

Minutes of the Roy City Council Meeting held electronically via Zoom and YouTube on July 21, 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	City Manager, Matt Andrews
Councilmember Jan Burrell	City Attorney, Andy Blackburn
Councilmember Joe Paul	
Councilmember Bryon Saxton	
Councilmember Diane Wilson	

Also present were: Management Services Director, Camille Cook; Police Chief, Carl Merino; Fire Chief, Craig Golden; Parks and Recreation Director, Travis Flint; Public Works Director, Ross Oliver; Jodi Call, Morgan Langholf, Brandon Edwards, Steve Parkinson, Scott Wynn

A. Welcome & Roll Call

Mayor Dandoy welcomed those in attendance and noted Councilmembers Burrell, Paul, Saxton, Wilson were present. He excused Councilmember Jackson.

B. Moment of Silence

Mayor Dandoy invited the audience to observe a moment of silence.

C. Pledge of Allegiance

Mayor Dandoy 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 the May 19 and June 16, 2020 Roy City Council Meeting Minutes**
- 2. Sale of Surplus 2019 F150**
- 3. Re-appointment of Planning Commission members**

Mayor Dandoy explained that the first consent item was the approval of previous City Council Meeting Minutes. He noted that the June 16, 2020 Meeting minutes were not included and asked that their approval be tabled.

Councilmember Wilson made mention that she had submitted a few changes to the May 19, 2020, meeting minutes.

Matt Andrews, City Manager, explained that during the budget process it was necessary to remove a lot

of the capital assets from the budget. He furthered that typically the City will sell an older vehicle and take those proceeds to purchase a newer vehicle because the City gets such a good deal on the purchase price. Because of this, staff want to sell a 2019 F150 as it appears that the City could make some profit off its sale. If the truck were sold, staff would need to bring a budget adjustment back to the Council to purchase a new vehicle, as it was not a vehicle the City could just do away with. The advantage for selling the vehicle would be to prevent the City from being responsible for any on-going maintenance.

Council Member Wilson asked how much they anticipated it would cost to purchase a new vehicle.

Matt Andrews, City Manager, said that the prices fluctuate from year to year. Staff try and sell vehicles within \$1,000 of what they purchased them for. Even if they sell for \$1,000 less, that loss is offset by the maintenance expenses the City avoids needing to pay down the road.

It was noted that staff had talked with Ross and Brandon, from Public Works, about the purchase of the vehicle. He explained that the model that they wanted to purchase made a lot of sense. They were looking for a daily driver without any specialized beds or features making the trucks easy to resell and break even or earn a profit.

Councilmember Burrell asked if Councilmember Wilson had any questions about those being appointed to the Planning Commission. Councilmember Wilson said that she was wondering if the Council was provided a list of who was being reappointed and the length of their terms. Steve Parkinson, City Planner, asked if the Council had not received the memo. Several Councilmembers stated that they did not see the names included on the memo.

Steve Parkinson, City Planner, said that the two individuals were Claud Payne and Don Ashby who were looking to be reappointed. He added that Claud Payne had been part of the Planning Commission since August 11, 2015 and had just finished his second term. Claud Payne's attendance for his last term was 94% in 2017, 91% in 2018, 84% in 2019 with a total attendance record just shy of 90%. Don Ashby had been on the Planning Commission since February 13, 2018 as an alternate and became a voting member in November of 2019. His attendance in 2018 was 100% and just shy of 90% in 2019. His overall term attendance was just shy of 88%. He explained that Mr. Payne had one more term that he could serve and Mr. Ashby had two more terms that he could serve.

Councilmember Wilson asked how long the term was. Mr. Parkinson said they were three-year terms and members could serve three terms.

Councilmember Paul motioned to approve the Consent Items with the proposed changes to the minutes. Councilmember Saxton seconded the motion. All Councilmembers voted "Aye." The motion carried.

