Internal Service fund was proposing transferring \$35,000 from the General Fund to improve the speaker system in the City's meeting room, along with \$3,200 to establish a document management program.

These figures included an increase from Center Weber Sewer District where the Sewer Board had recommended an increase for residents in that sewer area. The sewer rate in that area would increase from \$30.95 to \$31.57. The final item would be to allow previously budgeted funds to be used for site improvement. Staff recommended that public comments take place before approval.

Councilmember Paul moved to go into Public Comments. Councilmember Saxton seconded the motion. All Councilmember voted "Aye." The motion passed.

No comments were made.

Councilmember Paul moved to go out of Public Comments. Councilmember Burrell seconded the motion. All Councilmember voted "Aye." The motion passed.

Councilmember Wilson asked about the Air Force Base compatible use plan. She asked what the funds would be used for. City Manager Andrews explained that the base had received a \$182,000 grant for assessment. He added that the base needed a match and had therefore asked to local jurisdiction to participate. He added that traffic would be looked at along with anything useful to keep the Base opened.

Councilmember Wilson asked why the utility department needed a new drawer. City Manager Andrews explained that this was needed because it was a convenient way for citizens to pay their utility bill. Councilmember Wilson asked how much was left in the General Fund. Mr. Andrews stated he would look for this figure. Mayor Dandoy stated that the City had to keep 18% in its General Fund and wanted to make sure that was the case. City Manager Andrews explained that City departments had turned in \$300,000 in part because of sales tax coming above budgeted revenue.

Mayor Dandoy stated that he had been recently surprised to see the cost of laptops. He explained that he found the cost of laptops requested to be high. It was noted that the laptops cost between \$1,500 and \$2,000 each and were rotated out every three to four years.

Councilmember Paul moved to approve Resolution 20-7 Approving Adjustments to the Fiscal Year 2020 Budget. Councilmember Burrell seconded the motion. The roll was taken. All Councilmember voted "Aye." The motion passed.

F. Presentations

1. Boys & Girls Club

Mr. James Ebert expressed his appreciation for his opportunity to talk to the Council. He added that he liked to talk to the Council twice a year. He mentioned wanting to show the outcomes and pointed to many positive changes that had occurred in the past nine months. Mr. Ebert introduced Shelly Bush, the new Development Director who, for years, had worked for the Weber School Foundation.

Ms. Bush explained she had been involved with Roy schools and understood how they worked. She explained knowing the importance of graduation rates. She explained that her role was to work with community partners and individuals to help bring awareness to development programs focusing on academic and leadership success. She further added that part of her role was to make sure funding was where it needed to be.

Mr. Ebert provided handouts to the Council while pointing to tutoring times at the Boys & Girls Club as well as Art programs. He explained the Club provided mentors and a structured calendar. The programs, he continued, were national and evidence based.

Ms. Bush explained that the Club was not a day care. Rather, the Club had targeted programming including STEM programs. The Club provided homework help and kept children safe. Mr. Ebert explained that the Club worked with 90 to 100 children each day and added that during the summer, the Club ran eight hours a day in ways that were purposeful and intentional. He emphasized the importance of mentorship, academic success, and safety. He further discussed teen programs that helped create the future workforce.

Ms. Bush discussed the teen program, which, it was pointed, ran at capacity. She explained that average daily attendance had increased in an environment to help teens learn. She explained that within the last month a new academic program had been started three nights a week: a teacher from the local Junior High came to provide homework help. This had allowed teens to receive better grades and improved their attendance. With increased attendance at the Club, she added, a bigger space was required.

Mr. Ebert explained that the plan for the future was to create a common vision. He added that the Club was trying to align itself with the school district by adopting some school programs and creating continuity. He voiced his appreciation for Roy City and the community.

Councilmember Wilson asked whether only children going to school in Roy could be part of the Club. Mr. Ebert explained that other children could be approved without being part of the school district.

Councilmember Burrell thanked the Club for all the work they did for children in the community.

