

City Manager
Matt Andrews

Assistant City Manager
Brody Flint

City Recorder
Brittany Fowers



Mayor
Robert Dandoy

Council Members
Ann Jackson
Bryon Saxton
Joe Paul
Randy Scadden
Sophie Paul

ROY CITY COUNCIL MEETING AGENDA

JULY 16, 2024 – 5:30 P.M.

ROY CITY COUNCIL CHAMBERS 5051 S 1900 W ROY, UTAH 84067

This meeting will be streamed live on the Roy City YouTube channel.

A. Welcome & Roll Call

B. Moment of Silence

C. Pledge of Allegiance

D. Consent Items

1. June 4, 2024, Roy City Council Meeting Minutes; June 13, 2024, Roy City Work Session Minutes; June 18, 2024, Roy City Council Meeting Minutes
2. Request for approval of an alcoholic beverage license for:
 - a. O-Ku Sushi & Ramen Roy LLC, located at 5429 S 1900 W
 - b. 7 Day Stop 1, located at 5190 S 1900 W
3. May 2024 Financial Statements
4. Re-appointment of Planning Commissioners; Ryan Cowley and Samantha Bills
5. Appointment of Jeremy Thompson as a Planning Commissioner

E. Public Comments

If you are unable to attend in person and would like to make a comment during this portion of our meeting on ANY topic you will need to email admin@royutah.org ahead of time for your comments to be shared. This is an opportunity to address the Council regarding concerns or ideas on any topic. To help allow everyone attending this meeting to voice their concerns or ideas, please consider limiting the time you take. We welcome all input and recognize some topics take a little more time than others. If you feel your message is complicated and requires more time to explain, then please email admin@royutah.org. Your information will be forwarded to all council members and a response will be provided.

F. Action Items

1. Consideration of Ordinance No. 24-9; To consider amendments to Title 10 Zoning Regulations, amending CH 17 – Table of Uses – Table 17-1: Allowed Uses – Residential Zones: Dwelling Unit, Internal-Accessory (I-ADU’s); CH 31 – Definitions: Accessory Parking.
 - 1a. Consideration of Roy City Code 10-19 et. Seq. Off Street Parking and Loading
2. Consideration of Ordinance No. 24-10; An Ordinance of Roy City Establishing Certain Prohibitions on Political Activity of Employees and Prohibitions of Employment for Elected Officials.

G. City Manager & Council Report

H. Adjournment

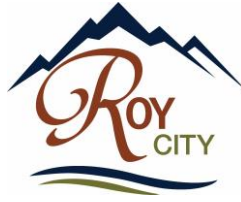
In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should contact the Administration Department at (801) 774-1020 or by email: admin@royutah.org at least 48 hours in advance of the meeting.



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Pursuant to Section 52-4-7.8 (1)(e) and (3)(B)(ii) "Electronic Meetings" of the Open and Public Meetings Law, Any Councilmember may participate in the meeting via teleconference, and such electronic means will provide the public body the ability to communicate via the teleconference.

Certificate of Posting

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in a public place within the Roy City limits on this 12th day of July 2024. A copy was also posted on the Roy City Website and Utah Public Notice Website on this 12th day of July 2024.

Visit the Roy City Web Site @ www.royutah.org
Roy City Council Agenda Information – (801) 774-1020

Brittany Fowers
City Recorder





Minutes of the Roy City Council Meeting held in person in the Roy City Council Chambers and streamed on YouTube on June 4, 2024, 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 also posted on the Roy City website.

The following members were in attendance:

Mayor Dandoy
Councilmember Jackson
Councilmember Joe Paul
Councilmember Scadden
Councilmember Saxton
Councilmember Sophie Paul

City Manager, Matt Andrews
City Attorney, Matt Wilson
City Recorder, Brittany Fowers

Excused:

Also present were: Assistant City Manager, Brody Flint; Police Chief, Matthew Gwynn; Fire Chief, Theron Williams; Public Works Director, Brandon Edwards; Kevin Homer, Glenda Moore, Micheal Ghan, Dennis Brown, Diane Wilson, and Trudy Heltz.

A. Welcome & Roll Call

Mayor Dandoy welcomed those in attendance and noted Councilmembers Jackson, Saxton, Sophie Paul, Scadden, and Joe Paul were present.

B. Moment of Silence

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

C. Pledge of Allegiance

Councilmember Saxton lead the audience in reciting the Pledge of Allegiance.

D. Consent Items

1. April Financial Statements

Management Services Director Howard made a short clarifying statement about the April Financial statement. She explained Class C revenue was delayed and anticipated the City would receive those funds either in the end of June or early July.

Councilmember Jackson motioned to approve the consent items, Councilmember Saxton seconded the motion. All Councilmembers voted “Aye” and the motion carried.

E. Public Comments

Mayor Dandoy opened the floor for public comments.

Kevin Homer, 5398 S 4000 W Roy, expressed his opinion about the resolution about modifications to the noise ordinance. He agreed it made sense to remove any redundancy, and opined that they be more specific and objective about what constituted a 'factor' for noise. He emphasized how important it was to be impartial in ordinances.

Dennis Brown, 2115 W 6000 S Roy, addressed a previous work session held by the Council and asked for some clarification about what had been discussed in that meeting. He asked if the figures for a potential tax increase was a per person increase or per household.

City Manager Andrews replied he had given a rough estimate in that meeting and he had come up with his numbers based on households in the City.

Mr. Brown then asked about the presentation from the Fire Department and specifically why they needed two more full time firefighters. City Manager Andrews recalled they had discussed this in the meeting and said Fire Chief Williams could offer more information about this, though expressed that the City did need more staff and thought the suggested increase to fire staff was a reasonable request.

Mr. Brown thought the request for more staff was contradictory to the goal of the City to cut their spending budget. Councilmember Joe Paul explained how all City departments had been required to reduce their budgets, and the Fire Department's request for staff was not in the original budget. Mayor Dandoy elaborated on this point as well and clarified that the 7.5% budget cuts in each department had been made before the budgets had been submitted to the Council.

Mr. Brown asked about the Code enforcement process for the City, and noted he had a neighbor who was in violation of a Code but had not been visited by a Code Enforcement Officer. City Manager Andrews summarized the process and said it was a very long and drawn-out process. Mr. Brown thought this system was ineffective and felt they should not put more funding into Code Enforcement if it was hard to actually enforce City Codes. Mayor Dandoy and Councilmember Jackson explained that increases to Code Enforcement had not even made it into the budget. Mayor Dandoy also spoke about the process for the budget moving forward and noted there would be a Truth in Taxation meeting which would make the public aware of how different things were being funded. Mayor Dandoy invited Mr. Brown to send any future comments and questions in to the Council and assured him that his questions would be reviewed and answered.

Diane Wilson, 4302 S 2675 W Roy, shared her thoughts on the previous Council work session about the budget. She thought they should keep the COLA merit despite the need to cut the budget as so not go get too far behind, and also opined they not increase the staff for Code Enforcement. She expressed the COLA merit was important to take care of their staff and thanked the Council for their work on the budget.

Micheal Ghan, 2174 W 5650 S Roy, expressed appreciation for the installation of the secondary water meters. He said all of the technicians had been polite and courteous and there had not been any trash left behind from the construction. He also stated that his neighbors that he had spoken to had reported a similar experience.

Mayor Dandoy closed the floor for public comments.

F. Action Items

1. Consideration of Ordinance 24-6; An Ordinance of Roy City Amending Roy City Code 5-2-

7 Noise and Removing Roy City Ordinance 4-4-1 through 8 Noise Control; and by Providing That This Ordinance Shall Become Effective Immediately Upon Posting After Final Passage.

City Attorney Wilson explained they currently had noise ordinances in both Title IV and V, so this was a consideration to consolidate and clarify the language in those ordinances. He also explained their ordinances were not easily enforceable as their law enforcement officers did not carry decibel meters, nor were they trained in how to use them. He commented there was a not insignificant cost associated with the training for decibel meters. City Attorney Wilson explained all of the factors that needed to be considered with a noise complaint, such as background noise, time of day, and setting. He clarified it did not include dogs however, since dogs were covered under their Animal Control ordinances.

Councilmember Joe Paul agreed with City Attorney Wilson that the training was not only expensive but complicated and agreed he wanted to leave decibel meters out of the ordinance. Councilmember Scadden added they were also unnecessary in the age of phones, since people could record noise nuisances on their phone which would count as evidence.

Councilmember Jackson asked if there were a lot of complaints about noise in the City and City Attorney Wilson said there were not, and typically with noise complaints the presence of an officer was enough to stop the noise nuisance. Councilmember Jackson added that typically noise issues could be mediated by residents.

Councilmember Sophie Paul pointed out that noise started well before 7 AM with City garbage and utility trucks. City Attorney Wilson recommended that if they wanted to change the time for certain things they should change it across the board and make the period of time start at 6 AM rather than 7. Mayor Dandoy commented that UDOT now worked in the middle of the night since they had to wait until 7 to begin construction projects. The Council discussed this and agreed they wanted to change the time to 6 AM, and keep the time in the evening the same, 10 PM.

Councilmember Joe Paul motioned to approve Ordinance 24-6; An Ordinance of Roy City Amending Roy City Code 5-2-7 Noise and Removing Roy City Ordinance 4-4-1 through 8 Noise Control; and by Providing That This Ordinance Shall Become Effective Immediately Upon Posting After Final Passage, with the adjustment of 6:00 a.m. instead of 7:00 a.m. Councilmember Jackson seconded the motion. A roll call vote was taken, all Councilmembers voted “Aye” and the motion carried.

G. Discussion Items

1. Senior Center Partnership

City Manager Andrews stated that Weber Human Services had sent the City a letter about the Senior Center, which the County currently operated. He reported Weber Human Services were going make some changes to the centers that would begin in the next fiscal year, and said Weber Human Services had requested the City to send them a letter of interest about what kind of partnership the City wanted to pursue.

City Manager Andrews explained the questions that Weber Human Services had posed to the City. One of the questions was about what in-kind services they already offered the Senior Center, which City Manager Andrews estimated totaled about \$90,000 per year. He reported Weber Human Services wanted to know what other partnerships Roy wished to join, and he noted that about 50% of the seniors who used the center were from Roy, which meant that 50% of the visitors from surrounding towns. He added that if Roy wanted to enter into other partnerships, they would also have to determine how much each of the cities would contribute. He reported that Weber Human Services also had some parameters, the main one being that they could not require donations from the seniors who used the center.

City Manager Andrews said they had until June 19th to draft this letter and asked the Councilmembers for their thoughts.

Councilmember Joe Paul asked if they could write a response indicating they were going to maintain the current level of funding. He expressed the City was already strained financially. He also felt this was similar to the Complex, which had visitors from outside Roy City although no other cities had offered funding to help with the repairs. Councilmember Jackson agreed that participation from other cities did not seem likely and she thought it was unfair that Roy contributed money when other cities did not, even though they all benefited from the services.

City Manager Andrews said Riverdale had shown interest in offering funding, as well as a couple other cities. He said he and Mayor Dandoy had attended meetings in which there had been discussion of other cities contributing to the Senior Centers in their cities. Mayor Dandoy also spoke about his meeting with the County, and said his understanding was the County wanted the cities to take on the responsibilities of maintenance of the centers.

Councilmember Joe Paul expressed that he saw the importance of this but did not think they could afford to increase their funding. Councilmember Saxton agreed with Councilmember Joe Paul. Councilmember Saxton thought they had already committed a lot with their in-kind funding. Mayor Dandoy summarized the Council could write a letter in which they pledge to continue to provide the in-kind, but stipulate that any staffing and management would need to be provided by Weber Human Services. Councilmember Jackson asked if they could continue to maintain the current level of staffing and programming if they did that, and Mayor Dandoy said any programming and staffing would be the County's prerogative.

Councilmember Jackson agreed that the County should take over the management of the Senior Center. However, she highlighted the fact that other cities had not offered aid to Roy City for the Complex, and she asked if Roy would end up subsidizing the Senior Centers in other cities. Mayor Dandoy reminded the Council that one of the requirements for the Center was that no one could be turned away, even if they were from outside the County.

Councilmember Joe Paul thought since this was a County program, it was the County's job to make sure it remained funded and open. Councilmember Jackson agreed it should be run by the County. Councilmember Saxton thought Roy City could not afford to offer any more funding, and also pointed out they were halfway through their current contract and he did not see any reason to make changes. Councilmember Saxton opined they continue with what they were doing. Councilmember Sophie Paul thought the County needed to step up and handle this, and did not think Roy City should offer any more. Councilmember Scadden agreed and thought Roy City was not in a position to fund more, and said management should be the purview of the County.

H. City Manager & Council Report

City Manager Andrews reported that the beacon had been installed on 4300 West and the curb had been painted on both sides of the road. He announced the Concert in the Park was that coming weekend. As well, the Senior Center would be hosting their annual picnic at Emma Russel Park.

City Manager Andrews also stated there would be a budget discussion meeting on June 18th that he wanted the Councilmembers to attend. The Councilmembers also planned on holding a work session meeting for the budget later that week.

Councilmember Jackson asked who maintained the D&RG trail in the City and noted there were a lot of weeds that could puncture tires. City Manager Andrews said the easiest way to deal with weeds was to spray, however UTA did not allow them to do that. City Manager Andrews said the City had a lease agreement for the trail and UTA owned the property. Councilmember Joe Paul asked if they could use a sweeper and City Manager Andrews thought they could do that.

I. Adjournment

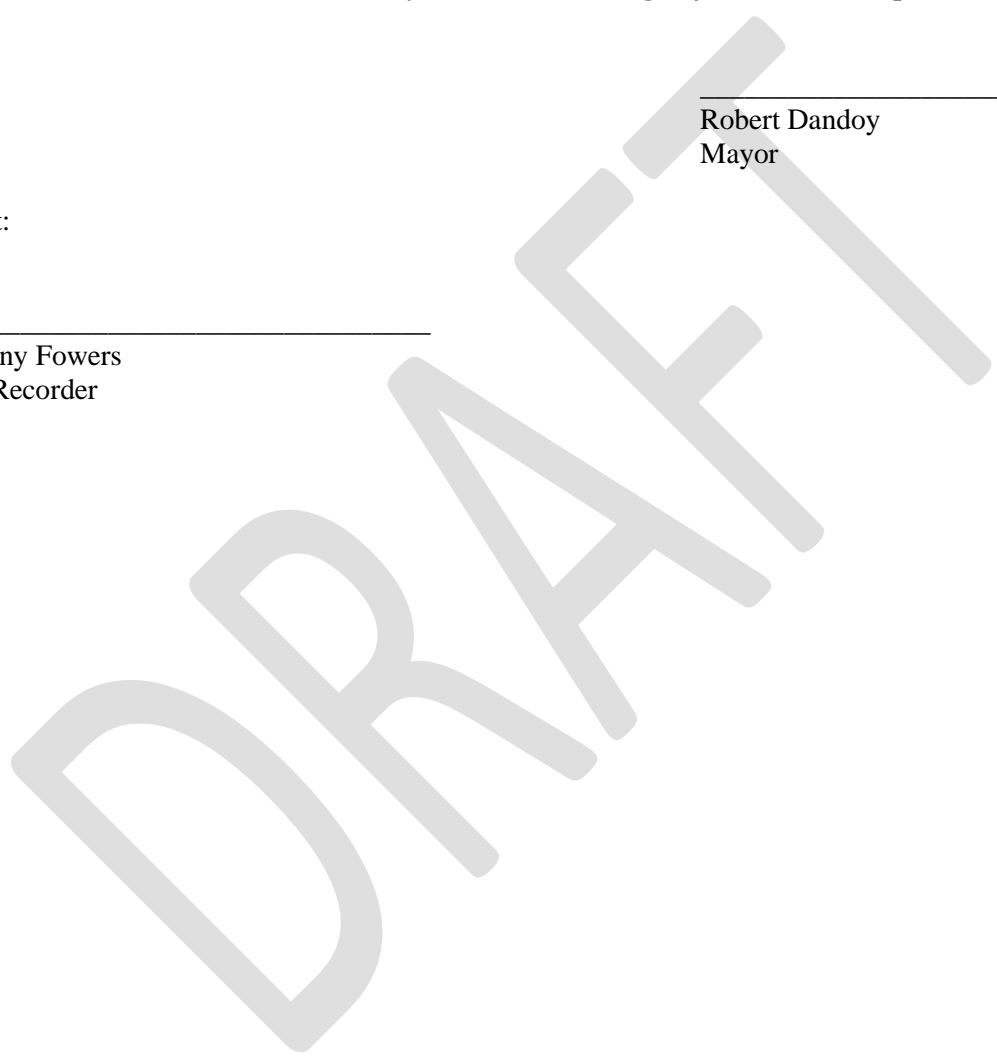
Councilmember Joe Paul motioned to adjourn the meeting, Councilmember Jackson seconded the motion, all Councilmembers voted “Aye” and the meeting adjourned at 6:54 p.m.

