



ROY CITY
Roy City Council Meeting Minutes
July 16, 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 July 16, 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; Parks and Recreation Director, Michelle Howard; Glenda Moore, Kevin Homer, Jeremy Thompson, Micheal Ghan, Trudy Helton, Ashlyn Scadden, Ben Pearson, 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 Jackson invited the audience to observe a moment of silence.

C. Pledge of Allegiance

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

D. Consent Items

1. June 4, 2024, Roy City Council Meeting Minutes; June 13, 2024, Roy City Council 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

Councilmember Scadden motioned to approve the consent items with adjustments to the minutes as provided. Councilmember Jackson 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, shared his thoughts on ordinance 24-10 that would be discussed later that evening. He agreed with the restriction on City employees from running for office or engaging in political activity during their working hours, though he thought the definition of “political activity” was too broad and should be clarified in the ordinance.

Benjamin Pearson, 4151 W 5850 S, Roy, opposed proposed ordinance 24-10. He said he worked 40 hours a week for Roy City and had unsuccessfully run for City Council in Roy in the past. He opined City employees could offer valuable information about what was going on in the City and did not think they should be restricted from running for office. He thought it was the wrong decision to prohibit City employees and asked the Council to table the issue until he could do more research on the matter. Mr. Pearson reported he had reached out other cities that had different rules regarding this topic and was waiting to get information from those city officials about the topic.

Diane Wilson, 4302 S 2675 W Roy, spoke on the parking discussion. She recalled that I-ADUs required an additional parking space, although many homes did not have sufficient space to accommodate an additional parking spot. She worried this might discourage people with I-ADUs from applying for the proper license. She thought they needed to broaden the recommendation for parking options as she anticipated parking being a challenge in the future. She pointed out how few homes were able to meet the current requirement. She noted that many people were already parking in the streets and expressed it was important to ensure that the streets looked nice but they also had options for drivers to park their cars.

Trudy Helton, 5342 S 4100 W Roy, asked about the status of the Senior Center. She recalled that she had read that Washington Terrace had closed and had heard that Riverdale center was possibly going to be torn down as well.

City Manager Andrews replied to her comment and said he did not know what was going on in the other cities, but reported that the hours of operation and some services at the Roy center were going to be limited in order to save on operational costs. He reported that the Senior Center had contacted Roy City previously to ask what kind of services the City wanted to see at the center. City Manager Andrews reported that Roy had responded to Weber Human Services stating that they wanted to maintain the current letter of service at the center and had indicated that Roy would take over some of the costs of operation. He added that it was his understanding that everything should remain the same for the current fiscal year, and added he was under the impression that Washington Terrace was to remain open as well. Mayor Dandoy also told Mrs. Helton that he could provide her with a copy of the letter that Roy City had sent to Weber Human Services with their position on the matter.

Jeremy Thompson, 5879 S 3880 W Roy, also spoke on proposed ordinance 24-10. He said he could understand restricting certain kinds of City employees from running for local office, but asked what the impetus was for restricting all employees. He noted that it was helpful to have the insight that City employees could offer with their knowledge of what was going on in the City. Mayor Dandoy noted they would go over this topic in-depth later in the meeting.

Mayor Dandoy closed the floor for public comment.

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

Assistant City Manager Flint summarized the history of this item and explained this discussion was based off of State legislation regarding I-ADUs. He stated that the Planning Commission had been tasked with considering parking requirements for I-ADUs, I-ADUs in garages, and parking requirements more broadly under Section 19 of the Zoning Code. He reported the Planning Commission had held a public hearing and several work sessions about the topic, and now had recommendations for the Council. He stated the Planning Commission had recommended that the I-ADUs be permitted in garages and had also proposed changes to the parking requirements. Assistant City Manager Flint said these recommendations were in accordance with State Code and said Staff recommended approval. However, he reported that the Planning Commission had made no recommendation for the off-street parking as discussed in 10-19, and he explained that lack of a recommendation was functionally considered to be a negative recommendation. He said given the negative recommendation the item now came before the City Council for their consideration. Assistant City Manager Flint read through the recommendations that the Planning Commission had passed in more detail and said that Staff agreed with all of their recommendations.

Assistant City Manager Flint summarized that the Planning Commission had not liked the idea of off-street parking, and quoted that the Planning Commission had stated they did not want to “open Pandora’s Box.” He said given that, the Staff did not have direction how to move forward with off-street parking for I-ADUs. Mayor Dandoy noted it was odd that the Planning Commission had been vague. Mayor Dandoy then read 19-1, which stated that “for an I-ADU, one extra parking space, non-tandem, cannot be in the required front setback or the side setback.” He explained if someone wanted to have a legal I-ADU in Roy City that their parking space would need to be in the backyard. He said if that was the case, the resident would also need an authorized parking surface in the backyard, as well as access to the parking spot. Mayor Dandoy shared visual aids which showed regulations for parking spaces, and noted that under the current ordinance, people could park in the street although they could not claim a part of the street as their designated parking space. Mayor Dandoy said the ordinance also prohibited front and side yard setback parking, leaving the only legal option as the backyard. He commented there were many people in Roy City who parked their vehicles in the side yard, which was often grass and not an approved parking surface.

Councilmember Joe Paul noted there were four I-ADUs currently in Roy City. Councilmember Jackson asked where the owners of the I-ADUs were parking their cars and Councilmember Joe Paul said he was not sure.