G. Public Comments

Leon Wilson, 4302 South 2675 West, explained that he had a technical request: the audio file should be changed in ways that would allow advancing a playback. He added that an option to go to a transcript and pick what to listen to. He continued that n minutes for January or February had been posted. He joked that this was causing some sleepless nights. Ms. Langholf explained that the minutes could not be posted until they had been approved. Mr. Wilson mentioned that his next-door neighbor had a corvette. He explained that sometimes impulse buys were made. He likened this to the City taking sufficient time to make decisions. He added that the Roy business community also needed to be involved in decisions. He continued that proper notice had to be given to all to attend if they so wished: publication might not be enough, and people might not understand all ramifications. He explained having concerns both about Form Based Code for Roy City, but also felt concerns about the process itself. While he could not fully elaborate fully, he explained that he was not in support. He explained that he was concerned about the way the document had come to the Council. He added that he had review the voting record for every commissioner on every issue. He noted having fond a trend where 99% of the time, the commissioners unanimously voted the same way on every motion. He mentioned the need for well prepared, independent thinking. He pointed to a requested abstention

where the councilmember had been told they had to vote. He gave a specific example with Commissioner Brand. He explained that he had read, watched, and listened to every Planning Commission meeting for the prior two years and could not find any public input before January 14, 2020. He explained that there had been very little review done. The full Commission, he continued, had received documents with no discussion.

Mr. Wilson explained that during the January 14, 2020, Planning Commission meeting, the Commissioner had mentioned all the work sessions that had happened, while Mr. Wilson felt that this was misleading. He mentioned instances when commissioners expressed worry over potential public outcry.

Mayor Dandoy explained that citizens needed to sign up for the email list to stay informed. He encouraged citizens to present their issues via emails, calls, or messages. He added that continuing to have meetings was counterproductive.

Mr. Andy Walter, 5570 South 2050 West, explained that if the current plan came to be, he would have a ten-story building just East of his house: The Convention Center. He added that once 5600 was widened, this would add the potential for other five-story buildings. He continued that in that perspective, his TV would be cut off and he would need to go three blocks to a light just to get out of his neighborhood. He further asked where all the cars would park. He also mentioned that the sewer system was not designed for that high a density of population.

No more comments were made.

Councilmember Paul stated that many had voiced issues about transparency. He explained being open to suggestions as the government was meant to be representative of the people. He mentioned that some communication was happening on Facebook and that the City had done quite a bit to inform its people.

A citizen, Mr. Burnett, stated that he had emailed all Councilmembers as well as the Mayor and had not heard back from everyone. He explained he had sent suggestion to Morgan Langholf without knowing if his suggestions had been heard. Councilmember Paul stated that did not always respond because of one Councilmember did respond, they spoke for all. He added using Facebook as he could reach more people that way.

H. City Manager's Report

- City Manager Andrews explained that the Gold Dig was still scheduled for March 14, 2020.
- City Manager Andrews mentioned that the neighborhood cleanups with shared dumpsters would start on April 1, 2020, with sign-ups starting for May 2, 2020.
- City Manager Andrews discussed the traffic on the railroad tracks between 4800 South and 2700 West. The railroad, he continued, had failed to procure the proper permits and would thus delay the project to August 2020.
- City Manager Andrews mentioned the grant for Roy West Park. The Committee, he continued, had recommended approval for the grant, and the next step would be a vote.
- Councilmember Saxton mentioned that renovating the Municipal Park had been discussed. He explained that he had been contacted by two separate individuals wishing for the Council to consider putting an all-inclusive area for wheelchair bound individuals. He added that completed the project before the beginning of the 2020-2021 school year would be ideal. Councilmember Paul stated that it might be good to research several ball parks in the following year's budget as he had had several individuals request them.
- Mayor Dandoy stated that the moment councilmembers and Mayor were together was the perfect time to bring up suggestions. The suggestions would then be passed to Staff who could into the feasibility. Councilmember Burrell pointed that the area should be for all abilities, not merely wheelchairs. Mayor

Dandoy further explained that the item would come back formalized and possibly with a budget change. Councilmember Burrell asked whether this item would be on the current budget, or the following years. City Manager Andrews stated that the Staff would try to facilitate it in the current budget. Several other cities were mentioned as having all abilities areas in their parks.