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

dc:





ROY CITY
Roy City Council Work Session Minutes
June 13, 2024– 3:00 p.m.
Roy City Council
5051 S 1900 W Roy, UT 84067

Minutes of the Roy City Council Meeting held in person in the Roy City Council Chambers and streamed on YouTube on June 13, 2024, at 3:00 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 also posted on the Roy City website.

The following members were in attendance:

Mayor Dandoy
Councilmember Jackson
Councilmember Joe Paul
Councilmember Scadden
Councilmember Saxton
Councilmember Sophie Paul

City Manager, Matt Andrews
City Attorney, Matt Wilson
City Recorder, Brittany Fowers

Excused:

Also present were: Assistant City Manager, Brody Flint; Police Chief, Matthew Gwynn; Fire Chief, Theron Williams; Public Works Director, Brandon Edwards; Parks and Recreation Director, Michelle Howard; Kevin Homer, Glenda Moore, and Dennis Brown.

A. Welcome & Roll Call

Mayor Dandoy welcomed those in attendance and noted Councilmembers Jackson, Saxton, Sophie Paul, Scadden, and Joe Paul were present. Councilmember Sophie Paul attended the meeting via Zoom.

B. Presentations

1. Proposed FY 2025 Budget
- 2.
- 3.
- 4.

Mayor Dandoy offered some background on the budget and noted the Council had already held one work session in regard to the budget, and now needed to make several more decisions about the budget in order to keep moving forward. Mayor Dandoy then walked the Council through several charts which broke down the various expenditures for employees. The first chart indicated a 3% COLA for all employees, a 2-2.5% merit increase, and a 4% increase for health insurance premiums. The next chart showed how every department had been asked to make a 7.5% budget cut. The last chart showed the anticipated costs associated with the replacement of water lines was around \$5 Million.

Mayor Dandoy stated there was a proposed tax increase of \$500,000, and the average increase per household would be \$3.23 per month, based on the average home value of \$425,000. For businesses, Mayor Dandoy said the tax increase would be \$5.80 per business per month. He said the budget also included a proposal to increase the Water Conservative District rate, and he indicated the average increase for a family of four would be \$1.18 per household per year. Mayor Dandoy explained there was a requirement in the budget to replace six miles of the waterline, and to pay for this there would be an increase to the Capital Projects fee of \$120 per year or the next three years. He said this would be paid by anyone who used Roy City water. He reported that Central Weber Sewer Improvement District was also going to raise their rates by \$2.00 per month, though this increase would only impact residents on the east side of 1900.

Mayor Dandoy summarized the average household in Roy City would have a \$171 increase in taxes, between the increase to property tax increase and the various fee increases. He added businesses would see a total average increase of \$204. He asked the Council if they saw any issues or had questions.

Councilmember Jackson asked a clarifying question about total monthly fees and Councilmember Joe Paul totaled all the fees. Councilmember Joe Paul noted if they did not raise taxes this year, they had no way to recover financially. Mayor Dandoy concurred with Councilmember Joe Paul, and commented how they were seeing record highs in spending but were not seeing interest rate reductions at the federal level. Mayor Dandoy noted that generally, increases in interest rates curbed spending, although that was not happening. Mayor Dandoy guessed they would see the same thing in the following year and Councilmember Jackson agreed. Councilmember Jackson thought they would need to do this again next year just to keep up with inflation. Mayor Dandoy relayed a comment from City Manager Andrews about how his cost of doing business was increasing although his revenue streams remained the same. Councilmember Scadden noted that sales tax revenue had historically been the way that the City had funded COLA and merit increases, although sales tax revenue had decreased in the past year and this hindered their ability to fund those things.

Councilmember Joe Paul said the residents wanted to know what services and items were going to be cut. He discussed how residents had been dissatisfied with paying so much tax for the Complex, but also wanted to have the Complex and other amenities in the City. He noted people could not have it both ways. Councilmember Jackson echoed this comment and pointed out if people wanted to have services like police and fire, there had to be a tax increase.

Councilmember Joe Paul pointed out if even if they were to bond for the waterline, it would not save them that much money in the long run. Councilmember Scadden agreed and thought the City should delineate between the fee increases and the property tax increase. City Manager Andrews said the utility fee was a pass-through. Mayor Dandoy noted the distinction between district costs and Roy City costs in regard to the waterline and the actual water that would run through the line. Mayor Dandoy said the water was not a pass-through cost, but rather a Roy City cost. Councilmember Joe Paul agreed with Councilmember Scadden in that they needed to separate the property tax and the fees to the residents so that they were clear about how their money was being used. Mayor Dandoy thought Councilmembers should make the delimitation clear to the residents, but ensure that they still understood what they would be charged in total. Mayor Dandoy also stated that one way or another, they needed to ensure that Roy City had the funds for the waterline in three years when it was mandated to be constructed.

Mayor Dandoy asked the Council if they wanted to limit the fee increase to three years. He emphasized how over the course of the next 20 years, there would be substantial costs for infrastructure would need to be replaced. Councilmember Scadden clarified that Mayor Dandoy was proposing that they extend the \$10 fee increase beyond just three years and keep it as a permanent increase. Mayor Dandoy replied that he did not feel their fees accounted for the cost of infrastructure improvements, and he asked Management Services Director Kelley if that was true. Management Services Director Kelley replied there was a small percentage of the fee designated for improvements, though due to inflation over the years this amount had become negligible.

Councilmember Jackson pointed out they might have to re-evaluate the entire fee in the next three years. She noted there were miles of waterline throughout the City and asked how they prioritized what needed to be replaced first. Public Works Director Edwards said they considered lines with asbestos first, and they also kept track of water main breaks in the City and made note of areas with frequent breaks. He added it

also had to do with the kind of soil in the area. Councilmember Jackson reiterated that they should reconsider the fee in three years. Management Services Director Kelley commented that whatever they chose, they should confirm the fee increase at the next meeting since they began billing in July. Councilmembers Sophie Paul, Scadden, Joe Paul, and Saxton all agreed to reconsider the fee rate in three years' time. Mayor Dandoy directed City Manager Andrews to add that language to the budget that the Council wished to reconsider the fee rate in three or less years' time.

Mayor Dandoy asked what the life of the waterlines generally were and Public Works Director Edwards replied that it varied depending on the type of soil as well as material of the pipe. Public Works Director Edwards spoke about how they generally used plastic rather than metal now for the pipes. Mayor Dandoy also highlighted that City Manager Andrews had submitted a grant application for Congressional funding for their waterlines, and he said if that was approved it could potentially solve their issue, although it was not guaranteed funding. Mayor Dandoy said although it was not yet known if they would get funding, he wanted to emphasize the City was considering alternate forms of funding.

Mayor Dandoy spoke about how they might be able to add back in the 7.5% cut that the various departments had made. He commented that Parks and Recreation had made the largest cut to their budget. He specified personnel cuts had not been involved in these budget cuts. Mayor Dandoy said if the City Manager had not mandated these cuts, the increase to property tax would have been \$1.1 Million, rather than \$500,000. Mayor Dandoy said department heads may not be able to generate another 7.5% operational cuts and expressed how many departments would not be able to function if they took any more cuts. He shared a chart which showed the budgets and again noted that Parks and Recreation had taken a hefty hit. Mayor Dandoy stated that without these cuts to City departments, the burden on residents would have come to a property tax increase of \$85 per year and \$154 per year for businesses.

Mayor Dandoy asked the Council if they wanted to change any of those cuts. Councilmember Jackson asked Parks and Recreation Director Howard what cuts she had made and Parks and Recreation Director Howard highlighted that the maintenance and chemical budget for the Aquatic Center and Complex had been lowered, and they had cut back on free community events as well. Parks and Recreation Director Howard added they had also lowered on fertilization programs for trees. Councilmember Jackson asked if the Aquatic Center and Complex would still be safe and clean and Parks and Recreation Director Howard confirmed they would be; and said they would still adhere to regulations for sanitization. Parks and Recreation Director Howard said they would also decrease programming at the Complex. Mayor Dandoy added that although there had been operational cuts, the department had not lost any personnel and employees had still received their COLA and health insurance increase.

Councilmember Joe Paul noted not all of these costs would come up every year, such as fertilizers for trees or cleaning chemicals for the pools. Councilmember Joe Paul noted there were some properties that the City owned which could be sold, and he asked if they could use that to fund part of the City's operating budget. Councilmember Joe Paul added that the revenue from the properties would have to be for operational costs rather than human capital, since they could not sustainably fund human capital through a one-time payment.

Mayor Dandoy said he hoped the properties could be used to generate ongoing revenue for the City, rather than one-time revenue from a sale. Mayor Dandoy also expressed he wanted there to be a separation between private business and government, although he continued to say he did not see any new revenue streams coming into Roy City in the near future. Mayor Dandoy said through the TIF process, the City only got a portion of revenue from new developments. Mayor Dandoy said the main producers of sales tax

revenue for Roy City were large retailers like grocery stores, which Roy did not have a lot of. Mayor Dandoy stated firmly that they needed to prioritize their employees and if they did not ensure that they compensated them fairly, Roy would lose employees to other cities. Mayor Dandoy noted he had seen that happen before in Roy when they did not pay competitively.

Mayor Dandoy asked the Councilmembers if they wanted to change the 7.5% budget cuts, or leave the budget as it was proposed. The Councilmembers did not express dissent with the currently proposed budget, although Councilmember Joe Paul added a caveat that if more funding mechanisms were identified, they would invest that money back into the departments that had been cut. Mayor Dandoy said if the City started to generate more revenue somehow that he, City Manager Andrews, and Management Services Director Kelley could reconsider the budget. Councilmember Joe Paul spoke about the benefits of selling City property, namely that it could create more housing and be a source of revenue for the City through property tax revenue. Mayor Dandoy cautioned that in Ogden, most of the downtown area was owned by the Ogden RDA. Councilmember Joe Paul acknowledged this point but stated that Roy City was different than Ogden, and did not have a train station or junction like Ogden had.

Mayor Dandoy commented that Assistant City Manager Flint was in charge of shaping the development of Roy City and urged the Council to help him in that effort. He shared that he was meeting with the Woodbury CEO and they were going to discuss what needed to happen to make that development work. Mayor Dandoy said if he and other Roy City officials needed to travel throughout the Salt Lake area to incentivize businesses to come to Roy, he was willing to do so. Councilmember Joe Paul opined that Assistant City Manager Flint had done his part of the work on CRA for the development, but Woodbury had not moved forward on the project. Mayor Dandoy acknowledged that point, but reported that the Planning Commission had just approved what to do with the property by Harmon's in the last week and he felt this was a positive move. Councilmember Joe Paul pointed out that was just a portion of the overall area.

Mayor Dandoy again asked about the 7.5% budget cuts. Councilmember Jackson stated they had no choice about the 7.5% budget, since to not pass the budget cuts meant the burden on residents would increase.

Mayor Dandoy then asked about budget requests that department heads had made beyond their initial budget. He stated the costs in the various requests totaled \$168,000. He explained that the addition of new employees or the promotion of part-time employees to full-time were not one-time costs, but ongoing costs with salaries and benefits. He said the current proposed budget included COLA and merit salary and benefit increases that totaled 9.5%, or 10.75% for Public Safety employees. There was a short discussion about the accuracy of those figures. City Manager Andrews agreed that it was more expensive to have a full-time rather than part-time employees. Mayor Dandoy then listed the positions that department heads had asked to either be created or promoted to full-time, and estimated this would lead to a \$51 per year increase in property tax to residents and \$91 per year for businesses. He noted those numbers were in addition to the increase in fees.

Public Works Director Edwards explained the reasoning behind his request to promote one of his employees from Janitor I to Janitor II. He explained they had needed to let go of four full-time City janitors in the past, and said this employee did not require any supervision and was able to operate on her own. Public Works Director Edwards expressed what a valuable employee she was, and said even if their request was denied that he would find money within their budget to make sure she was fairly compensated. He said she cleaned many facilities every day including the Complex, and her workload was likely to increase due to the other operational cuts. Councilmember Jackson asked how long she had worked there and about her family, and Public Works Director Edwards said she had been with the City for 6 years and

was raising a handicapped daughter. Councilmember Saxton asked if she would get the COLA increase and Public Works Director Edwards said she would, although her current rate was low so the increase was negligible. The Councilmembers unanimously expressed they were in favor of promoting the position. Councilmember Jackson noted the importance of keeping the Complex clean and said now that she understood how much this employee was doing for the City, she was in favor of the increase.

Mayor Dandoy then brought up the proposal from the Police Department to make the two part-time bailiffs full-time employees. Councilmember Joe Paul said this was tough because it was human capital so the costs would be ongoing, and he did not see how they could add two full-time bailiffs without raising taxes. Councilmember Joe Paul asked if they could just hire one full-time bailiff, or combine the two part-time positions. Mayor Dandoy asked how often the Justice Court was in session and Police Chief Gwynn replied that it was in session daily, and averaged between 20-25 hours per week.

Police Chief Gwynn noted the part-time pay was significantly below what it should be and explained that the two bailiffs also did duties beyond the scope of the regular bailiff position due to understaffing in the department, and this was leading to burnout. Mayor Dandoy then asked Police Chief Gwynn if part of the issue was that the part-time pay was not adequate, and if it was, would increasing the pay solve the issue. Police Chief Gwynn said he was not sure, and spoke about how they were losing employees since they were not competitive with other cities in terms of both pay and benefits. Police Chief Gwynn said that generally people who wanted to work in law enforcement wanted full-time work.

Mayor Dandoy said it seemed they would have a problem with retention if they could not pay their bailiffs a reasonable part-time wage. Mayor Dandoy also brought up the equipment that Police Chief Gwynn had requested. Councilmember Joe Paul asked if their purview was just ongoing costs, noting that equipment was a one-time expense. Councilmember Joe Paul agreed with Police Chief Gwynn in that finding candidates who were willing to work part-time in law enforcement was challenging. Councilmember Joe Paul expressed that he was trying to compromise, referencing his proposal to just create one full-time position. Mayor Dandoy pointed out the only way to accomplish this was to raise taxes, and wondered if they could extend this issue until they could afford to fund two full-time positions. Councilmember Joe Paul said he did not want to take no action, since the situation they had now was not sustainable.

Police Chief Gwynn offered some context and explained the positions had been created before COVID-19 and then had never been filled. He explained that the part-time bailiffs and the police officers had to rotate shifts and said the system did not work. Police Chief Gwynn said he and the captains sometimes had to pick up shifts to cover lapses. Mayor Dandoy acknowledged this was a hard decision but urged the Council to think about this carefully since it meant raising taxes.

Councilmember Joe Paul asked for statistics about sex offenders and people on parole. Police Chief Gwynn said there was roughly one sex offender per hundred residents. Police Chief Gwynn explained that due to understaffing, there were paroled felons in the community who were not being monitored. Police Chief Gwynn had Weber County had one of the highest number of offenders in the State and said there was a serious understaffing issues. Police Chief Gwynn said he wanted to use the full-time bailiffs to follow up on parole cases and also monitor traffic in the City.

Mayor Dandoy asked how much one full-time employee would cost and what the impact to the property tax increase would be. Management Services Director Kelley asked if they would keep half of the part-time budget for the other bailiff. She reported they had \$74,000 in part-time wages for the two bailiffs, and said if they designated all of that budget towards one full-time position, they would need an additional \$26,000. Councilmember Joe Paul said if they added one full-time position they still would have to keep the other part-time person. Mayor Dandoy again brought up the equipment, and Police Chief Gwynn said he had lost half of his equipment budget in the 7.5% cut. Councilmember Joe Paul proposed the sale of

property could cover the equipment budget.