E. Action Items

1. Employee of the Month- Armondo Perez

Stuart Hackworth, Police Officer, addressed the Council with the nomination for Armondo Perez for Employee of the Month. Mr. Hackworth said that he had submitted a letter to nominate Sargent Perez for Roy City Employee of the Month. He then read the letter that he had written that communicated two different incidents that displayed Sargent Perez's professionalism and dedication to Roy City. Officer Hackworth's letter read:

On Saturday May 30, 2020, officers from Roy City and surrounding law enforcement agencies

were called to assist Ogden City to maintain peace and order during a scheduled lawful protest. Information provided as well as protests that had turned to violent rioting in Salt Lake had Ogden City prepared for the lawful protest to turn violent. I [Stuart Hackworth] was among many officers from the Roy City police department, including Sargent Perez, who volunteered to respond to assist Ogden City and the citizens of Ogden. The scene was dynamic and chaotic. I [Stuart Hackworth] was one of the first officers to arrive on the scene with many officers from other jurisdictions. Upon Sargent Perez's arrival, his services were sought out by Ogden Police Department administrators and was given the crucial role of organizing and evaluating the scene of the actual protests in downtown Salt Lake. Officer Hackworth noted that Sargent Perez's expertise was chosen above actual Ogden Police Department personnel where the protest was taking place. One deployed, Sargent Perez could be heard communicating with the Ogden Police Department by radio updating the situation and employing officers as appropriate adjustments were needed. During this time, Sargent Perez was making tactical changes in manning and positions of officers deployed. This included Roy City Police, Ogden City Police, and every other agency in Weber County. Command was asking for Sargent Perez's advice on how to best handle the ongoing situation. Sargent Perez continually re-evaluated the current conditions and made several critical observations about several doors to the city municipal building that were not properly manned and asked for additional officers as they arrived. The protest continued for several hours during which time Sargent Perez continued to check the protestors', officers', and overall scene security. The protest concluded peacefully with only one arrest made for disorderly conduct despite some of the anger and hostility that was being shown by the protestors. Without some of Sargent Perez's experience and leadership it is probable that protestors might have taken advantage of crime opportunity and escalated what was already a dynamic and dangerous situation. Only hours after the Ogden protest was complete, the Salt Lake Police department requested an immediate response from any agency who could send officers to assist with the violent riots in downtown Salt Lake. Sargent Perez again volunteered to respond. I [Stuart Hackworth] was deployed in a riot control situation very close to Sargent Perez. During this violent encounter that lasted for hours with constant profanity; insults being yelled; rocks, glass bottles and other items being thrown at police, Sargent Perez again stepped up and directed officers from other agencies to address threats safely and successfully. Sargent Perez gave clear, decisive directions to both surrounding officers and rioters alike. The Salt Lake Police Department and officers at the riot commented on the confident, professional, and heroic actions of the Roy City Police Department. Sargent Perez is no doubt a part of the courageous and professional actions observed. The above two scenarios are just a glimpse into Sargent Perez's leadership and professionalism and his involvement in leadership in these situations helped to ensure the safety of citizens and officers involved. He also has many other tasks and assignments with the Roy City Police Department at which he excels. He is the Roy City Police Department Training Coordinator, has made many improvements to the training programs and our officers. The actions of Sargent Perez in these two incidences are grand enough for acknowledge. However, Sargent Perez's overall contribution and leadership to the citizens of Roy and the Roy City Police Department are vast and incalculable. It is my [Stuart Hackworth's] hope that Sargent Perez will be recognized by Roy City as Roy City Employee of the Month.

Carl Merino, Police Chief, added that Sargent Perez was asked to manage the protests shortly after an Ogden Police Officer was shot and killed suggesting a great deal of trust in Sargent Perez. He added that it spoke volumes of Sargent Perez that he was able to keep the Ogden protest civil and at times help protesters calm down. At both protests where there were other captains and sergeants with considerably greater rank than Sargent Perez, it was because of his extensive tactical background that those people differed to him. He said that this was a remarkable display of Sargent Perez.

Sargent Perez received a plaque in recognition of the award.

The Council expressed admiration for Sargent Perez's leadership and reiterated the significance that another City requested his services. It was also noted that Sargent Perez has gained the respect of both fellow police officers, but also the community. They Mayor added how much it was appreciated that Sargent Perez was able to remain cool under fire.

Sargent Perez thanked the Council for their support. He said that others have no idea how it feels to have the support of the City when other agencies and his friends are going through a different situation. He concluded by saying thank you very much.