- Councilmember Wilson thanked Mr. Burnett for his comments and invited everyone to attend work sessions about Form Based Code. She added that the community needed to help the Council see whether FBC was what was needed.
- Councilmember Paul shared the newly created email to reach councilmember: council@royutah.org. This email, he continued, went to all councilmembers and when one replied, they replied for all.

I. Adjournment

Councilmember Paul moved to adjourn the meeting. Councilmember Wilson seconded the motion. All Councilmember voted “Aye.” The motion passed.

ROY CITY COUNCIL WORK SESSION

MARCH 3, 2020 – 5:30 P.M.

ROY CITY BASEMENT CONFERENCE ROOM – 505 I SOUTH I 900 WEST

A. Welcome & Roll Call

Mayor Dandoy called the work session to order and noted those who were present.

B. Discussion Items

1. Establishing Form Based Code in Downtown Business District.
2. PRESENTATION

The meeting began after City Council adjourned at 6:45 pm.

Mayor Dandoy started meeting with presentation on Form Based Code, he brought up Focus Roy Document, the Goals were a more vibrant downtown, affordable housing, safety and comfort and healthy businesses. Form based Code focuses on looks.

Stan Hoellein requested that three questions be answered, 1. What are the frontage limits are? 2. What are the costs of FBC as opposed to regular zoning? 3. What are the mechanics of FBC?

Mayor Dandoy responded to Mr. Hoellein...

City Recorder Morgan Langholf requested that if you speak during the presentation or ask a question to please state your name for the record.

Councilmember Burrell also requested that if you have a question on FBC that you would like to ask her to please refer to a specific page within the code for her to look at.

The Mayor reiterated that if you have question to please reach out to your elected officials that they might be able to serve you better while in this process.

Councilmember Paul wanted to let everyone know that FBC makes things easier for a developer to come into a space. Because currently they have to go through planning commission and getting everything approved from site plans to our current building codes and zones. If we implement FBC then as long as they follow the parameters that we have set then they don't have to go through such a long process.

The Mayor echoed and elaborated on what Councilmember Paul stated.....

Councilmember Wilson stated that FBC isn't the only way that we can accommodate mixed use, but that the goal behind the city trying to implement FBC was so that we could accommodate mixed use.

Mayor Dandoy responded to her question/statement.

Mayor then wanted to show the residents the current map that we are using for FBC stating what areas are currently being proposed for within the code.

Austin Gonzalez, asked if that was there the four-plexes are?

Darlene Musclemann also asked if he could show them where major roads like 4000 and 5600 are for reference.

The Mayor did clarify exactly where he was speaking about for them to know...he continued to explain what they are currently proposing.....

Councilmember Burrell then stated that she was seeing in the area they were discussing, a strong grid system and asked...

Councilmember Paul then stated that any existing property owners and businesses would be grandfathered in and would not be demanded to conform to the FBC once approved.

Councilmember Burrell asked if FBC applied to current owners that wanted to expand or adjust their buildings,

Councilmember Wilson responded that if changes less than 30% (10% in some instances) the owner would be required to comply with FBC completely. Mayor responded that the current FBC is a draft, and the percentages could be changed - such as to 50% or 60%.

Stan Hoellein asked for another clarification

Councilmember Paul stated that this was the reason that we wanted to separate the downtown from the station district. (The reason was to move forward on the downtown district because we have an interested developer and take our time to vet through the train station district

Mayor.....

Leon Wilson asked what would happen when "not this council" was then making the decisions. Would they change things? Mayor responded that code can be and is changed by Councils.

The Mayor then stated that he grew up in Sunset and that he drives through it now and it is completely decaying, they are losing businesses and its only a matter of time before that happens to Roy and he doesn't want that. This is why we must make changes. Sierra RV left Syracuse and it left them completely without business in the city.

Eddie Welter asked how the city could make a business or property owner comply with the codes that we are putting forth?

The Mayor stated that is a code enforcement officers job and the reality is that we might need to look into hiring more than just the one we have, but we are making changes. People are going to jail because they are choosing not to follow the law and clean up their properties.

Councilmember Burrell then asked what they want changed?...

Mayor.....

Shawn Bailey, owner of Dilly Dallies

Mayor.....