Mayor Dandoy reminded Councilmember Joe Paul he needed to consider the cost of ongoing benefits for a full-time employee. Councilmember Joe Paul complained that the Complex had led to an increase in property taxes, which he felt was not a good business decision. Councilmember Joe Paul said the Complex had been a community decision, as was this decision about the bailiffs. Mayor Dandoy said the Complex was a service and if the Council wanted to, they could have voted against the Complex and they could still put it on the market. Councilmember Joe Paul recalled that he had voted against the Complex. Mayor Dandoy replied that regardless, the vote for the Complex had gone through. Mayor Dandoy said he had looked at the Police Chief's budget and was worried about the cuts to equipment, mainly ammunition.

Management Services Director Kelley reported they would need \$74,000 if they wanted to add one full-time bailiff. Mayor Dandoy asked the Council what they wanted to do. Councilmember Saxton expressed he did not want to raise the property tax increase. Councilmember Saxton spoke about how hard this was on people. Councilmember Scadden was in favor of funding both full-time bailiffs, and said the community had consistently asked about better traffic control in the City. Councilmember Scadden said the bailiffs went out and engaged with the community, and thought the safety element justified two full-time positions.

Councilmember Jackson asked how much the bailiffs could do on their own and Police Chief Gwynn explained that functionally, all they could do was monitor traffic. Councilmember Jackson expressed that she did not want to raise taxes either, but thought this was important. She thought they could add one full-time position, and as time went on they could add another full-time position if there was need in the community and they had more revenue. Councilmember Sophie Paul said she wanted to see what the other proposals were before she made a decision about having one, two, or no full-time bailiffs.

Police Chief Gwynn moved on to the other proposals, one of which was the promotion of a billing clerk to full-time. Police Chief Gwynn explained why there was a need for this and spoke about how insurance companies' practices increased the workload for their clerks. He said they had seen an increase to their collection rates when they had an employee assigned to this detail. Police Chief Gwynn said the increase to the number of calls that Roy City was running led to an increase in billing, and the workload was too much for one part-time employee. He said it was important that they followed up to make sure that they were getting returns on their workload, and said the full-time position would help increase their collections. He also pointed out that when their part-time employee was out of the office, there was no one to follow up on billing. He acknowledged money was tight, but pointed out that this position would ultimately generate more revenue and opined it would pay for itself.

Management Services Director Kelley noted this position was capped at 25 hours and the impact would be \$28,800 if they wanted to increase the position to full-time. She also noted that since the part-time employee's husband also worked for the City, she did not need health insurance and this saved the City \$22,000 per year. She said if this employee were to leave, it would cost \$50,000 since a new employee would need benefits.

Councilmember Jackson felt that was a relatively small amount to increase to full-time. Councilmember Saxton thought this position would pay for itself and was in favor of it. Councilmember Sophie Paul agreed and said she was in favor of it, though noted that she was worried about what would happen if this particular employee quit and they needed to start paying benefits.

Chief Williams then moved on to the Fire Department's public education programs, which he said had been cut several years ago. He opined these programs were important and explained he was requesting \$5,500 to pay employees overtime to attend community events and represent the Roy City Fire Department. He spoke about the benefit of outreach and said it helped raise awareness and prevention. Mayor Dandoy

agreed the program was excellent, though noted the department already had \$350,000 set aside for overtime and asked what difference \$5,500 would make. Chief Williams said they had gone over their overtime budget for the last five years and explained some of the various reasons that firefighters hit overtime. Chief Williams agreed it was a small amount but expressed it would make a difference. Councilmember Joe Paul asked if there were grant programs available for something like this since it was educational, and Chief Williams said there were not.

Mayor Dandoy discussed if they were going over their overtime budget consistently, it might be better to add more full-time employees rather than keep adding to that budget. Chief Williams agreed and explained the history as to why the budget was structured in the way that it was, which he noted was mainly due to money-saving efforts from a previous chief.

Councilmember Joe Paul thought they should come up with the \$5,500 and said if they could not come up with it, they should pull that amount from the Rainy Day fund. Councilmember Jackson agreed it was important and thought they should fund it. Councilmembers Saxton and Sophie Paul were also in favor.

Parks and Recreation Director Howard requested to reclassify a recreation coordinator as a recreation manager. She explained this would bring their job description more in-line with their actual duties. She said it would be a \$12,000 increase, although explained she could take this money out of their part-time budget. Councilmembers Jackson, Saxton, and Sophie Paul approved this. Councilmember Joe Paul asked if this was a budget increase and Parks and Recreation Director Howard replied this was a reclassification, and said they could take the money out of the part-time budget since it would alleviate the need for part-time work. Mayor Dandoy summarized the Council could support this and asked Management Services Director Kelley to circle back to the bailiff issue.

Management Services Director Kelley reported that the addition of one full-time bailiff would result in a 15.2% property tax increase or 13.6% for two full-time bailiffs. Councilmember Sophie Paul said she was in favor of two full-time bailiffs. Councilmember Jackson calculated this would come to a \$15.50 increase per household to pay for two bailiffs. Councilmembers Jackson and Scadden expressed they were in favor of one full-time bailiff.

Mayor Dandoy worried where this would stop and pointed out the population in Roy City would only continue to grow. Mayor Dandoy expressed that the chief did a good job and opined Roy was the safest city in Weber County. Mayor Dandoy firmly stated the only way to fund the bailiffs was by increasing taxes, since there were no other streams of revenue that could support it. Mayor Dandoy also conjectured that the State was having similar issues with staffing and said that State sales tax might be taken away entirely.

Police Chief Gwynn commented there was a direct correlation between officer morale, the perception of safety within the community, positive outcomes, and clearance rates when staffing was increased. He said Utah was second in the nation when it came to per capita staffing and reported the national average was 2.5 officers per 100 people, but the average in Utah was 1.7 officers per 100 people. He said his department could not generate revenue, but even though his department did not raise money he felt this position would pay for itself in other ways. Mayor Dandoy said although Roy could not pay the best in the State, they took care of their employees and he also suggested that people stayed with the Roy force because they liked the chief's leadership. Police Chief Gwynn thought it sent a direct message to his staff if they could not keep up with national average pay. Mayor Dandoy replied he wanted to do everything he could to take care of existing staff, and said the more people they added to the mix, the harder it would be to maintain COLA and merit increases for all employees.

Mayor Dandoy summarized that Councilmembers Joe Paul and Sophie Paul wanted two more bailiffs, and

Councilmembers Jackson and Scadden were in favor of one. Mayor Dandoy asked Councilmember Saxton if he wished to change his mind about not increasing the property tax at all. Mayor Dandoy said he needed a majority in order to move forward. Councilmember Sophie Paul moved her vote to one bailiff, though said she wanted to discuss it further in the budget conversation.

Mayor Dandoy moved on to short- and long-term cost-cutting opportunities and said there were two short term and four long term opportunities. He explained one of the options was to take money from the General Fund in order to keep the property tax increase in single digits. He reported in order to get the property tax increase down to 9%, they would have to pull \$100,000 out of the General Fund. Management Services Director said that for every \$100,000 they pulled out of the fund, the increase would drop by about half a percent.

Councilmember Joe Paul said he did not want to kick the can down the road and did not think they should let the fund balance go below 18%. Councilmember Saxton pointed out they were dealing with an unprecedented rate of inflation that none of them could control, and added they had already dipped into the reserve in order to fund the Complex. Councilmember Saxton thought if they were willing to do that for the Complex then they should be able to use reserves to lessen the blow to residents. Councilmember Joe Paul replied if they alleviated the taxes this year, then the repercussions would be an even higher tax rate the following year. Councilmember Saxton thought they were not representing their constituents well. Councilmember Joe Paul said they were representing the residents by providing services to the City. Councilmember Joe Paul thought next year would be no better than last year and said pulling money out of the fund balance would only delay the problem by a year.

Mayor Dandoy asked the Council if they would use the fund balance to drop the property tax rate. Councilmember Joe Paul thought they should use the sale of a property to get it down and felt that using the Rainy Day fund for something like this was a misuse of funds. Councilmember Scadden agreed and said they would have to pull money out of the fund balance year after year. Councilmember Sophie Paul acknowledged Councilmember Saxton's point but felt there was no way around the increase. Councilmember Jackson also did not think they should take money out of the fund balance and also expressed they would just have to keep doing that every year. Councilmember Jackson thought they should try to keep the increase to 12-14% and said everyone was already braced to have a tax increase. Councilmember Sophie Paul clarified she did not want to dip into the fund balance at all.

Councilmember Joe Paul shared that last year, he had dipped into his savings account to buy something he really wanted and since then, he had come to regret that decision and was working an extra part-time job to get the money back in his savings. He felt his story paralleled what they were looking at now with the General Fund and urged the Council not to use the fund balance to reduce the tax rate. He noted that they were increasing human capital, which would not only be ongoing costs but they would increase over time as well, so reaching into the General Fund would not be a sustainable solution.

Councilmember Jackson added it was not helpful to compare themselves to Bountiful or other cities because they did not have the sales tax revenue that those cities did. Councilmember Saxton commented although they were not a rich city, they were taxing the residents as though they were. Mayor Dandoy summarized the Council was not willing to dip into the General Fund.

Mayor Dandoy then moved on to the Parks and Recreation budget which recommended no more spending on remodels, office equipment, or facility improvements for FY 2024-25. He said this was due to a decrease in sales tax revenue. He asked Parks and Recreation Director Howard if she would be able to get the Complex functional without increasing the budget for those things and she replied that they were comfortable with what they had and she did not anticipate needing to increase the budget for those things in 2025.

Councilmember Joe Paul said he was okay with the Complex in general but asked if they could do away with the weight and exercise room on the upper floor, noting the equipment in there was out-of-date. Councilmember Jackson did not see a problem with it as long as the equipment was still safe to use. Councilmember Jackson pointed out they would not get anything out of selling it. Mayor Dandoy thought they could put a moratorium on spending for the weight room and suggested that they not replace items in there as they broke or became unusable. Mayor Dandoy asked the Councilmembers if they were all okay with no facility office modifications for the coming year and all the Councilmembers agreed they were.

Mayor Dandoy then presented a long-term development opportunity to generate revenue for the City. He prefaced his comments by noting if they voted to go into a Truth in Taxation meeting on Tuesday, they needed to have Kevlar since people online were discussing this. He said the Council did not have to write these suggestions into the budget document, but could direct Assistant City Manager Flint to bring the ideas to his Economic Involvement Community meeting. Mayor Dandoy said they had three properties: one owned by UDOT, one owned by Roy City, and one owned by an LLC. He thought they should have an ongoing conversation about what they could do with those three properties to generate revenue for the City. He asked the Council if they wanted to put the properties in the budget or direct the Economic Development Committee to consider them. The Councilmembers all opted to put the properties in the document.

Mayor Dandoy brought up a 1.6-acre property that was in front of the Front Runner Station. He said the Planning Commission had forwarded their recommendations for a change to the Station Area Plan at the train station and said they needed to take some action in order to be in alignment with UTA's plan for the area. He asked Public Works Director Edwards what was going on with the property and said the original plan was not to fill it with a water tank, but to put houses in that location. Public Works Director Edwards said their agreement with West Haven was about to expire, so they no longer needed to hold water storage for them. Public Works Director Edwards said they had sufficient water storage so they did not have to put a water tank on the property. Councilmember Joe Paul thought they had discussed removing the water feature and using a parking lot owned by Parks and Recreation for water storage. Public Works Director Edwards said that would not be necessary now that they were not storing West Haven's water. Mayor Dandoy said they should include in the budget that the Council wanted to find a revenue-generating use for the property in the next fiscal year.

Mayor Dandoy then presented a 2.4-acre property that sat on 4800 in the R-17 zone. He said the Planning Commission was the land use authority for this property and asked the Council if they wanted to consider this property for more density. Councilmember Joe Paul thought they could do that. Councilmembers Saxton, Scadden, Sophie Paul, Joe Paul, and Jackson were all in favor of including the property in the document to be considered for greater density.

Mayor Dandoy identified a property along Midland Drive. He said the future land use map had it designated as community commercial and it was currently planned to be a park. He said there was nothing immediately surrounding the area, and did not feel it made sense to be a park when it could be commercial. He noted it was located close to a Walmart and thought it would make more sense to make the property commercial as well. Mayor Dandoy asked the Council if they were comfortable with making that property commercial in order to generate more sales tax revenue. He noted it was a lot of land there and felt the extra acreage could be used for businesses. Councilmembers Sophie Paul, Joe Paul, Saxton, Scadden, and Jackson all stated they wanted the Planning Commission to look at this area and consider it for either commercial or mixed use.

Mayor Dandoy summarized that the final budget must be adopted by the 20th of June. He said they had held two work sessions, and it was now a good time for the Councilmembers to solicit public feedback. Management Services Director Kelley said on the following Tuesday, the Councilmembers would have to

cap the property tax increase, either by dollar amount or percentage. Management Services Director Kelley said while they needed to set a maximum property tax increase, they did not need to specify what the funds would be used for. She added they would have until August to determine where funds would be directed, though said Staff did want direction. Management Services Director Kelley said the budget that the Council would see at the next meeting was essentially the same as the one they had looked at that evening.

C. Adjournment

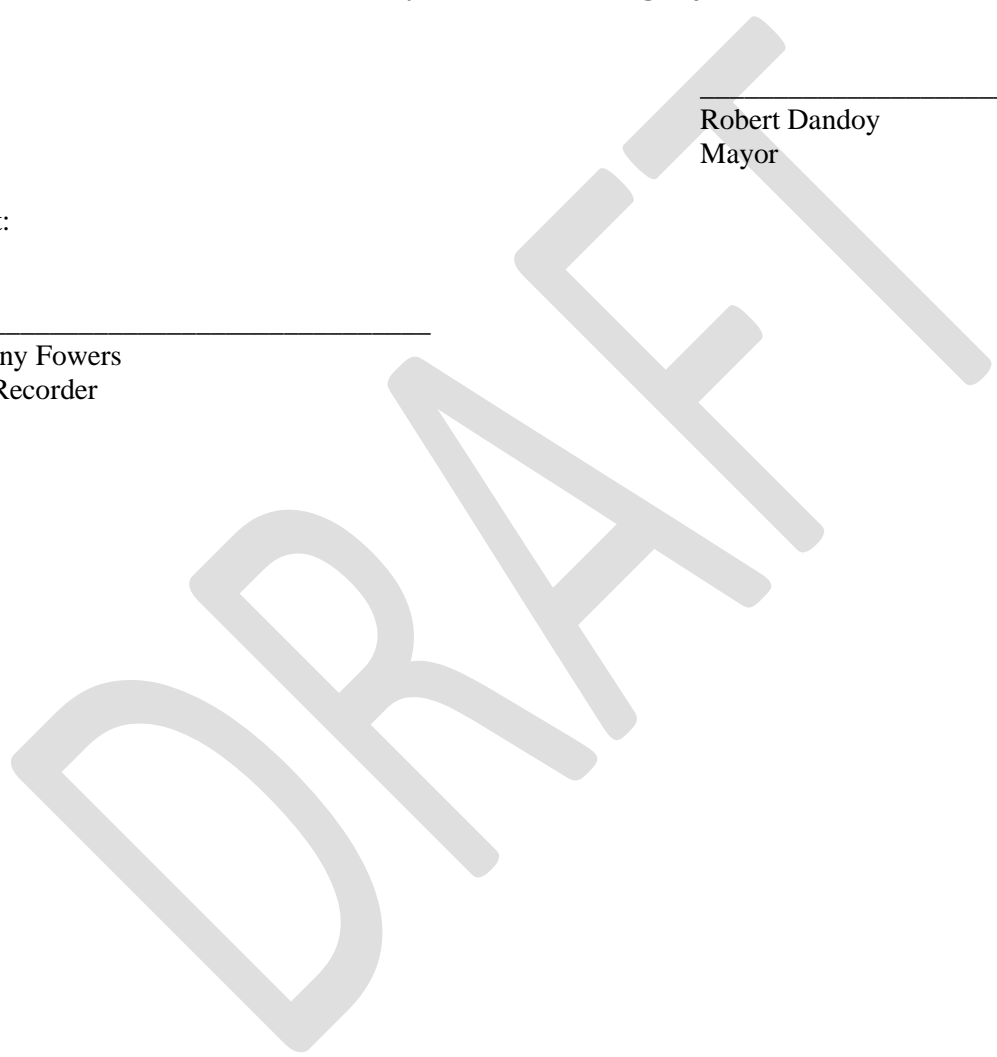
Councilmember Jackson motioned to adjourn the meeting, Councilmember Saxton seconded the motion, all Councilmembers voted “Aye” and the meeting adjourned at 5:30 PM.