Mayor Dandoy said that Sargent Perez was correct: Roy City stood behind their police officers and their employees as they do so much for the community and the community outside of Roy.

2. Consideration of Resolution 20-29 approving a contract with Stark Brothers Inc. for the 2020 concrete maintenance project.

Brandon Edwards, Public Works Deputy Director, presented the contract to the council. He first noted that Morgan Langhoff, City Recorder had informed him that the resolution would actually be number 20-30. He explained that there were two contractors who offered bids on the project the first being the Stark Brothers who is bid totaled \$103,110 and Zeps Co Contractors whose bid came in at \$229,098. Mr. Edwards said that they were hoping to move forward with the contract. He said that the City had worked with the Stark Brothers for the last 18 years and have always had a good relationship.

Councilmember Burrell asked where the concrete would be located.

Brandon Edwards, Public Works Deputy Director explained that it was the City's concrete contract. The contract would last three years and would have Stark Brothers take care of any miscellaneous concrete projects that arose for the City during the term of the contract.

Councilmember Wilson had a question regarding the budget. Because there were not specific projects outlined, but rather the contract was for whatever came up, she wanted to know what would happen if the needed projects overspent the estimated bid. She wanted to know if the City would just re-budget at that time or if a whole new contract would need to be written.

Brandon Edwards, Public Works Director, explained that funds for these types of capital improvements came out of the City's Class C Fund. He explained that they try and maintain a surplus of money in the account as opposed to spending it out each year. In the past the City has tried to keep their cement costs between \$100,000-\$200,000. They have had no problem maintaining spending within that range. It was then noted that the contract allows the City to complete small projects without having to bid everyone out.

Councilmember Paul noted that Stark Brothers was appreciated as a good company who had done a lot of good work for the City over the years. It was said that it was amazing that they were able to offer a bid at half of what a competing company offered as a result of their investment in the City.

Councilmember Paul motioned to approve Resolution No. 20-29 a contract with Star Brothers Inc. for the 2020 concrete maintenance project. Councilmember Burrell seconded the motion. A roll call vote was taken. All Councilmembers voted "Aye." The motion carried.

3. Consideration of Ordinance 20-11 Request to amend the Zoning Map from R-1-10 (Single Family Residential) to R-1-7 (Single Family Residential) for the property located at

approximately 4712 South 4300 West.

Scott Wynn, the proponent, presented his request for a zone change to the Council. He said that he was the owner and contractor of Windruff Construction. He said that he was a patio home video. He shared his screen to display some images of the patio home he constructions for seniors, retirees, and empty nesters. He said that the company was looking to rezone because most of his customers do not appreciate a large lot to maintain but prefer smaller lots that are easier to maintain. Mr. Wynn noted that there was a property adjacent to the east that was also zoned R-1-7.

In response to questions from the Council, Scott Wynn, the proponent, responded that he typically builds to suit. This means that they pre-sell the lots and build to meet the buyer's wants.

Councilmember Saxton asked how many lots would be in the development. Scott Wynn, the proponent, said that they estimate that there would be 17 lots. On one of the lots, however, there was an existing home on the property that the proponent was in the process of purchasing from the landowner. That would be the 17 lot, the other 16 which would be built by Mr. Wynn. Councilmember Saxton asked what the average square footage of the homes was. Scott Wynn, developer, said that they range from ~1,600-22,050 square feet. He explained that they were all single level homes built for seniors and retirees. Councilmember Saxton asked what the price range on these properties was. Scott Wynn, developer, said that it was a little early to determine the sale price. However, he estimated that they would sell for ~\$360,000-\$400,000. Councilmember Saxton asked if Scott Wynn, developer, had built something similar in the City. Scott Wynn, developer, said that he had not build in Roy previously, but that he had built a lot in West Haven, Clinton, Riverdale, and South Ogden. He explained that they were a family owned company who had been in business for over 40 years. He said that he inherited the business from his dad about seven years ago and had been working in the industry for about 20 years.

Councilmember Paul said that it seemed like the re-zone would allow for one more lot than was currently allowed. He asked Steve Parkinson, City Planner, if that was correct.