Jill Bailey, also an owner of Dilly Dallies, they have been in business there for over 30

years. With FBC it puts them in a position that they would lose their business. Because they aren't the property owners, Woodbury is, and they would be displaced. She did mention that they might move or might retire but the way the code currently is being proposed isn't going to work in favor for those businesses that rent or lease property.

Mayor.....

Darlene Musclemann mentioned that if they put in more roads then it would be the cities job to maintain and plow the roads.

The mayor then stated if there are things within the code that people want changed then it is within the City Councils power to change it. All they had to do was change what they didn't like.

Councilmember Burrell....

Mayor.....

Austin Gonzales has lived in many other places and likes the walkability. Right now, he lives near harmons but wouldn't walk there.

Joe Gracy from Joes Car Connection said that he feels like if Roy implements this FBC that its because they don't value the current businesses in Roy and only wants newer and better businesses, if that is how the city feels then maybe he can take his business to a different location?

Mayor response.

Mr. Gracy

Joe Paul added

Councilmember Burrell added

Mayor

Mr. Gracy

Mayor

Mr. Gracy

Councilmember Paul

Trent Citte from Citte RV stated that he has a narrow driveway to his business, one way in and one way out, it only has a right turn in and a right turn to get out of it. If they put a new business on that corner then he loses the access to his property.

Mayor....

Darrell Olsen, He said that the property owners....

Councilmember Paul

Mayor....

Carl Keyes stated that he was one of the main foreman over the Hilton garden inn over in Ogden that was built a few years ago. He said that there is so much infrastructure that goes into supporting a business like that. Does Roy have the sewer capabilities to support it?

The Mayor informed everyone that we do, Roy City has more water than most of its surrounding cities and that is why we have so many car washes. Water is cheap here and we have plenty of it.

Austin Gonzalez then stated that he again would like his parcel added to the area for FBC and that he feels like this is going to be a great thing for our City.

Mayor...

Chuck Ivester said that he just requests that the corner curbs be low enough that his trucks can make a turn in the city.

Mayor....

Councilmember Paul.....

Mayor.....

?? Byron Burnett?? What about emergency vehicles? If we have a multiple level parking garage how do emergency vehicles get up those?

(at this time Mr. Welter asked a question to Councilmember Paul and Councilmember Paul was trying to answer the question during the other discussion that was going on with the Mayor and the rest of the attendees. Mr. Leon Wilson then declared that people needed to let the Mayor speak so he could be heard)

Councilmember Jackson then stated that a hotel that comes in is going to do its own design not follow our FBC.

Mayor.....

When the aeronautical design of proposed future buildings was shown, Glenda Moore stated that, for those people who had been researching, this was the sort of thing discussed in the Planning Commission meetings, and we may not have understood that this was part of the form-based code discussions.". She was in attendance.

It was around this point that we discovered the recording wasn't working so I turned it on.

Mayor...."what we need to do as a residence and a society is....."

Councilmember Paul "I personally don't want to do either, so if I can increase sales tax through some developments then it's a win win for all of us."

Mayor "

Question about if this has to be approved?

Mayor, “we will not put a three story building in Roy?” Once you get to 60 feet it caps, also you cannot have a modern building, the code will not allow glass, it will not allow metals, its gotta be brick or something else. That is all that the code today will allow you to do. So unless we try to manage that code and improve the code to make it more flexible for the demands, our challenge is going to be it provides developers to simply walk away and go somewhere else. And what we are saying is “don’t walk away” we think that we can provide some solutions and some business opportunities under controlled measures to Roy.

The question is going to be what are they going to be and what are they going to look like? But we cannot, under current code, we cannot build these (referring to the glass/modern building slide) the codes will not allow them. We have to look at changing that.

Councilmember Paul “a type of Movie Theater a type of hotel, a type of mixed use development...”

Councilmember Wilson “mixed use is important and one thing I want everyone to consider, as I have talked to several cities who have adopted this, there biggest problem is they have a great vision but they can’t get any commercial...they have developers and they are putting the housing in but they are putting the bottom floor commercial, so they are thinking wow I am going to have all this commercial revenue, but if we are going to develop whether its form based or something else, is there a way to allow, the vision is having the commercial”

Councilmember Paul “how much development has to be commercial? Look at what we did on 4000 and Midland, we made them go back and cut the number of housing units and increase the number of commercial, the thing we didn’t do that we learned from other cities is to stipulate that the two have to go in simultaneously. You mandate a fill rate?”