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

dc:





ROY CITY
Roy City Council Meeting Minutes
June 18, 2024– 5:30 p.m.
Roy City Council
5051 S 1900 W Roy, UT 84067

Minutes of the Roy City Council Meeting held in person in the Roy City Council Chambers and streamed on YouTube on June 18, 2024, 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 also posted on the Roy City website.

The following members were in attendance:

Mayor Dandoy
Councilmember Jackson
Councilmember Joe Paul
Councilmember Scadden
Councilmember Saxton
Councilmember Sophie Paul

City Manager, Matt Andrews
City Attorney, Matt Wilson
City Recorder, Brittany Fowers

Excused:

Also present were: Assistant City Manager, Brody Flint; Management Services Director, Amber Kelley; Police Chief, Matthew Gwynn; Fire Chief, Theron Williams; Public Works Director, Brandon Edwards; Parks and Recreation Director, Michelle Howard; Glenda Moore, Tim Fulton, Benjamin Pearson, Micheal Ghan, Trudy Helton, Natalie Pierce, Carolyn Owens, and Diane Wilson.

A. Welcome & Roll Call

Mayor Dandoy welcomed those in attendance and noted Councilmembers Jackson, Saxton, Sophie Paul, Scadden, and Joe Paul were present.

B. Moment of Silence

Councilmember Sophie Paul invited the audience to observe a moment of silence.

C. Pledge of Allegiance

Councilmember Sophie Paul lead the audience in reciting the Pledge of Allegiance.

D. Consent Items

1. May 7, 2024, Roy City Council Meeting Minutes; May 21, 2024, Roy City Council Work Session Minutes; May 21, 2024, Roy City Council Meeting Minutes

Councilmember Scadden motioned to approve the consent items with adjustments to the minutes as provided. Councilmember Joe Paul seconded the motion, all Councilmembers voted “Aye” and the motion carried.

E. Public Comments

Mayor Dandoy opened the floor for public comments. He noted there would be four individual public hearings that evening and requested people to hold any comments relevant to those issues until they were discussed. There were none and Mayor Dandoy closed the floor for public comments.

F. Presentations

1. Employee of the Month

Police Chief Gwynn acknowledged Detective Ben Pearson for his work as a City detective and turned the time over to Sargeant Fulton. Sargeant Fulton nominated Mr. Pearson as the Employee of the Month for his work ethic and the positive impact he had made on the community. He reported Mr. Pearson had worked for the department for nine years and held many roles, and he currently served as a child abuse detective. He discussed the large workload that Mr. Pearson handled, which was the highest number of all their detectives. He also reported Mr. Pearson had secured a grant to help fight cybercrimes. He said Mr. Pearson had great success in solving his cases and was very efficient. Police Chief Gwynn echoed these sentiments and reported how the County had also noticed Mr. Pearson's great work. Police Chief Gwynn spoke about the importance of being able to work with many different agencies and teams when it came to child abuse cases and noted Mr. Pearson was very adept at navigating all of those relationships.

Councilmember Jackson applauded Mr. Pearson for his work and noted how challenging that role would be. The other Councilmembers concurred and thanked Mr. Pearson sincerely for his dedication.

Councilmember Scadden motioned to approve Ben Pearson as Employee of the Month for June 2024. Councilmember Saxton seconded the motion, all Councilmembers voted "Aye" and the motion carried.

G. Action Items

PUBLIC HEARING – Consider approving adjustments to the Fiscal Year 2024

- a. Consideration of Resolution 24-7; Amending Roy City FY 2024 Budget.

Management Services Director Kelley announced several proposed amendments to the FY 2024 current budget. She said the overall impact to the budget would be an increase of revenues and expenditures in the General Fund by \$1,289,668 and provided a detailed breakdown of the increases to specific funds. She recommended that the Council hear public input and consider approval of the proposed amendments.

Councilmember Joe Paul motioned to enter into a public hearing, Councilmember Scadden seconded the motion. All Councilmembers voted "Aye" and the Council entered a public hearing.

Public Comments

Curtis gave his address as 6000 S Roy and said in his 17 years as a voter, he had never voted for a tax increase. He asked that government spending and the taxation of citizens be limited.

Councilmember Jackson motioned to exit the public hearing; Councilmember Sophie Paul seconded the motion. All Councilmembers voted "Aye" and the body exited the public hearing. Mayor Dandoy asked Management Services Director Kelley for clarification about the ARPA funds. Management Services Director Kelley explained originally, they had designated ARPA funds for several projects, but since they had to submit reports to the federal government about how they were using the ARPA funds it was easier to move all the funds to one project so that they only had to submit one report. She explained it was still the same amount of money; they were just putting all the funds in one place rather than dividing them between the two. She noted the ARPA funded project would be the 56 water line.

Councilmember Scadden motioned to approve Resolution 24-7; A Resolution of the Roy City

Council Approving Adjustments to the Fiscal Year 2024 Budget. Councilmember Jackson seconded the motion. A roll call vote was taken, all Councilmembers voted “Aye” and the motion carried.

PUBLIC HEARING – Consider approving Enterprise Funds Transfers

- b. Consideration of Resolution 24-8; Approving Enterprise Funds Transfers.

Management Services Director Kelley explained this item as well and said the Enterprise Fund was used to cover administrative overhead costs for the operations of the enterprise funds. She stated that the General Fund, Information Technology Fund, and Risk Management Funds provided administrative and clerical maintenance to the City’s Enterprise Utility Funds, and she listed the personnel included in these categories. She said the money transferred was proportional to the time that the various positions spent working on functions related to the Enterprise Fund. Management Services Director Kelley read the proposed transfers which were as follows: \$1,273,267 from the Water and Sewer Utility Fund; \$185,127 from the Stormwater Utility Fund for administrative support; \$6,572 from the Stormwater Utility Fund for clerical support; \$334,600 from the Solid Waste Utility Fund for administrative support; \$18,087 from the Solid Waste Utility Fund for clerical and labor support; and \$2,536 from the Solid Waste Utility Fund for labor provided by the Stormwater Utility Fund.

Councilmember Jackson motioned to enter into a public hearing, Councilmember Joe Paul seconded the motion. All Councilmembers voted “Aye” and the body entered a public hearing.

There were no public comments.

Councilmember Scadden motioned to exit the public hearing; Councilmember Saxton seconded the motion. All Councilmembers voted “Aye” and the body exited the public hearing.

Councilmember Joe Paul motioned to approve Resolution 24-8; A Resolution of the Roy City Council Approving Enterprise Fund Transfers. Councilmember Jackson seconded the motion, a roll call vote was taken, all Councilmembers voted “Aye” and the motion carried.

PUBLIC HEARING – Consider approving Compensation Increases for Specific City Officers

- c. Consideration of Ordinance 24-7; An Ordinance of Roy City Enacting Compensation Increases for Specific City Officers.

Management Services Director Kelley explained that Senate Bill 91 had been passed in the last legislative session, which required a public hearing be held in the event a compensation increases was proposed for any elected or statutory officer. She listed which positions this pertained to. She also clarified that these proposed increases were in-line with COLA increases for other members of the City Staff.

Councilmember Sophie Paul motioned to enter into a public hearing, Councilmember Scadden seconded the motion. All Councilmembers voted “Aye” and the body entered a public hearing.

There were no public comments.

Councilmember Joe Paul motioned to exit the public hearing; Councilmember Scadden seconded the motion. All Councilmembers voted “Aye” and the body exited the public hearing.

Councilmember Saxton asked if Councilmembers could be excluded from the increases and City Manager Andrews said they could be removed from the COLA. Councilmember Saxton said he would like to do that. Mayor Dandoy explained the Council would have to make a vote to determine that as a body. Mayor Dandoy stated he wanted to direct his COLA increase to the police department.

Councilmember Joe Paul said he was in favor of giving up his COLA increase. Councilmember Saxton wanted to turn his COLA to the Parks and Recreation Department. Councilmember Scadden was in favor of that as well. Councilmember Jackson clarified the total amount the Councilmembers had with their increase was \$15,000. Councilmember Jackson also pointed out the Council had not accepted a raise in the last several years and thought if the Councilmembers were paid a bit more, more people would be interested in the job. However, she expressed she was still okay with giving up their increases.

Mayor Dandoy clarified that the COLA increase for the judge was calculated in a slightly different way than other positions, and there was a short conversation between Mayor Dandoy and City Manager Andrews about how that was done. Mayor Dandoy said

Councilmember Scadden motioned to approve Ordinance 24-7; An Ordinance of Roy City Enacting Compensation Increases for Specific City Officers, with the exception of removing the COLA increase for the Mayor and all Councilmembers. Councilmember Saxton seconded the motion, a roll call vote was taken, all Councilmembers voted “Aye” and the motion carried.

PUBLIC HEARING – Consider approving Fiscal Year 2025 proposed budget.

- d. Consideration of Resolution 24-9; A Resolution of Roy City, Utah, Adopting the Tentative Budget For Roy City For The Fiscal Year From July 1, 2024 To June 30, 2025; And Providing That This Resolution Shall Take Effect Immediately Upon Its Adoption And Deposit With The City Recorder.

Management Services Director Kelley stated the budget had been presented to City Council on May 7th with a total budget in the General Fund of \$28,433,067. She noted they had held two work sessions since May 7th. She explained the budget included a tentative property tax increase off \$500,000, or 11.26% in the General Fund, as well as increases to the Capital improvement fee and the water rate. Management Services Director Kelley outlined the process for the budget to be finalized and noted the budget would be finalized in August, and the overall budget amount could change to be less than the proposed budget but it could not exceed the current proposed amount.

Councilmember Joe Paul motioned to enter into a public hearing, Councilmember Jackson seconded the motion. All Councilmembers voted “Aye” and the body entered a public hearing.

Public Comments

Diane Wilson, 4302 S 2675 W Roy, made several comments. She requested that the Rainy Day fund be set aside for one-time expenses only. She also discussed the staffing in the Fire Department and thought increases to the full-time staff was appropriate. She lastly expressed she was in favor of the COLA increases. She closed by thanking the Councilmembers for their work.

Carolyn Owens, 2135 W 5800 S Roy, asked the Council to find other ways to come up with money than raising their taxes. She spoke about the burden that tax increases put on seniors who were on fixed-incomes.

Councilmember Joe Paul motioned to exit the public hearing; Councilmember Saxton seconded the motion. All Councilmembers voted “Aye” and the body exited the public hearing.

Councilmember Saxton commented that everyone in the City was dealing with inflation, and said there would be shortages since their sales tax was flat. He thought this increase was too much, too soon, and came at a bad time. He felt this proposed increase hurt businesses and deterred other businesses from moving to Roy City. He expressed how important sales tax revenue was for the City, and said for that

reason he was not in favor of the increase. He emphasized how much he liked the City Staff, but stated that he wanted to find another way to raise this money than increasing taxes.

Mayor Dandoy stated there were two facets to this decision; the property tax increase as well as the fee increases. He said there was a water increase of \$14 per year from the Weber Basin, which should go into action in July, as well as a \$120 increase for infrastructure replacement, and a \$30 increase for sewer on the east side of 1900. He clarified if the budget was approved as it was currently written, it meant those improvement projects would begin in July even though the property tax adjustments would not be enacted until August when the budget was finalized. Management Services Director Kelley confirmed that was correct and explained that was because those fees did not come out of the General Fund. She elaborated the property tax revenue would go into the General Fund, which was separate from the water and sewer funds. Mayor Dandoy highlighted these fee increases were in addition to the property tax increase, and noted that some of the increases were coming from the district, not Roy City.

Councilmember Joe Paul pointed out that even with the increase, their fee rate was lower than surrounding cities. The other Councilmembers concurred.

Mayor Dandoy reminded the Council that the items they had discussed in their work sessions for the budget were not included in the 11.2% increase.

Councilmember Joe Paul expressed concern about the operational cuts in the budget. However, he said that he understood why they would not hire new positions if they could not adequately compensate the staff they already had. Councilmember Joe Paul added if money was found in the budget, departments should be able to promote employees as they saw fit without having to come before the Council and go through the budget adjustment process. Mayor Dandoy agreed there should be more latitude within the departments. Councilmember Joe Paul said that currently, any changes to job descriptions needed to be brought before the Council, and he thought they should get rid of that. Councilmembers Sophie Paul and Jackson agreed. Mayor Dandoy noted that occasionally the job was already defined, and in that case he did not think it needed to go before Council. Mayor Dandoy asked the Council if they wanted to review situations in which an entirely new job position was created. Councilmember Joe Paul opined the Council should review the creation of new jobs. Mayor Dandoy commented he wanted to be able to take care of the Staff they already had, and said he was not especially concerned about the needs of hypothetical future staff members.

Mayor Dandoy expressed that the Council needed to find ways to create revenue streams. He said they were facing a real crisis and needed to make sure the basic needs of the City were met. Mayor Dandoy noted they needed to do what they could to alleviate this burden on Roy City residents. Councilmember Scadden agreed with this and especially noted that Roy City should not have to cut the budget when it came to police training. Councilmember Scadden noted that given current events, it was imperative to have a well-trained and prepared police force. Police Chief Gwynn also spoke about the importance of the police department's operational budget. Mayor Dandoy commiserated that the budget cut had been hard on all departments, including the police.

Mayor Dandoy asked the Council if they approved the 11.2% increase. He reminded the Council if they approved that figure, the final budget might be less than this amount, though it could not exceed that limit. Councilmember Joe Paul expressed he was ready to make a motion. Mayor Dandoy said the budget could change based on the work sessions that they would hold between that evening and August. Mayor Dandoy spoke about the complexity of the budget and said the Council was reconsidering many elements of the budget that they had previously gone over.

Councilmember Saxton noted the Council had spent Rainy Day funds in the past on things that he opined

were less important that this issue. He again expressed the importance of lowering the property tax increase. City Manager Andrews commented this was the most difficult budget he had ever done, and explained he had calculated the 7% decrease in order to keep people from leaving. City Manager Andrews explained if they had not done the COLA increases, they likely would have lost City Staff.

Councilmember Joe Paul suggested that they set the limit at 14%. Councilmember Jackson asked what that figure would be and Management Services Director Kelley replied that would be \$625,372, or \$4.03 per resident, per month. Councilmember Jackson agreed they should set it at 14%, though acknowledged they would most likely not set it that high. Councilmember Jackson discussed how they needed to keep everything running in their City, though agreed with Councilmember Saxton that this put pressure on residents. Councilmember Joe Paul stated he did not think that they should not hire any new personnel and Councilmember Jackson agreed. Councilmember Jackson said they needed to take care of the Staff that they had, and she did not think they could do that with just an 11% increase. Councilmember Saxton thought they could take care of the staff at an 11% increase. Councilmember Joe Paul stated he was not willing to hire any more full-time positions at this point.

Councilmember Joe Paul motioned to approve Resolution 24-9; A Resolution of Roy City, Utah, Adopting the Tentative Budget For Roy City For The Fiscal Year From July 1, 2024 To June 30, 2025; And Providing That This Resolution Shall Take Effect Immediately Upon Its Adoption And Deposit With The City Recorder, as written to also include the budgeted items for the Public Works Janitor Promotion and the Parks and Recreation Supervisor Promotion, and a capped tax rate of 14%. Councilmember Jackson seconded the motion, a roll call vote was taken, Councilmembers Sophie Paul, Jackson, and Joe Paul voted “Aye”, Councilmembers Saxton and Scadden voted “Nay” and the motion carried.

1. Consideration of Ordinance 24-8; Consider amendments to the 2023 Station Area Plan (SAP).

Assistant City Manager Flint reminded the Council that the Station Area Plan was adopted in the previous year by the Council and spoke briefly about the approval process. He said since the approval, UTA had requested that some changes be made to the plan. He explained that UTA owned 17 acres in that area, and reported UTA required the amended plan to be approved before they did any development along the train station property. He reported the Roy City Planning Commission had reviewed the recommended amendments to the Plan and had approved them. He also reminded the Council this was a very high-level plan, and any specific development was still subject to Roy City ordinances and zoning laws. He said that in essence, this was to comply with UTA’s request, although it did not give developers the right to supersede the City Code and specifically highlighted the developers could not ignore rules for building heights. He also clarified this only impacted the UTA-owned lands, although the plan included both UTA-owned and City-owned land.