Steve Parkinson, City Planner, said that it all depended on how the property was designed. He explained that with the number of access roads the developer would be limited to one or two culs-du-sac. Councilmember Burrell said it seemed that there was a call or request for patio homes in Roy.

Steve Parkinson, City Planner, reiterated that this was a request to change the zoning map from R-1-10 to R-1-7 at 4712 South 4300 West. He noted that the Rocky Mountain Junior High was to the west of the property. The area to the south was zoned R-1-20, rather large lots that he did not think would develop otherwise. To the north, there was a similar 10-acre parcel to the north that the property owner had no interest in selling at the moment but could be developed later.

Councilmember Burrell asked in 4300 West had plenty of traffic access as well as 4800 South. She wanted to make sure that there would not be a traffic issue. Steve Parkinson, City Planner, said no. The road was built for these types of densities. He also displayed the zoning map and land use maps so that the Council could see that Mr. Wynn was not asking for a zoning label that differed from the area. Mr. Parkinson said that the General Plan defined anything from R-1-6 to R-1-10 as medium density. He noted that the Planning Commission did hold a public hearing and that there were no citizens in attendance who requested to comment on the item. The Planning Commission voted 7-0 to recommend approval for the zoning request.

Councilmember Burrell motioned to approve Ordinance 20-11 to amend the Zoning Map from R-1-10 (Single Family Residential) to R-1-7 (Single Family Residential) for the property located at approximately 4712 South 4300 West. Councilmember Paul 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. When no requests were submitted for public comments Mayor Dandoy closed the floor for public comments.

The Mayor then noted that the City received an email about Roy City’s bee keeping ordinance. Because the Council prefers to have the citizen with a concern be present for public comment so that the Council can ask questions, Mayor Dandoy asked if staff could reach out to the individual and direct them to participate in the public comment during the next Council Meeting.

Morgan Langholz, City Recorder, said that she could reach out to the resident. She noted that Steve Parkinson, City Planner, had already responded to the email to answer a few of the questions.

Mayor Dandoy said that because it seemed clear that the resident had some opinions about the ordinance, it would be best if those views could be expressed and documented in the public record.

G. Presentations

1. Fraud Risk Assessment - Camille Cook

Camille Cook, Management Services Director, said that the State Auditor’s Office developed a five-level assessment score that was intended to communicate an entities risk of fraud, abuse, and non-compliance. She explained that the levels were based on points assigned to each of the recommended measures. Because some of the measures were more effective than others, the most effective measures were assigned the most points. As the measure were adopted the scores improve. Thus, the higher the score, the lower the risk. Roy City’s score for the fiscal year 2019-2020 was 335. This score placed Roy in the low risk level. She noted that over the past year staff had worked to put together and implement policies and procedures to form a more comprehensive framework and protect the city’s assets to reduce the risk of fraud, misuse, and abuse. The policy updates had helped the City reach the low risk level. Ms. Cook, said that some of the older measures would need to be updated if the City wanted to move to the very low risk category. She explained that many of the recommended measures called for the separation of duties and having internal controls in place to ensure that one person does not have ability to modify all financial transactions. The assessment also considered the City’s formal policies as well as staff’s qualifications and recommendations for the governing board. Ms. Cook stated that the City Management Team takes this issue very seriously with the goal to get to the very low risk category. She noted that some of the recommendations were not feasible at this point for Roy and would require that the City hire more staff to be able to perform the internal audit functions. However, staff were working on the other major recommendations. When those recommendations are in place, an audit committee meeting will be scheduled to review the assessment in depth and to outline a plan to move the City into the very low risk category. She said that this would be an ongoing implementation in conjunction with the audit committee over the years with annual reports to the City Council.

There were no questions from the Council.