Mayor, “here is what it said, on this particular document ground story has to be retail, service or office. Above that you can put anything else you want, its permitted use. But that ground floor has to be commercial, office or retail.”

Councilmember Wilson “but that is only one of the options, so we would have to be careful and make sure that it’s what we want”

Mayor “we control what goes into the code, what do we want that place to look like and what options do we want in what locations. Do we want 12 story buildings, if the answer to that question is no, then it takes three votes to take it out.

Councilmember Jackson, “I have lived in Roy 16 years and it is different, things are gone now. I want a hotel here, I want everything coming to Hillfield I want more revenue for the City. The more businesses we get here the more new businesses are going to want to come. I don’t want people to have to sell their property unless they want to. But I do want a change for Roy. People just drive through Roy, we go to Riverdale or Clinton, I do want change, I don’t want 12 story buildings or 5 stories at the station, but I do want change.

Mayor, we do that by adjusting the code to fit the needs of the City. And when approved, that is what will draw developers to Roy.

Resident?? Please educate the businesses in town that you are not trying to buy us out and telling them that they will be grandfathered in and teaching them what that means. “as long as you are maintaining your business there we are not going to touch it”

Councilmember Jackson “as long as you own that property”

Councilmember Paul “If you change things within a certain percentage you will be fine”

**A lot of small conversations

Mayor Dandoy “we all have an opportunity for communication here

Mayor Dandoy stated that the tallest buildings allowed would be 3.5-story buildings. He added that the code would not allow a modern building and that the current code was not every flexible for property owners and developers. Under current code, he continued, the buildings presented could not be built. Councilmember Paul stated that having no mixed-use development was not an option. Councilmember Wilson stated that she had talked to cities that had had all the land swept for housing development but left with the commercial bottom floor vacant. She added that the vision was to have commercial.

Staff explained that the Council had to stipulate how much development they wished to have. The number of housing units had been lowered and that the commercial development had to be put in place along with the housing units. Mayor Dandoy stated that the ground level had to be, commercial, retail, or offices, while many other uses were permitted above. Councilmember Wilson stated that caution had to be exercised.

A resident (no name given) explained that she had lived in Roy for a long time. She mentioned that it was different from when she had first lived here. She explained that she wanted more revenue for the City and added that she did not want to see anyone suffer from this new code, though she wished to see changes for her children and grandchildren. Mayor Dandoy explained that developers would have to build according to the code chosen by the City.

Staff explained that the issue of grandfathered clauses was not well understood by residents. He explained that, for businesses, the clause stated the business would not be touched as long as it owned the property it was on and remained the same business. Mayor Dandoy stated that all those in attendance could benefit from these clarifications. He added that developers that had approached Roy had requested buildings of four to five stories. He explained that the conversation about height was already taking place and that no twelve-story building would be approved. The train station, he continued, presented a different challenge: between the TRAX and the trail, the area was zoned for light manufacturing and any developer could build up to 16 stories. He added that anything being built in Roy had to have a site plan approved, and that the site plan would not be approved unless it was code compliant. He continued that the point was to find a code that worked and that citizens should send their comments to the councilmembers. Mayor Dandoy addressed Mr. Wilson and stated that he had the document posted on July 14, 2019. The one posted on January 10, 2020 was the same, he continued. He added that nothing had changed on the documents. He further pointed that the Planning Commission was an independent body and that the code had to be figured out correctly in order to modernize portions of the City.

Staff explained that the code was critical as the City had access to the Woodbury project: once the interchange was put in place, Sunset and Clearfield would also have access to the area. Roy City was the entrance at the moment, he continued, but another entrance would allow developers to go to other cities. This would leave Roy with no developers and no infusion of capital. Mayor Dandoy pointed that there were about two months to find some resolution. He added that citizens’ input was critical, and that people who signed up for the email list were kept informed.

C. Adjournment

The work session was adjourned.