Councilmember Jackson said it was important that they not change any laws in regard to building heights since they had received a significant amount of public feedback about height restrictions.

Mayor Dandoy noted many of the changes were easy and made sense. He highlighted some items on page five of the document that were harder. Mayor Dandoy reiterated that Chapter 13 was the law and the Council was still the approving body for any development agreements. Mayor Dandoy summarized they needed to move past this so they could start getting the development worked on. Assistant City Manager Flint added that although this was technically an amendment to the Station Area Plan, it would not need to go back before the Wasatch Regional Council.

Councilmember Scadden motioned to approve Ordinance 24-8; An Ordinance Establishing Amendments to the Station Area Plan Element of the General Plan. Councilmember Jackson seconded the motion. A roll call vote was taken, all Councilmembers voted “Aye”, and the motion carried.

H. City Manager & Council Report

City Manager Andrews discussed their lease agreement with Verizon and announced Verizon was going to begin construction in the Aquatic Center parking lot in the following week.

City Manager Andrews also commented the upcoming Council meeting on July second might be cancelled since there were no items on the agenda and it was close to a holiday. Mayor Dandoy said he was okay with cancelling that meeting.

Mayor Dandoy announced the upcoming airshow on that Saturday and anticipated a large attendance. He also reported the Miss Roy pageant would be held on the 20th of July.

I. Adjournment

Councilmember Joe Paul motioned to adjourn the meeting, Councilmember Jackson seconded the motion, all Councilmembers voted “Aye” and the meeting adjourned at 7:02 p.m.

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

dc:

2024 ALCOHOLIC BEVERAGE LICENSE
 TO BE APPROVED BY THE
 CITY COUNCIL
 On July 16, 2024

<u>LICENSE #</u>	<u>BUSINESS NAME/ ADDRESS</u>	<u>OWNER</u>	<u>CLASSIFICATION</u>	<u>YEAR TO APPROVE</u>
9923	O-Ku sushi 5429 S 1900 W	Ning Liu	Class B Beer Class B Liquor	2024 2024

RETAIL LICENSE CLASSIFICATIONS

BEER CLASSIFICATION

Class A	Off premises consumption
Class B	On premises consumption - restaurant
Class C	On premises consumption - tavern
Class D	Temporary license
Class E	Private club license

LIQUOR CLASSIFICATION

Class A	Private Club
Class B	Restaurant
Class C	Temporary



Date: June 12, 2024

To: Mayor Dandoy and City Council Members

From: Gaile Supp

Subject: O-Ku Sushi & Ramen Roy LLC, 5429 S 1900 W - Alcoholic Beverage License

O-Ku Sushi & Ramen Roy LLC, a restaurant, is in the process of remodeling, at 5429 S 1900 W. Inspections will be conducted to ensure that they are compliant with the building and safety codes. Approval for occupancy will be subject to the final inspection when the project is finished.

I recommend approval of a Class B Beer and Class B Liquor license, subject to approval on the final building and fire inspections.

Respectfully,

Gaile Supp
Building Official



Roy City Fire

MEMO

Deputy Chief Michael King

To: Tammy Nelson
Date: June 20, 2024
Subject: Alcoholic Beverage Application/Inspection

O-KU Sushi & Ramen

1900 W 5429 S

License # 9923

Pending final inspection, the building and premise located above, the proposed premise must comply with all applicable laws, ordinances and regulations relating to safety in the event of fire or panic, and that this location is reasonably safe for use as a licensed premise for the license applied for.

Final inspection will be completed prior to business occupancy.

Any questions please get with me. Thanks.

Michael J King | Deputy Chief - Fire

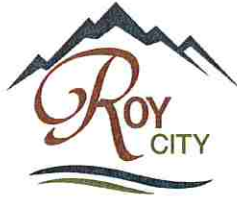
Roy City | 5051 South 1900 West, Roy, Utah 84067

(o) 801-774-1084 | www.royutah.org 

City Manager
Matt Andrews

Assistant City Manager
Brody Flint

City Recorder
Brittany Fowers



Mayor
Robert Dandoy

Council Members
Ann Jackson
Joe Paul
Randy Scadden
Sophie Paul
Bryon Saxton

June 25, 2024

Mayor and City Council Members

Re: O-Ku Sushi & Ramen Roy LLC – Alcoholic Beverage License

Mayor and Council

After reviewing the applicant's criminal record, there is nothing in the applicant's criminal history that would disqualify them from having an alcohol license here in Roy.

Best,

Matthew M. Wilson
Roy City Attorney
matt.wilson@royutah.org
801-774-1022



2024 ALCOHOLIC BEVERAGE LICENSE
 TO BE APPROVED BY THE
 CITY COUNCIL
 On July 16, 2024

<u>LICENSE #</u>	<u>BUSINESS NAME/ ADDRESS</u>	<u>OWNER</u>	<u>CLASSIFICATION</u>	<u>YEAR TO APPROVE</u>
9944	7 Day Stop 1 5190 S 1900 W	Harkirat Singh Gurjeevan Singh	Class A Beer	2024

RETAIL LICENSE CLASSIFICATIONS

<u>BEER CLASSIFICATION</u>		<u>LIQUOR CLASSIFICATION</u>	
Class A	Off premises consumption	Class A	Private Club
Class B	On premises consumption - restaurant	Class B	Restaurant
Class C	On premises consumption - tavern	Class C	Temporary
Class D	Temporary license		
Class E	Private club license		



Date: June 27, 2024
To: Mayor Dandoy and City Council Members
From: Gaile Supp
Subject: 7 Day Stop 1, 5190 S 1900 W - Alcoholic Beverage License

An existing convenience store/gas station, located at 5190 S 1900 W, is being purchased by new owners. A Building Inspection has been conducted to ensure that they are compliant with the building and safety codes.

I recommend approval of a Class A beer license.

Respectfully,

A handwritten signature in blue ink that reads "Gaile Supp".

Gaile Supp
Building Official



Roy City Fire

MEMO

Deputy Chief Michael King

To: Tammy Nelson
Date: June 20, 2024
Subject: Alcoholic Beverage Application/Inspection

Thind Bro INC (7 Day Stop 1)

1900 W 5190 S

License # 9944

Pending final inspection, the building and premise located above, the proposed premise must comply with all applicable laws, ordinances and regulations relating to safety in the event of fire or panic, and that this location is reasonably safe for use as a licensed premise for the license applied for.

Final inspection will be completed prior to business occupancy.

Any questions please get with me. Thanks.

Michael J King | Deputy Chief - Fire

Roy City | 5051 South 1900 West, Roy, Utah 84067

(o) 801-774-1084 | www.royutah.org 

City Manager
Matt Andrews

Assistant City Manager
Brody Flint

City Recorder
Brittany Fowers



Mayor
Robert Dandoy

Council Members
Ann Jackson
Joe Paul
Randy Scadden
Sophie Paul
Bryon Saxton

June 25, 2024

Mayor and City Council Members

Re: Thind Bro Ince (DBA: 7 Day Stop 1) – Alcoholic Beverage License

Mayor and Council

After reviewing the applicant's criminal record, there is nothing in the applicant's criminal history that would disqualify them from having an alcohol license here in Roy.

Best,

Matthew M. Wilson
Roy City Attorney
matt.wilson@royutah.org
801-774-1022



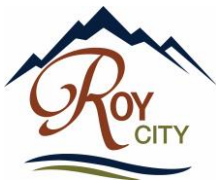
ROY CITY CORPORATION
FUND SUMMARY
FOR THE 11 MONTHS ENDING MAY 31, 2024

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
PROPERTY TAX	22,428.84	4,335,193.18	4,330,100.00	(5,093.18)	100.1
SALES AND USE TAX	700,563.83	6,241,373.48	8,660,000.00	2,418,626.52	72.1
FRANCHISE TAX	311,628.66	3,242,810.30	3,501,950.00	259,139.70	92.6
LICENSES AND PERMITS	28,408.00	382,301.20	426,000.00	43,698.80	89.7
INTERGOVERNMENTAL	56,025.00	831,485.01	1,581,434.00	749,948.99	52.6
CHARGES FOR SERVICES	166,555.51	3,059,061.11	3,241,500.00	182,438.89	94.4
FINES AND FORFEITURES	73,286.05	735,457.40	653,000.00	(82,457.40)	112.6
MISCELLANEOUS REVENUE	147,684.61	1,257,076.70	535,500.00	(721,576.70)	234.8
CONTRIBUTIONS AND TRANSFERS	2,750.00	427,940.00	2,268,831.00	1,840,891.00	18.9
	<u>1,509,330.50</u>	<u>20,512,698.38</u>	<u>25,198,315.00</u>	<u>4,685,616.62</u>	<u>81.4</u>
<u>EXPENDITURES</u>					
LEGISLATIVE	45,037.16	484,842.29	541,872.00	57,029.71	89.5
LEGAL	48,074.98	353,602.19	433,717.00	80,114.81	81.5
LIABILITY INSURANCE	20,918.42	230,102.62	251,021.00	20,918.38	91.7
JUSTICE COURT	45,860.02	414,153.53	453,796.00	39,642.47	91.3
FINANCE	62,730.80	428,175.35	508,084.00	79,908.65	84.3
TRANSFERS	76,036.66	979,298.26	1,057,440.00	78,141.74	92.6
BUILDING/GROUND MAINT DIVISIO	64,540.96	679,506.62	722,165.00	42,658.38	94.1
POLICE AND ANIMAL SERVICES	712,860.45	6,505,992.89	7,239,974.00	733,981.11	89.9
FIRE & RESCUE	642,057.85	5,761,326.50	6,027,541.00	266,214.50	95.6
COMMUNITY DEVELOPMENT	122,373.23	674,472.35	793,251.00	118,778.65	85.0
STREETS DIVISION	70,324.61	655,403.56	774,096.00	118,692.44	84.7
FLEET SERVICES DIVISION	23,105.92	191,390.77	245,594.00	54,203.23	77.9
PUBLIC WORKS ADMINISTRATION	28,588.01	429,700.45	449,551.00	19,850.55	95.6
RECREATION COMPLEX	162,322.32	2,062,709.26	2,805,901.00	743,191.74	73.5
AQUATIC CENTER	69,405.62	529,372.62	784,608.00	255,235.38	67.5
ROY DAYS	1,948.37	105,564.81	133,400.00	27,835.19	79.1
PARKS & RECREATION	146,419.18	1,679,652.98	1,976,304.00	296,651.02	85.0
	<u>2,342,604.56</u>	<u>22,165,267.05</u>	<u>25,198,315.00</u>	<u>3,033,047.95</u>	<u>88.0</u>
	<u>(833,274.06)</u>	<u>(1,652,568.67)</u>	<u>0.00</u>	<u>1,652,568.67</u>	<u>.0</u>

ROY CITY CORPORATION
FUND SUMMARY
FOR THE 11 MONTHS ENDING MAY 31, 2024

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
41 CAPITAL PROJECTS FUND	47,208.66	488,525.92	2,053,500.00	1,564,974.08	23.8
50 UTILITY ENTERPRISE FUND	5,264,170.77	13,666,891.54	9,958,330.00	(3,708,561.54)	137.2
51 STORM WATER UTILITY FUND	111,823.03	1,254,162.62	1,203,852.00	(50,310.62)	104.2
53 SOLID WASTE UTILITY FUND	274,000.01	2,968,331.40	2,828,389.00	(139,942.40)	105.0
60 INFORMATION TECHNOLOGY	75,723.00	832,953.00	939,875.00	106,922.00	88.6
63 RISK MANAGEMENT FUND	29,883.51	328,718.61	358,602.00	29,883.39	91.7
64 CLASS "C" ROADS	317,092.43	1,576,442.48	2,783,380.00	1,206,937.52	56.6
65 TRANSPORTATION INFRASTRUCTUR	74,826.05	786,501.15	725,000.00	(61,501.15)	108.5
67 STORM SEWER DEVELOPMENT	3,095.30	37,561.41	196,000.00	158,438.59	19.2
68 PARK DEVELOPMENT	1,572.19	26,019.66	273,000.00	246,980.34	9.5
71 REDEVELOPMENT AGENCY	15,427.26	502,406.49	1,513,710.00	1,011,303.51	33.2
75 CEMETERY FUND	877.50	1,722.25	0.00	(1,722.25)	.0
94 GENERAL LONG TERM DEBT	0.00	0.00	0.00	0.00	.0
	<u>6,215,699.71</u>	<u>22,470,236.53</u>	<u>22,833,638.00</u>	<u>363,401.47</u>	<u>98.4</u>
<u>EXPENDITURES</u>					
41 CAPITAL PROJECTS FUND	30,999.12	751,891.85	2,053,500.00	1,301,608.15	36.6
50 UTILITY ENTERPRISE FUND	628,695.14	7,942,570.20	9,958,330.00	2,015,759.80	79.8
51 STORM WATER UTILITY FUND	78,821.32	829,251.17	1,203,852.00	374,600.83	68.9
53 SOLID WASTE UTILITY FUND	250,558.31	2,408,115.17	2,828,389.00	420,273.83	85.1
60 INFORMATION TECHNOLOGY	42,775.21	683,201.44	939,875.00	256,673.56	72.7
63 RISK MANAGEMENT FUND	1,733.51	327,907.96	358,602.00	30,694.04	91.4
64 CLASS "C" ROADS	17,133.02	2,206,745.47	2,783,380.00	576,634.53	79.3
65 TRANSPORTATION INFRASTRUCTUR	27,745.95	162,995.36	725,000.00	562,004.64	22.5
67 STORM SEWER DEVELOPMENT	0.00	462.42	196,000.00	195,537.58	.2
68 PARK DEVELOPMENT	27,838.22	162,541.09	273,000.00	110,458.91	59.5
71 REDEVELOPMENT AGENCY	0.00	428,330.14	1,513,710.00	1,085,379.86	28.3
75 CEMETERY FUND	0.00	0.00	0.00	0.00	.0
94 GENERAL LONG TERM DEBT	0.00	0.00	0.00	0.00	.0
	<u>1,106,299.80</u>	<u>15,904,012.27</u>	<u>22,833,638.00</u>	<u>6,929,625.73</u>	<u>69.7</u>
	<u>5,109,399.91</u>	<u>6,566,224.26</u>	<u>0.00</u>	<u>(6,566,224.26)</u>	<u>.0</u>



Date: 16 July 2024
To: Mayor Robert Dandoy
From: Steve Parkinson – Planning & Zoning Administrator *SP*
Subject: Re-appointment of Planning Commissioners

Every year the terms of two (2) or three (3) Planning Commissioners expire, and this year is no different. The following Commissioners terms ended on June 30th of this year.

I have included their attendance percentage for each year of their term, plus an overall percentage for the entire term.

Samantha Bills has been on the Planning Commission since February 13, 2018, she took over for Mr. Joe Paul and has just finished her second full term. Her attendance over this past term is as follows:

July 1, 2021 – June 30, 2022, = 55.56% (attended 10 of 18 meetings)
July 1, 2022 – June 30, 2023, = 58.33% (attended 7 of 12 meetings)
July 1, 2023 – June 30, 2024, = 47.06% (attended 8 of 17 meetings)

Total Term = 53.19% (attending 25 of 47 meetings)

Ryan Cowley has been on the Planning Commission since February 13, 2018, he was made full-time on July 10, 2018 when Mr. Douglas Nandell stepped down and has just finished his second full term. He has served as chair since January 2021. His attendance over this past term is as follows:

July 1, 2021 – June 30, 2022, = 72.22% (attended 13 of 18 meetings)
July 1, 2022 – June 30, 2023, = 66.67% (attended 8 of 12 meetings)
July 1, 2023 – June 30, 2024, = 83.35% (attended 14 of 17 meetings)

Total Term = 74.47% (attending 35 of 47 meetings)

Staff would like to recommend that Mrs. Samantha Bills and Mr. Ryan Cowley be re-appointed to the Planning Commission.