H. Discussion

1. Sponsored Park Benches

Jodi Call, Public Works Administrative Assistant, explained that she was asked by the beautification

committee to present on a new program they would like to offer to the community. The program would be a joint effort between the Parks and Recreation staff and the beautification committee. The proposed adopt a bench program would give the City an opportunity to partner with community members to add customized benches throughout the parks and walking trails throughout the community. An interested applicant would submit an online application through royutah.org. As part of the application they would be able to pick an area of interest that staff have identified. These areas include Roy West Park, George Wallen North Park, Emma Russell Park, Municipal Park and on the Denver and Rio Grande Western Trail. Those areas were selected by staff as there was a need for more benches and were areas that would be maintenance friendly for the parks department. Applicants could request a bench in a location outside of these areas, but approval would be based upon staff's decision. To sponsor a bench, applicants would pay a \$300 fee that would include the customized engraved bench and its installation. Staff anticipate that the process for approval and installation of bench applications would be about two months and intend to communicate with applicants where the City is in the process. Ms. Call noted that the City had been in the process of installing more benches. She and staff felt that the sponsorship program would be a great opportunity to offset some of the costs of installation.

Councilmember Paul said that he thought that it was a great idea and asked if there was a limit to the number of benches that could be sponsored.

Jodi Call, Public Works Administrative Assistant, said regulating the number of bench installations was part of the reason why they wanted to evaluate applications on a case by case basis as she was unsure if a particular area would get a disproportionate number of requests. With the benches on the DNRG Trail limited to trail entry points, there would be a cap on those benches. She added that staff intend to use funds from the Adopt a Tree Program budget as the program had fizzled out to support the sponsored bench program for the first year.

Councilmember Paul asked if the benches would be near the walking trails at the parks or if they would also be placed near the playgrounds as well. Jodi Call said that the City had seen a great response of people using the benches near playgrounds. Because of this that would be an area where staff would prioritize putting benches. She noted that staff were intending to install a cement pad with the bench to keep the area cleaner and reduce maintenance.

Councilmember Burrell asked if the \$300 accounted for future maintenance of the benches. Jodi Call responded that the benches that staff have moved to are a rubber coated metal bench reducing the amount of maintenance required and adding to their lifespan.

Councilmember Saxton said that he felt that the park benches looked great.

Councilmember Burrell noted that people support what they help create. She said that programs like these create community involvement and help generate a sense of ownership of their own communities.

Mayor Dandoy asked that Jodi Call communicate with the Council when the application became active on the website so that they could help advertise the program to their friends and neighbors.

To conclude, Ms. Call highlighted the variety of Adopt a _____ programs throughout the City: adopt a tree, adopt a bench, Memorial Park Bears, and adopt a trail. She said that they are currently working on revamping that section of the website to make sure that there was information on all of the different programs.

I. Reports

1. City Manager Report

Matt Andrews, City Manager reported that the football registration was complete for the Fall. The City was working with the Weber County Health Department to be able to play recreation football. He noted that they would follow all of the Utah Highschool Activities Associations guidelines. In addition, they would only be playing teams in their own health department area to abide by current health standards in the county.

2. Mayor and Council Report

Councilmember Saxton asked about adding an additional sentence to the ordinance approved by the Council a couple of weeks previously regarding the fees associated with GRAMA requests. He said that he was concerned that the City might take \$25 out of someone's pocket who really did not have \$25 to spare. He wanted to make sure that the ordinance was such that the City was protected as well. In response, Andy Blackburn, City Attorney, said that there was already a provision in the ordinance that talked about waiver that was for anyone who could not afford the fee.

Councilmember Burrell noted the wonderful Miss Roy pageant. She said that it was a beautiful event in an unprecedented time. She wanted to thank everyone who sponsored the event put work into its implementation.

Mayor Dandoy noted that Thursday, July 23rd was the last day to submit public comment for the 5600 South environmental assessment study. He said that residents could make public comment through the royutah.org website. Following the end of the period of public comment, responses will be forwarded through UDOT leadership for final approval. He said that Roy City was working on a comment to submit to address areas of concern the City had regarding the 5600 South study.

COUNCILMEMBER WILSON MOTIONED TO GO INTO A CLOSED MEETING VIA ZOOM TO DISCUSS PENDING OR IMMINENT LITIGATION. COUNCILMEMBER PAUL SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN. ALL MEMBERS VOTED "AYE." THE MOTION CARRIED.

J. Adjournment

Councilmember Wilson Motioned to Adjourn the City Council meeting at 7:34 p.m. Councilmember Paul seconded the motion. All Councilmembers voted "Aye." The motion carried.

Robert Dandoy
Mayor

Attest:

Morgan Langholf
City Recorder

dc: 07-21-20