Date: 16 July 2024
To: City Council members
From: Steve Parkinson – Planning & Zoning Administrator *SP*
Subject: Appointment of Alternate Planning Commissioner

Having Alternate Commissioners has helped the Planning Commission to have seven (7) voting members at most of their meetings.

Recently Jason Sphar reached the end of his third and final term, and according to Title 2 – Boards & Commissions, Planning Commissioners cannot serve more than three terms.

Mayor Dandoy and staff met together to go over some applications received for the vacancy.

We would recommend Mr. Jeremy Thompson to be appointed to fill the vacant Alternate position.

Mr. Thompson will fill the Alternate #2 position which term would end June 30, 2027



Roy City Council Agenda Worksheet

Roy City Council Meeting Date: 7/16/2024

Agenda Item Number: Action Item #1 and #1a.

Subject: Senate Bill 174 Requirements for Internal Accessory Dwelling Units

Prepared By: Brody Flint

Background:

2023 Utah State legislation found in SB 174 required cities to make land use changes regarding internal accessory dwelling units (IADU). Roy City council sent planning commission a task to review SB 174, with specific instructions to look at:

- 1) Specific positive language allowing garages to be converted to IADUs (RCC 10-17-1)
- 2) Allowing IADU parking with certain setbacks (RCC 10-31-1), and
- 3) Looking at accessory parking in Roy City (RCC 10-19 et. seq.).

The planning commission had work sessions on January 9, 2024, February 27, 2024, and March 26, 2024; they also held a public hearing on the matters on June 11, 2024. The planning commission made a positive recommendation to the adjustment made to Roy Code 10-17 and 10-31, those changes are contained in the staff report from the planning commission. The planning commission recommended “no action” on Roy Code section 10-19 (parking).

The City Council is now able to consider all the original issues that were sent to the planning commission. The commission forwarded two positive recommendations (changes to RCC 10-17 and 10-31). On the issue of parking (RCC 10-19), the commission voted for “no action”, while it is unclear if the was meant to be a negative recommendation from the commission to the City Council or if it was meant to table the issue it does not keep the issue with the commission. Interpreting the motion as a negative, change nothing, recommendation the City Council is still able to work the issue with the negative recommendation from the Planning Commission. Or, if interpreted as a table of the issue, the City Council is lawfully allowed to consider the issue as if the Planning Commission formally forwarded the parking issue with a negative recommendation. *See Utah Code Ann. § 10-9a-302(4).*

Specific to the issue of accessory parking the City Council is now tasked with working on the issue. Staff will need decisions or directions straight from Council to make or research any changes the Council sees fit.

Recommendation (Information Only or Decision): Discussion/Possible Decision

Contact Person / Phone Number: Brody Flint 801-774-1000

Roy City Council Agenda Worksheet

Roy City Council Meeting Date: 16 July 2024 (*Initially Proposed on 16 May 2023*)

Agenda Item Number:

Subject: Update Roy City Municipal and Land Use Codes to Senate Bill 174-S2 Requirements (Internal Accessory Dwelling Units only)

Prepared By: Bob Dandoy

Background:

- 2023 Legislative Session SB 174-S2: Local Land Use and Development Revisions (see attachment 1)
 - This bill:
 - Defines the circumstances under which a garage may be included in the definition of an internal accessory dwelling unit.
 - Note: "Primary dwelling" includes a garage if the garage is a habitable space and is connected to the primary dwelling by a common wall.
 - Amends a political subdivision's authority with respect to restrictions and requirements for internal accessory dwelling units.
 - Note: A municipality may regardless of whether the primary dwelling is existing or new construction, to include one additional on-site parking space for an internal accessory dwelling unit, in addition to the parking spaces required under the municipality's land use regulation, except that if the municipality's land use ordinance requires four off-street parking spaces, the municipality may not require the additional space.
- Current Roy City Municipal Code on Internal Accessory Dwelling Units
 - **10-17-1: Table of Uses**
 - Dwelling Unit, Internal Accessory (I-ADU). Is an accessory dwelling unit within the footprint of a primary dwelling for the purpose of a rental unit. Shall also meet the following:
 - Include an additional parking space (see table 19-1 for standards)
 - Must be occupied as the primary residence of the owner of record.
 - Must be rented for 30 consecutive days or longer.
 - Must obtain a Rental Dwelling License (See Title 3 for standards)
 - A notice to be recorded with the county.
 - **10-19-8 Required Off-Street Parking**
 - The number of off-street parking spaces provided shall comply with Table 19-1, Table of Off-Street Parking Requirements.

Table 19-1 - Off-Street Parking Requirements

Use	Minimum Off-Street Parking Requirements
Dwelling Unit, Internal-Accessory (I-ADU)	One (1) space, non-tandem to the other required parking spaces, this space shall not be within the required front or side setback
Dwelling, Single-Family Dwelling, Two-Family	Two (2) spaces, side by side. Parking spaces shall not be within the required front or side setback

○ **10-10-32 Parking in Residential Zones**

- In all residential zones, no vehicle parking shall be permitted in front yard setback areas between the front property line and the front line of the building, except on driveways located in residential zones that directly access a garage or carport. Accessory parking space for vehicles outside of the front yard setback area is permitted on an approved all-weather surface such as concrete, asphalt, gravel (weed free), or road base (weed free), if it is accessible to and from a legal access point on the same parcel. At any time, no portion of a vehicle may be over the street right-of-way line or obstruct a sidewalk.

○ **10-19-2 General Provisions**

- Access to parking space (driveways and access lanes); access to all parking spaces shall be as follows:
 - Residential Property, including four (4) units or less attached units, shall provide access to approved off-street parking spaces and private garages used in conjunction with those uses as follows:
 - Driveways and drive approaches shall not be located within the clear view area (sight triangle).
 - Drive approaches may go up to a side lot line of a lot as if the property line is extended to the back of the curb and gutter or roadway, except if there are utility boxes located in the area, if so then approval from the utility companies is needed to be any closer than two (2) feet from the utility boxes. In the case of a cul-de-sac exceptions may be made by the Zoning Administrator.
 - A driveway on private property may be constructed up to the side or rear property line so long as the driveway does not interfere with the surface drainage of the lot or adjacent lots where drainage easements are provided. If no drainage easements exist, the drainage from the driveway must be kept within the property.

Discussion:

- Utah is facing a housing shortage, with more people looking for a place to live than homes available. Increasing population and low unemployment are driving a demand for housing. Accessory dwelling units are part of a range of housing options that can help increase the housing supply with minimal impacts to the existing neighborhood. As a result, it has been determined by the Utah

Legislators that Accessory Dwelling Units are an important piece to help address Utah's long-term struggle to have a reasonable supply of affordable housing.

- After reviewing Senate Bill 174-S2 and specifically assessing the requirements outlined in 10-9a-530: Internal accessory dwelling units, the following are two issues that warrant a City Council discussion.

Issue 1: Garage as part of the Internal Accessory Dwelling Unit

- Utah Code 10-9a-530 states that Internal Accessory Dwelling Units can now include a garage if the garage is a habitable space and is connected to the primary dwelling by a common wall. Specifically, under 10-9a-530(1)(b)(ii) it states: "Primary dwelling" includes a garage if the garage is a habitable space and is connected to the primary dwelling by a common wall.
- **Issue 1 Discussion:** Currently, it is assumed that if a Roy City resident was interested in establishing an Internal Accessory Dwelling Unit (IADU), they could only do so if they used a part of the existing living space located within their single-family home. Typically, this would involve a basement. The new Utah Code states that the garage is now included as part of the primary dwelling. The Roy City code does not reference that the homeowner can consider and include a garage. If the homeowner decided to use the garage as an IADU, to meet city code requirements it would have to be converted into a livable space and be connected to the home by a common wall.
- **Issue 1 Recommendation:** Direct the Planning Commission to consider recommending to the City Council the following change or a similar change to 10-17-1: Table of Uses.
 - From: Dwelling Unit, Internal Accessory (I-ADU). Is an accessory dwelling unit within the footprint of a primary dwelling for the purpose of a rental unit. Shall also meet the following:
 - To: Dwelling Unit, Internal Accessory (I-ADU). Is an accessory dwelling unit within the footprint of a primary dwelling, that can include a garage if the garage is a habitable space and is connected to the primary dwelling by a common wall, for the purpose of a rental unit. Shall also meet the following:

Issue 2: Restrictions on required parking space as part of the Internal Accessory Dwelling Unit

- Under the new Utah Code 10-9a-530(2) it states that: "In any area zoned primarily for residential use:
 - The use of an internal accessory dwelling unit is a "permitted use".
 - Except as provided in Subsections (3) and (4), a municipality may not establish any restrictions or requirements for the construction or use of one internal accessory dwelling unit within a primary dwelling, including a restriction or requirement governing:

- The size of the internal accessory dwelling unit in relation to the primary dwelling.
 - Total lot size,
 - Street frontage; or
 - Internal connectivity.
 - A municipality's regulation of architectural elements for internal accessory dwelling units shall be consistent with the regulation of single-family units, including single-family units located in historic districts”.
- Utah Code 10-9a-530(2) indicates that the municipality may not establish any restriction or requirements on the Internal Accessory Dwelling Unit except those found in Subsections (3) and (4). They are:
- Subsection (3): An internal accessory dwelling unit shall comply with all applicable building, health, and fire codes.
 - Subsection (4): A municipality may:
 - prohibit the installation of a separate utility meter for an internal accessory dwelling unit.
 - require that an internal accessory dwelling unit be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling.
 - require a primary dwelling:
 - regardless of whether the primary dwelling is existing or new construction, to include one additional on-site parking space for an internal accessory dwelling unit, in addition to the parking spaces required under the municipality's land use regulation, except that if the municipality's land use ordinance requires four off-street parking spaces, the municipality may not require the additional space; and
 - to replace any parking spaces contained within a garage or carport if an internal accessory dwelling unit is created within the garage or carport and is a habitable space.
 - prohibit the creation of an internal accessory dwelling unit within a mobile home.
 - require the owner of a primary dwelling to obtain a permit or license for renting an internal accessory dwelling unit.
 - prohibit the creation of an internal accessory dwelling unit within a zoning district covering an area that is equivalent to:
 - 25% or less of the total area in the municipality that is zoned primarily for residential use, except that the municipality may not prohibit newly constructed internal accessory dwelling units that:
 - have a final plat approval dated on or after October 1, 2021; and
 - comply with applicable land use regulations.
 - 67% or less of the total area in the municipality that is zoned primarily for residential use, if the main campus of a state or private university with a student population of 10,000 or more is located within the municipality.

- prohibit the creation of an internal accessory dwelling unit if the primary dwelling is served by a failing septic tank.
 - prohibit the creation of an internal accessory dwelling unit if the lot containing the primary dwelling is 6,000 square feet or less in size.
 - prohibit the rental or offering the rental of an internal accessory dwelling unit for a period of less than 30 consecutive days.
 - prohibit the rental of an internal accessory dwelling unit if the internal accessory dwelling unit is located in a dwelling that is not occupied as the owner's primary residence.
 - hold a lien against a property that contains an internal accessory dwelling unit.
 - record a notice for an internal accessory dwelling unit.
- **Issue 2 Discussion:** For the most part, Roy City provides only a few restrictions or requirements that are authorized under Utah Code 10-9a-530. They include:
 - The Internal Accessory Dwelling Unit shall comply with all applicable building, health, and fire codes.
 - Prohibit the creation of an internal accessory dwelling unit within a mobile home.
 - Require the owner of a primary dwelling to obtain a license for renting an internal accessory dwelling unit.
 - Prohibit the rental or offering the rental of an internal accessory dwelling unit for a period of less than 30 consecutive days.
 - Record a notice for an internal accessory dwelling unit.
 - Require a primary dwelling regardless of whether the primary dwelling is existing or new construction, to include one additional on-site parking space for an internal accessory dwelling unit, in addition to the parking spaces required under the municipality's land use regulation.
 - It is in the additional on-site parking space that warrants further discussion. Utah Code 10-9a-530 Subsection (4) states; "A municipality may: (c)(i) require a primary dwelling regardless of whether the primary dwelling is existing or new construction, to include one additional on-site parking space for an internal accessory, in addition to the parking spaces required under the municipality's land use regulation".
 - The current Roy City Zoning Code 10-19-8: Required Off-Street Parking states: The number of off-street parking spaces provided shall comply with Table 19-1, Table of Off-Street Parking Requirements (see below).

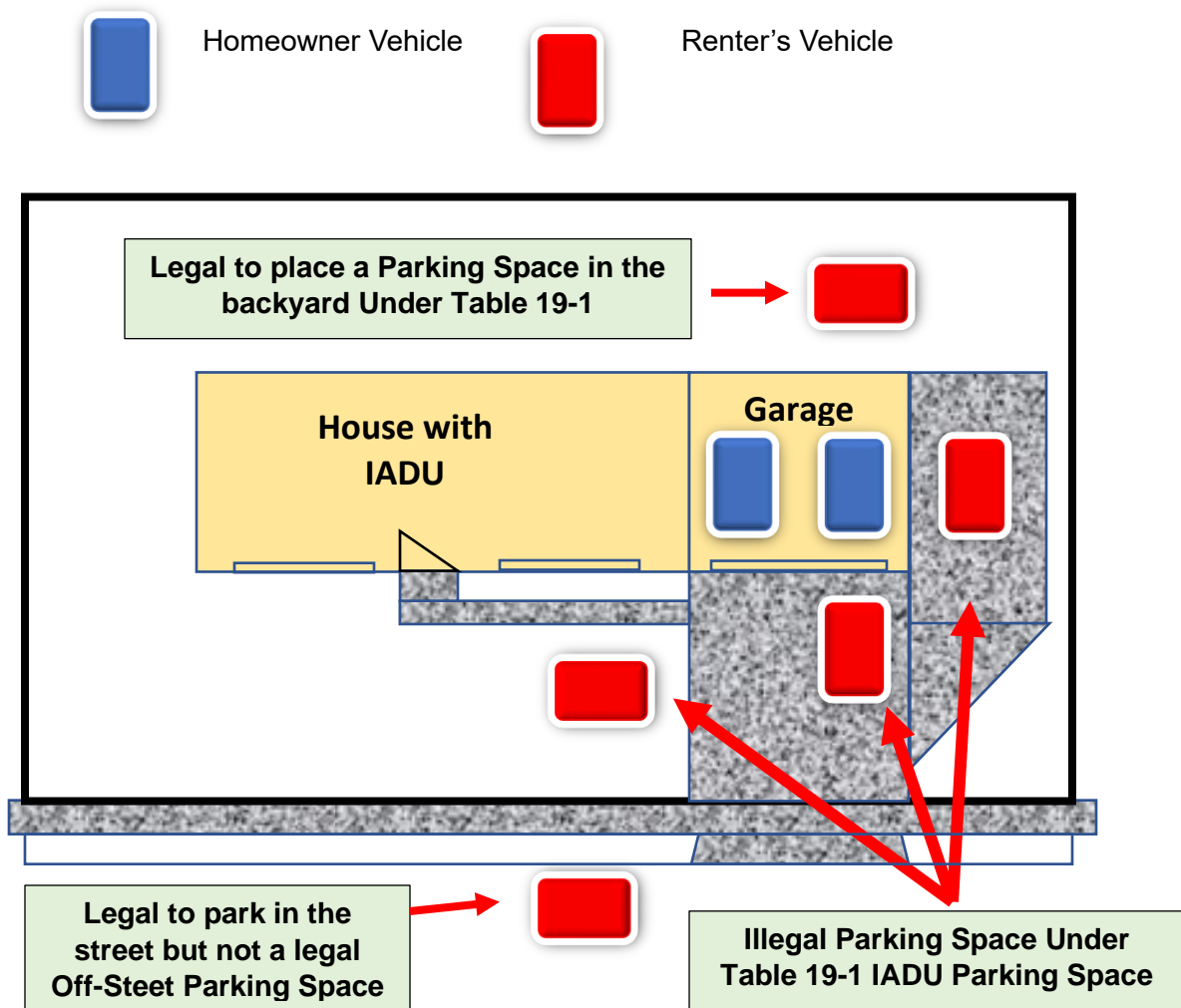
Table 19-1 - Off-Street Parking Requirements

Use	Minimum Off-Street Parking Requirements
Dwelling Unit, Internal-Accessory (I-ADU)	One (1) space, non-tandem to the other required parking spaces, this space shall not be within the required front or side setback

Note: Tandem means one following or behind the other.

- As outlined in the current Roy City Zoning Ordinance Table 19-1, an Internal Accessory Dwelling Unit is required to add at least one parking space. This is consistent with the Utah Code 10-9a-530. However, the Roy City code goes a step further by restricting the homeowner to where to place it. The Code does not allow the additional parking space to be in tandem with other parking spaces and will not allow the parking space to be placed on the front or side setback areas. How is the homeowner expected to be licensed in Roy City with an IADU, if that homeowner can't legally place a parking space on the property? To best understand this level of restriction on a typical home in Roy City, one needs to view the following illustration.

Illustration



- With the average US citizen owning 1.8 vehicles, establishing even a single additional parking space is problematic under the current city zoning code for the homeowner wanting to establish an IADU in their home. The homeowner

would be expected to define in accordance with Roy City Code, where the additional parking space would be located, to get approval to establish an IADU. There could be those cases where the homeowner might allow the renter access to one of the spaces in the garage or carport. More than likely, that would be the exception rather than the rule, leaving the homeowner to establish a parking space in the backyard. That is not the best option considering that Roy City has current zoning codes that allow for parking space(s) on the sides of the home.

- As an example, 10-10-32: Parking in Residential Zones states: In all residential zones, no vehicle parking shall be permitted in front yard setback areas between the front property line and the front line of the building, except on driveways located in residential zones that directly access a garage or carport. Accessory parking space for vehicles outside of the front yard setback area is permitted on an approved all-weather surface such as concrete, asphalt, gravel (weed free), or road base (weed free), if it is accessible to and from a legal access point on the same parcel. At any time, no portion of a vehicle may be over the street right-of-way line or obstruct a sidewalk.
- Another example is found in 10-19-2 General Provisions that states: Access to parking space (driveways and access lanes); access to all parking spaces shall be as follows:
 - Residential Property, including four (4) units or less attached units, shall provide access to approved off-street parking spaces and private garages used in conjunction with those uses as follows:
 - Drive approaches may go up to a side lot line of a lot as if the property line is extended to the back of the curb and gutter or roadway, except if there are utility boxes located in the area, if so then approval from the utility companies is needed to be any closer than two (2) feet from the utility boxes. In the case of a cul-de-sac exceptions may be made by the Zoning Administrator.
 - A driveway on private property may be constructed up to the side or rear property line so long as the driveway does not interfere with the surface drainage of the lot or adjacent lots where drainage easements are provided. If no drainage easements exist, the drainage from the driveway must be kept within the property.
- There is a need for the Roy City Zoning Code 10-19-8: Required Off-Street Parking and specifically Table 19-1 to state the number of IADU off-street parking spaces. It does currently. However, the city cannot and should not drive the homeowner to indicate parking in the street as a parking space, nor expect the homeowner to resurface portions of their backyard so the parking space be located there. Our current zoning codes allow parking on the side of the home. What is not needed in Table 19-1 are restrictions on those parking spaces that include non-tandem parking and no side of house parking. Not

only are these restrictions almost impossible to enforce, but they hamper the homeowner rights in wanting to establish a legal Internal Accessory Dwelling Unit. It should not be the purpose of the city to restrict homeowner’s right and choice to have an Internal Accessory Dwelling Unit. In fact, the city should be helping to promote effective ways to address and support affordable housing options.

- **Issue 2 Recommendation:** Direct the Planning Commission to consider recommending to the City Council the following change or similar changes to **Table 19-1: Off-Street Parking Requirements.**

From:

Use	Minimum Off-Street Parking Requirements
Dwelling Unit, Internal-Accessory (I-ADU)	One (1) space, non-tandem to the other required parking spaces, this space shall not be within the required front or side setback

To:

Use	Minimum Off-Street Parking Requirements
Dwelling Unit, Internal-Accessory (I-ADU)	One (1) space, this space shall not be within the required front setback

Recommendation (Information Only or Decision): Decision

Contact Person / Phone Number: Bob Dandoy

1 Attachments

1. 2023 Legislative Session Senate Bill 174-S2 (Internal Accessory Dwelling Units Only)

**Attachment 1 - 2023 Legislative Session Senate Bill 174-S2
(On Internal Accessory Dwelling Units Only)**

(Note: The BOLD text in SB 174 below is new)

10-9a-530. Internal accessory dwelling units.

(1) As used in this section:

(a) "Internal accessory dwelling unit" means an accessory dwelling unit created:

(i) within a primary dwelling.

(ii) within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the time the internal accessory dwelling unit is created; and

(iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.

(b) (i) "Primary dwelling" means a single-family dwelling that:

(A) is detached; and

(B) is occupied as the primary residence of the owner of record.

(ii) **"Primary dwelling" includes a garage if the garage:**

(A) is a habitable space; and

(B) is connected to the primary dwelling by a common wall

(2) In any area zoned primarily for residential use:

(a) the use of an internal accessory dwelling unit is permitted use.

(b) except as provided in Subsections (3) and (4), a municipality may not establish any restrictions or requirements for the construction or use of one internal accessory dwelling unit within a primary dwelling, including a restriction or requirement governing:

(i) the size of the internal accessory dwelling unit in relation to the primary dwelling.

(ii) total lot size.

(iii) street frontage; or

(iv) internal connectivity; and

(c) a municipality's regulation of architectural elements for internal accessory dwelling units shall be consistent with the regulation of single-family units, including single-family units located in historic districts.

(3) An internal accessory dwelling unit shall comply with all applicable building, health, and fire codes.

(4) A municipality may:

(a) prohibit the installation of a separate utility meter for an internal accessory dwelling unit.

(b) require that an internal accessory dwelling unit be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling.

(c) require a primary dwelling:

(i) **regardless of whether the primary dwelling is existing or new construction**, to include one additional on-site parking space for an

internal accessory dwelling unit, **in addition to the parking spaces required under the municipality's land use regulation, except that if the municipality's land use ordinance requires four off-street parking spaces, the municipality may not require the additional space contemplated under this Subsection (4)(c)(i);** and
(ii) to replace any parking spaces contained within a garage or carport if an internal accessory dwelling unit is created within the garage or carport **and is a habitable space.**

- (d) prohibit the creation of an internal accessory dwelling unit within a mobile home as defined in Section 57-16-3.
 - (e) require the owner of a primary dwelling to obtain a permit or license for renting an internal accessory dwelling unit.
 - (f) prohibit the creation of an internal accessory dwelling unit within a zoning district covering an area that is equivalent to:
 - (i) 25% or less of the total area in the municipality that is zoned primarily for residential use, **except that the municipality may not prohibit newly constructed internal accessory dwelling units that:**
 - (A) have a final plat approval dated on or after October 1, 2021;**
 - and**
 - (B) comply with applicable land use regulations.**
 - (ii) 67% or less of the total area in the municipality that is zoned primarily for residential use, if the main campus of a state or private university with a student population of 10,000 or more is located within the municipality.
 - (g) prohibit the creation of an internal accessory dwelling unit if the primary dwelling is served by a failing septic tank.
 - (h) prohibit the creation of an internal accessory dwelling unit if the lot containing the primary dwelling is 6,000 square feet or less in size.
 - (i) prohibit the rental or offering the rental of an internal accessory dwelling unit for a period of less than 30 consecutive days.
 - (j) prohibit the rental of an internal accessory dwelling unit if the internal accessory dwelling unit is in a dwelling that is not occupied as the owner's primary residence.
 - (k) hold a lien against a property that contains an internal accessory dwelling unit in accordance with Subsection (5); and
 - (l) record a notice for an internal accessory dwelling unit in accordance with Subsection (6).
- (5) (a) In addition to any other legal or equitable remedies available to a municipality, a municipality may hold a lien against a property that contains an internal accessory dwelling unit if:
- (i) the owner of the property violates any of the provisions of this section or any ordinance adopted under Subsection (4);
 - (ii) the municipality provides a written notice of violation in accordance with Subsection (5)(b);

- (iii) the municipality holds a hearing and determines that the violation has occurred in accordance with Subsection (5)(d), if the owner files a written objection in accordance with Subsection (5)(b)(iv);
 - (iv) the owner fails to cure the violation within the time period prescribed in the written notice of violation under Subsection (5)(b);
 - (v) the municipality provides a written notice of lien in accordance with Subsection (5)(c); and
 - (vi) the municipality records a copy of the written notice of lien described in Subsection **(5)(a)(v)** with the county recorder of the county in which the property is located.
- (b) The written notice of violation shall:
- (i) describe the specific violation.
 - (ii) provide the owner of the internal accessory dwelling unit a reasonable opportunity to cure the violation that is:
 - (A) no less than 14 days after the day on which the municipality sends the written notice of violation, if the violation results from the owner renting or offering to rent the internal accessory dwelling unit for a period of less than 30 consecutive days; or
 - (B) no less than 30 days after the day on which the municipality sends the written notice of violation, for any other violation;
 - (iii) state that if the owner of the property fails to cure the violation within the time period described in Subsection (5)(b)(ii), the municipality may hold a lien against the property in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;
 - (iv) notify the owner of the property:
 - (A) that the owner may file a written objection to the violation within 14 days after the day on which the written notice of violation is post-marked or posted on the property; and
 - (B) of the name and address of the municipal office where the owner may file the written objection;
 - (v) be mailed to:
 - (A) the property's owner of record; and
 - (B) any other individual designated to receive notice in the owner's license or permit records; and
 - (vi) be posted on the property.
- (c) The written notice of lien shall:
- (i) comply with the requirements of Section 38-12-102;
 - (ii) state that the property is subject to a lien;
 - (iii) specify the lien amount, in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires; (iv) be mailed to:
 - (A) the property's owner of record; and
 - (B) any other individual designated to receive notice in the owner's license or permit records; and
 - (v) be posted on the property.

- (d) (i) If an owner of property files a written objection in accordance with Subsection (5)(b)(iv), the municipality shall:
- (A) hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings Act, to conduct a review and determine whether the specific violation described in the written notice of violation under Subsection (5)(b) has occurred; and
 - (B) notify the owner in writing of the date, time, and location of the hearing described in Subsection (5)(d)(i)(A) no less than 14 days before the day on which the hearing is held.
- (ii) If an owner of property files a written objection under Subsection (5)(b)(iv), a municipality may not record a lien under this Subsection (5) until the municipality holds a hearing and determines that the specific violation has occurred.
- (iii) If the municipality determines at the hearing that the specific violation has occurred, the municipality may impose a lien in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires, regardless of whether the hearing is held after the day on which the opportunity to cure the violation has expired.
- (e) If an owner cures a violation within the time period prescribed in the written notice of violation under Subsection (5)(b), the municipality may not hold a lien against the property, or impose any penalty or fee on the owner, in relation to the specific violation described in the written notice of violation under Subsection (5)(b).
- (6) (a) A municipality that issues, on or after October 1, 2021, a permit or license to an owner of a primary dwelling to rent an internal accessory dwelling unit, or a building permit to an owner of a primary dwelling to create an internal accessory dwelling unit, may record a notice in the office of the recorder of the county in which the primary dwelling is located.
- (b) The notice described in Subsection (6)(a) shall include: (i) a description of the primary dwelling; (ii) a statement that the primary dwelling contains an internal accessory dwelling unit; and (iii) a statement that the internal accessory dwelling unit may only be used in accordance with the municipality's land use regulations.
- (c) The municipality shall, upon recording the notice described in Subsection (6)(a), deliver a copy of the notice to the owner of the internal accessory dwelling unit.



SYNOPSIS

Application Information

Request: Ord. No 24-9; To consider amendments to Title 10 Zoning Regulations, amending CH 17 – Table of Uses – Table 17-1: Allowed Uses – Residential Zones: Dwelling Unit, Internal-Accessory (I-ADU's); CH 31 – Definitions: Accessory Parking.

Staff

Report By: Steve Parkinson

PLANNING COMMISSION ACTION

The Planning Commission held a Public Hearing on June 11, 2024.

Chair Cowley open the floor for comments:

No comments were made

The Public Hearing was closed.

The Commission voted 6-0; to forward to the City Council a recommendation to approve of Ord. No 24-9 amendments to Title 10 Zoning Regulations, amending CH 17 – Table of Uses – Table 17-1: Allowed Uses – Residential Zones: Dwelling Unit, Internal-Accessory (I-ADU's); CH 31 – Definitions: Accessory Parking.

APPLICABLE ORDINANCES

- Roy City Zoning Ordinance Title 10 - Zoning Regulations
 - Chapter 17 – Table of Uses
 - Table 17-1 – Table of Allowed Uses - Residential Zoning Districts.
 - Chapter 31 – Definitions
 - Accessory Parking

ANALYSIS

Background:

During the December 5, 2023 Council meeting the Mayor and the City Council asked the Planning Commission to look into some changes on the following three (3) areas:

1. Language allowing garages to be converted into an I-ADU
2. Allowing the required parking of the I-ADU to be within the side yard setback, and
3. Define what "Accessory parking" is.

The Planning Commission has had several work-sessions (January 9, 2024, February 27, 2024 & March 26, 2024) discussing these issues.

Consideration as outlined in section 10-5-9 "Criteria for Approval of a Zoning Ordinance ... Amendment"

When considering a Zoning Ordinance Amendment, the Commission and the Council shall consider the following factors,

- 1) The effect of the proposed amendment to advance the goals and policies of the Roy City General Plan.
- 2) The effect of the proposed amendment on the character of the surrounding area.
- 3) The compatibility of the proposed uses with nearby and adjoining properties.
- 4) The suitability of the properties for the uses requested.
- 5) The overall community benefits.



The goals and policies of the current and proposed General Plans is to promote and provide a variety of housing types within the City.

The character of the surrounding area, depending on where within the City you are, depends on what is around. The largest areas of the city are Single-Family dwellings. Allowance of an I-ADU was mandated by the Utah State Legislations a year or so back, thus making all Single-Family zones quasi two-family zones. Compatibility & Suitability, depending on where within the City you are, depends on what is around. The largest areas of the city are Single-Family dwellings. Allowance of an I-ADU was mandated by the Utah State Legislations a year or so back, thus making all Single-Family zones quasi two-family zones.

This change to the Code will affect large areas of the City.

An additional question that the Commission needs to reflect upon is:

- Does changing are not changing the Zoning Ordinance provide the best options for development within this area of the City?

FINDINGS

1. The proposed amendments are consistent with the General Plan.
2. Is consistent with previous discussions with the Planning Commission.

ALTERNATIVE ACTIONS

The Planning Commission can recommend Approval, Approval with conditions, Deny or Table.

RECOMMENDATION

Staff recommends forwarding a recommendation to the City Council regarding the proposed amendments to Title 10 Zoning Regulations, amending CH 17 – Table of Uses – Table 17-1: Allowed Uses – Residential Zones: Dwelling Unit, Internal-Accessory (I-ADU's); CH 31 – Definitions: Accessory Parking.

EXHIBITS

- A. Planning Commission meeting Minutes
- B. Ord. No. 24-9

EXHIBIT “A” – PLANNING COMMISSION MEETING MINUTES

January 9, 2024 – Meeting minutes

5. DISCUSSION OF SB 174 (2023) REGARDING I-ADU'S

Mr. Parkinson discussed that several items had been brought up in regard to I-ADUs during the legislative discussion of SB 174. Mr. Parkinson said that Roy City Code currently allowed for the conversion of a garage into a living space, with the only stipulation being that there still needed to be at least two legal parking spaces somewhere on the property. He explained that Staff did not feel their Code needed to be changed since they felt this was in line with SB 174, although he expressed they could have a conversation about this if the Planning Commission thought the language did not match the intent of SB 174.

Mr. Parkinson discussed the other change was that cities could require an additional parking stall for an ADU, although they did not specify where on the property the parking stall could be located. He wondered if parking should be allowed in the side yard or only in the backyard, and he also asked the Planning Commission for feedback as to if they should allow parking spaces to be outside of the setback area.

Mr. Parkinson said this would be a large conversation and said he wanted to get the Commissioners thinking about these items before they formally discussed it.

Chairman Cowley asked Mr. Parkinson if he could bring in some examples of houses that could not meet setback requirements for their work session discussion and Mr. Parkinson said he would do so.

Mr. Parkinson also clarified that this was not a discussion about amending the materials for parking spaces, but just if they wanted to amend where on the property a parking space could legally be placed. He also noted that not all cities had a third parking space requirement.

February 27, 2024 – Work-session minutes

1. CONTINUED DISCUSSION REGARDING I-ADU'S AND POTENTIAL CHANGES FROM SB 174 (2023)

Chairman Cowley outlined the discussion and indicated Mr. Parkinson would lead the presentation.

Mr. Parkinson reported he had attempted to come up with some examples, per the Planning Commission's previous request, and said they would look at those examples that evening.

Mr. Parkinson gave a short overview of SB 174, and said it was a very large bill that went over several parts. He explained the first part stated that cities had to allow for the conversion of a garage with a common wall to be converted to an I-ADU, so Roy City had to add in language to permit that process. He discussed how they had met with their City Attorney to get the language added, and explained the parking had to be compensated for somewhere else on the property, and the parking spots could not be located in the setbacks.

Mr. Parkinson explained their debate was if they should allow parking in the side yard and remove the setback limitation or restrict parking to only go in the backyard. He also added some history of their Code in regard to parking and setback ordinances. He noted that he also had not considered corner lots since that added another layer of complexity to the issue. Mr. Parkinson detailed how their Code had changed since the 1950s and commented that needs were generally different now compared to the 1950s and 70s due in part to the fact that people back then usually did not have two cars, although it was standard now for a single-family home to have at least two cars. He said the Code that had been published in 2005 was their current Code, and although there had been minor adjustments since that time their setback ordinances had stayed essentially the same. He outlined the details of the setback requirements in the current copy of the Code. He expressed his concern with allowing side yard parking, and explained if they permitted parking inside setbacks in residential zones, they would have to consider what they were going to allow in other zones. He stated it was important to be consistent.

Mr. Parkinson asked the Planning Commission how they felt about permitting parking in the side yard setback. He noted that Council had expressed they were not willing to allow parking in the front yard at all. He also stated the width of the parking space was nine feet.

Chairman Cowley asked about the genesis of the idea to allow parking in the side setback, and Mr. Parkinson imagined it might have to do with the volume of people moving out of the city and into the suburb. Mr. Parkinson explained how people who lived in cities were used to living “shoulder to shoulder” with their neighbors and did not feel the need for the extra space that the setbacks allowed for. Chairman Cowley clarified how the setback was measured. Mr. Parkinson also elaborated on the reasons why people might opt to convert their garages into I-ADUs, although he expressed his personal opinion that it did not make sense since cars were generally more valuable than the things that people stored in their garage spaces.

Mr. Parkinson reiterated it was important to keep things consistent. He explained the distinction between a I-ADU and a duplex was that the homeowner had to live in the home that the I-ADU was attached to, although the owner of a duplex could rent out both sides. Mr. Parkinson said both a duplex and a single-family home with an I-ADU were required to have two parking spots and expressed the importance of maintaining consistency.

Mr. Parkinson offered to do further research on this item, and suggested he could look into what other cities were doing and how they were handling I-ADUs. He noted they currently had four I-ADUs in Roy City. Chairman Cowley asked if those four had any issues with complying to which Mr. Parkinson replied the four I-ADUs had all been complying and had not had any significant issues. Mr. Parkinson elaborated they had declined three requests since they had been unable to provide the required parking. Chairman Cowley asked for more details, and Mr. Parkinson replied to the applicants had chosen not to since they did not want to alter their backyards. Mr. Parkinson opined the parking requirement was not prohibitive.

Chairman Cowley asked what other cities allowed parking in the setbacks. It was noted that West Haven did not. Chairman Cowley said he was curious to know how other cities had handled this, and Mr. Parkinson replied he would look into that. Chairman Cowley thought if they were going to convert garages then they had to account for parking. Commissioner Brand noted this would be especially important in the winter months when people could not park on the street. Mr. Parkinson agreed. Commissioner Bills also noted it would be frustrating for renters to realize that they did not have real parking spaces.

Chairman Cowley said their ordinance required that the parking be on an improved surface, and pointed out the cost of asphalt or concrete could be prohibitive. Mr. Parkinson said one of their three denied applicants had opted not to change their backyard, but the other two applicants did not have a clear-cut way to access their backyard. Chairman Cowley commented that it seemed as though the cost of accessing and paving the backyard was too expensive for many people.

March 26, 2024 – Work-session minutes

1. CONTINUED DISCUSSION REGARDING I-ADU'S AND POTENTIAL CHANGES FROM SB 174 (2023).

Mr. Parkinson followed up on their previous discussion about I-ADUs. He went over their current Code, which stipulated the rules for parking spaces. He highlighted the areas that they wanted to have modified and shared a diagram that explained what areas of a property would allow parking.

Mr. Parkinson reported he had done some research on both nearby larger cities such as Ogden as well as similar size communities to determine what their rules for I-ADUs were. He explained Ogden allowed for tandem parking, though he expressed confusion how tandem parking was allowed if parking in the front yard setback was not permitted. He listed some other smaller cities that had a similar rule. He summarized that generally, cities did not allow for front yard parking, nor in the side setback. He added most cities also require the surface to be drivable. Mr. Parkinson asked the Planning Commission how they wanted to synthesize that information to move forward with their own ordinance.

Mr. Parkinson also commented that personally, he did not think tandem parking was wise since it required people to move their cars to let the inner car out.

Commissioner Collins thought tandem parking was up to the homeowner if that was something they wanted to deal with, though agreed that it did create a “musical chair” of sorts. Mr. Parkinson also noted most residential setbacks were 25 feet and said they could include language that would prohibit people from blocking the right-of-way.

Another Commissioner commented that he had a nicer car which he rarely drove and kept his daily driver on the driveway, so although that was technically tandem parking it was okay since he did not often drive the car in the garage. He also thought they should leave tandem parking to the prerogative of the homeowner.

Mr. Parkinson noted the only thing that might become contentious was that tandem parking was not allowed in the nearby townhomes, so people might wonder why the rules were different for townhomes rather than single family homes. Commissioner Hulbert opined she did not anticipate this being a huge issue, and reiterated the sentiment that tandem parking should be something for homeowners and renters to figure out.

Mr. Parkinson asked for direction. The Commission summarized that tandem parking could be permitted and left to homeowner’s discretion. The Commission said parking could be allowed in the side yard as well, and did not think there was a risk of cars extending into the sidewalk even if tandem parking was permitted. They did clarify that there could not be tandem parking that was three cars deep, since that would extend into the right-of-way. Commissioner Hulbert commented that the whole point of this was that housing was scarce and people could not find affordable housing, so this was one way to help accommodate people who needed to get roommates. Commissioner Hulbert pointed out extra parking was a need for people who had a lot of roommates.

Mr. Parkinson summarized that tandem parking was okay, though only in the front yard, and if people wanted to tandem park in the side yard it was only permitted if it did not reach the right-of-way.

June 11, 2024 – Meeting minutes

5. PUBLIC HEARING – TO CONSIDER AMENDMENTS TO TITLE 10 – ZONING ORDINANCE; CH 17 – TABLE OF USES – TABLE 17-1: ALLOWED USES – RESIDENTIAL ZONES: DWELLING UNIT, INTERNAL-ACCESSORY (I-ADU’S); CH 19 – OFF-STREET PARKING – TABLE 19-1: DWELLING UNIT, INTERNAL-ACCESSORY (I-ADU’S); CH 31 – DEFINITIONS: ACCESSORY PARKING.

Mr. Parkinson gave a brief history of this item and noted there had been three work sessions in regard to the definition of I-ADUs. Mr. Parkinson explained the updated parking rules with the updated ordinance for I-ADUs. He noted one of the changes was that the required parking space for I-ADUs could go in the side yard setback and could be tandem parked as well. He reported Staff did not provide a recommendation on this item.

Commissioner Sphar moved to open the public hearing. Commissioner Felt seconded the motion. Commissioners Brand, Cowley, Hulbert, Felt, Sphar and Tanner voted “aye.” The motion carried

Chair Cowley opened the floor for public comments.

No comments were made.

Chair Cowley asked for a motion to close the Public Hearing.

Commissioner Sphar moved to close the public hearing. Commissioner Hulbert seconded the motion. Commissioners Brand, Cowley, Hulbert, Felt, Sphar and Tanner voted “aye.” The motion carried.

Chair Cowley expressed concern about Chapter 19, which was the portion about setback parking in the front and side setbacks. He said while he did not have a recommendation about how to word it better, he felt this could cause issues. He suggested that the other two parts, Chapter 17 and 31 be passed and the language

about setback parking in Chapter 19 be stricken from the recommendation. Mr. Parkinson clarified he wanted 10-31 and 10-17 to remain the same and Chair Cowley confirmed that was correct.

Commissioner Tanner moved to recommend to the City Council that they approve the proposed amendments of 10-17-1 Table of Uses and 10-31-1 Definition of Accessory Parking. Commissioner Felt seconded the motion. Commissioners Brand, Cowley, Hulbert, Felt, Sphar and Tanner voted “aye,” and the motion carried.

ORDINANCE No. 24-9

AN ORDINANCE AMENDING THE ROY CITY MUNICIPAL CODE TITLE 10 – ZONING REGULATIONS, CH 17 – Table of Uses – Table 17-1: Allowed Uses – Residential Zones: Dwelling Unit, Internal-Accessory (I-ADU’s); CH 31 – Definitions: Accessory Parking.

WHEREAS, the Roy City Council finds that it is advisable and beneficial to make an update to Title 10 Zoning Regulations, CH 17 – Table of Uses – Table 17-1: Allowed Uses – Residential Zones: Dwelling Unit, Internal-Accessory (I-ADU’s); CH 31 – Definitions: Accessory Parking.

WHEREAS, the Roy City Council finds that the modifications regulating the proposed changes will be of benefit and use in enhancing and increasing long-term viability of development within residential, commercial and manufacturing areas which is important to the City; and

WHEREAS, the Roy City Planning Commission held a public hearing as required by law and has favorably recommended amendments to the City Council; and

WHEREAS, the Roy City Council has received and reviewed the recommendation of the Planning Commission and City Staff, finding it to be consistent with the goals and policies of the Roy City Zoning Ordinance and General Plan, and has reviewed and considered the same in a public meeting.

NOW, THEREFORE, Be it hereby ordained by the City Council of Roy City, Utah, that Title 10 Zoning Regulations, CH 17 – Table of Uses – Table 17-1: Allowed Uses – Residential Zones: Dwelling Unit, Internal-Accessory (I-ADU’s); CH 31 – Definitions: Accessory Parking.

Note - Language to be added has been **bolded** and language to be removed has been ~~struck~~ through.

10-17-1 Table of Uses:

Table 17-1 - TABLE OF ALLOWED USES - RESIDENTIAL ZONING DISTRICTS

USE	RE-20	RE-15	R-1-15	R-1-10	R-1-8	R-1-7	R-1-6	R-2	R-3	R-4	RMH-1
<p><u>Dwelling Unit, Internal-Accessory (I-ADU)</u>: Is an accessory dwelling unit within the footprint of a primary dwelling, that can include a garage if the garage is a habitable space and is connected to the primary dwelling by a common wall, for the purpose of a rental unit. Shall also meet the following:</p> <ol style="list-style-type: none"> 1. Include an additional parking space (see table 19-1 for standards) 2. Must be occupied as the primary residence of the owner of record 3. Must be rented for 30 consecutive days or longer 4. Must obtain a Rental Dwelling license (see Title 3 for standards) 5. A notice to be recorded with the county 	P	P	P	P	P	P	P	P	P	P	X

10-31-1 Purpose and Conflicts:

Parking, Accessory: An additional approved hard surface parking pad typically located in the side yard or rear yard used to park recreational vehicles, trailers or additional personal vehicles.

This Ordinance has been approved by the following vote of the Roy City Council:

- Councilmember Jackson _____
- Councilmember J. Paul _____
- Councilmember S. Paul _____
- Councilmember Saxton _____
- Councilmember Scadden _____

This Ordinance shall become effective immediately upon passage, lawful posting, and recording. This Ordinance has been passed by the Roy City Council this _____ day of _____, 2024.

Robert Dandoy;
Mayor

Attested and Recorded:

Brittany Fowers;
City Recorder

Roy City Council Agenda Worksheet

Roy City Council Meeting Date: July 16, 2024

Agenda Item Number: Action Item #2

Subject: Employment and Prohibitions on Political Activity

Prepared By: Matt Wilson

Background: This proposed ordinance restricts the Mayor and City Council from being employed by Roy City for at least 1 year after an individual no longer holds an elected position. It also addresses employees running for elective office within the city. It would prevent an employee from full-time employment and being on the council simultaneously. A full-time employee could take a leave of absence if elected or appointed to an elected position.

Recommendation (Information Only or Decision): Decision

Contact Person / Phone Number: Matt Wilson, 801-774-1000

Ordinance 24-10

An Ordinance of Roy City Establishing Certain Prohibitions on Political Activity of Employees and Prohibitions of Employment for Elected Officials

WHEREAS, the Roy City Council has determined that adding Prohibitions on Political Activity as well as Prohibitions of Employment for Elected Officials will provide direction for the City and its Employees; and

WHEREAS, adding certain sections of the Roy City Code provides clarification and direction for Employees and Elected Officials; and

WHEREAS, the Roy City Council has determined that it is in the best interest of the citizens of Roy City to enact the current ordinance to provide clarification and ensure compliance with the State Code;

NOW, THEREFORE, be it ordained by the Roy City Council as follows:

**Title 1 - Administration
Chapter 6
MAYOR AND CITY COUNCIL**

1-6-8: ELIGIBILITY OF COUNCIL MEMBERS

No member of the city council, nor the Mayor, shall be employed in the city until one (1) year has elapsed after such council member or Mayor shall have ceased to be the Mayor or a member of the city council.

**Title 1 - Administration
Chapter 7
OFFICERS AND EMPLOYEES**

1-7-7: PROHIBITION AGAINST POLITICAL ACTIVITY

A. Restricted Activities: No employee or officer of the city shall:

- 1) Engage in any political activity during working hours, or while in a city uniform or city vehicle; or while at his or her place of employment within the city;
- 2) Use, or allow to be used, any city equipment while engaged in any political activity;
- 3) Directly or indirectly coerce, command, or advise another municipal officer or employee to pay, lend, or contribute part of the officer's or employee's salary or compensation, or anything else of value to a political party, committee, organization, agency, or person for political purposes; or

- 4) Attempt to make another officer's or employee's personnel status dependent on the officer's or employee's support or lack of support of a political party, affiliation, opinion, committee, organization, agency, or person engaged in political activity.
- B. Supervisory And Management Positions: No employee or officer who is in a supervisory or management position shall solicit, or be in any manner concerned in soliciting, any assessment, subscription or contribution or political service, whether voluntary or involuntary, related to any political purpose whatsoever, from any city officer or employee who is directly supervised by the requesting officer or employee.
- C. Employee Not to Hold Elective Office: No employee or officer of the city shall hold full-time elective office during his or her employment or hold other full-time appointive office during his or her employment except as an assigned part of that employment. No nonelective officer or employee of the city shall hold a city-elected office.
- D. Declarations of Candidacy for Roy City-Elected Office: Neither the filing of a declaration of candidacy nor a leave of absence approved under subsection G of this section, may be used as the basis for an adverse employment action, including discipline or termination, against the officer or employee.
- E. Leaves Of Absence:
- 1) An employee or officer who has filed a declaration of candidacy may be given a leave of absence, with or without pay, for the period of time between the primary election and the general election. Such requests for leave shall be approved or denied in accordance with the city's adopted personnel policies and procedures. If a leave of absence is approved, the employee shall use any available vacation leave.
 - 2) If an employee or officer is elected to a public office, other than a full-time elective office or a Roy City- elected office, the employee may be given a leave of absence, with or without pay, for the time during which the employee receives compensation for service in the public office. Such requests for leave shall be approved or denied in accordance with the city's adopted personnel policies and procedures. If a leave of absence is approved, the employee shall use any available vacation leave.
- F. Applicability Of State Or Federal Law: No provision of this section shall be construed to permit conduct prohibited by state or federal law.

Robert Dandoy
Mayor

ATTEST:

Brittany Fowers
City Recorder

Voting:

Councilmember Ann Jackson _____
Councilmember Sophie Paul _____
Councilmember Randy Scadden _____
Councilmember Joe Paul _____
Councilmember Bryon Saxton _____