Mayor Dandoy commented that while he understood the Planning Commission’s logic for not addressing parking, he said the advantage of approving this was that it would give more clarity about parking requirements. However, Mayor Dandoy explained the Planning Commission’s perspective was that the I-ADUs could create a “pseudo-duplex,” in the sense that if someone put an I-ADU in a lower level, the building would functionally become a duplex with multiple families living there. Mayor Dandoy recalled a previous instance in which someone who had applied for an I-ADU permit had not been willing to tear up their backyard to create a legal parking space, so the City had denied their application. At that time, Mayor Dandoy had made the recommendation that the wording on 19-1 be changed to only prohibit parking in the front yard setback, but allow them

to park in the side yard. Mayor Dandoy opined the advantage of changing the wording was to bring more I-ADUs into compliance, since he had a hunch that there were more I-ADUs already in Roy City that the City Staff were unaware of. He urged the Council to not lose sight of the original intent of the legislation, and voiced the opinion that there was a difference between an I-ADU and a duplex. He thought the Council should give the residents a choice.

Councilmember Jackson agreed she would never want to park in her backyard, and also noted that it was likely that a family living in an I-ADU would not have more than one car anyway. Councilmember Jackson thought it would be very difficult to have a driver pull around a house and park in the backyard, and did not think it would be a problem if someone wanted to park in front of a garage that they had built. She pointed out that oftentimes people did not have a choice on where to park. She thought they were putting too many restrictions on residents who simply had no choice.

Councilmember Sophie Paul liked the idea of permitting people to park on the side of the house. Councilmember Joe Paul agreed with the Mayor's point that this codified that people could legally park in the side yard, which he thought was a step in the right direction.

Mayor Dandoy summarized that Assistant City Manager Flint had provided the recommendations from the Planning Commission and expressed the sense that the City Council was comfortable with what had been proposed. The Councilmembers confirmed that they were. Mayor Dandoy then asked the City Council if they were in favor of allowing someone with an I-ADU to put a single parking space in their side yard. He noted that this got slightly more complicated if the I-ADU went in the garage, but said they did not need to address that with this ordinance. Councilmember Joe Paul asked if they had to specifically include the piece about the I-ADU in the ordinance and Mayor Dandoy explained that they did.

Mayor Dandoy suggested that the Council permit side yard parking and the Councilmembers expressed they were in favor of doing so. Mayor Dandoy then proposed that the Councilmembers approve the Planning Commission's recommendations, but also include the permission to park in the side yard setback. Councilmember Joe Paul added that he was in favor of parking in the side yard, but still wanted to see approved parking surfaces.

Councilmember Scadden motioned to approve 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 as stated by Assistant City Manager Flint, and to also include the table as provided in the worksheet for Ordinance No. 24-9. Councilmember Jackson seconded the motion, a roll call vote was taken, all Councilmembers voted "Aye" and the motion carried.

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.

City Attorney Wilson presented this item. He gave an overview of the ordinance, which was intended to eliminate any self-dealing. He explained the prohibited activities of elected officials, which included holding a full-time position with the City. He summarized the main highlights of 10-3-1108, which was a State Auditor bill. He said that bill included many prohibitions on activities of elected officials and read selected excerpts. He noted that some proposals of the bill had been pulled and not voted on, with the intention of allowing individual municipalities to make those determinations. City Attorney Wilson also discussed the Hatch Act, which stipulated that federal employees were prohibited from gaining elected

office in the federal system, along with anyone who received federal funding. City Attorney Wilson summarized that he did not believe ordinance 24-10 was illegal and was in alignment with federal guidelines, though he did have a proposal for a change to the ordinance. He suggested that section 1-7-7 have the wording be changed to specify that an employee who had been elected may be given a leave of absence without pay.

Councilmember Jackson asked why this issue had come up at this time and noted in her five years on Council, this had not been discussed before. City Attorney Wilson explained it was in response to the State Auditor's bill and added the intent was to avoid conflicts of interest within City Staff. Mayor Dandoy added that sitting City Council members could not be in the selection process for the position of City Manager, although a City Council member had applied for the position before Matt Andrews had been selected for the job. Mayor Dandoy explained that was a clear conflict of interest and they had restructured the application and selection process after that instance. Mayor Dandoy commented that at the time, there had been no provisions to prohibit City Council members from voting themselves into positions like City Manager.

Councilmember Sophie Paul asked for clarification about the provision that City Attorney Wilson had suggested changes to and City Attorney Wilson elaborated that a City employee who was elected to office would have their position held for them until the end of their term. Councilmember Sophie Paul asked how they would manage things if the position needed to be filled before the term ended and City Attorney Wilson explained they could hire full-time on a temporary basis. Mayor Dandoy commented there had been an instance in which a City employee had been elected to City Council and ended up serving for 20 years, which clearly was an unrealistic time period to reserve a position. Mayor Dandoy added that there were some other cities already addressing these questions and thought they needed to give this more consideration, but ultimately needed to make some kind of action. He urged the Council to think about this issue deeply.

Councilmember Saxton thought they always needed to be transparent and recalled that he also wondered where this was coming from. He remembered that this had been an issue with Roy City before, and recalled this issue coming up back when he was a reporter. He spoke about how intense and grueling public service was and said he did not want to inhibit talented City employees from running for office, though he agreed with the Mayor in that there were significant issues that could arise. Councilmember Saxton thought they should approve the ordinance to avoid having conflicts of interest on the City Council in the future.

Councilmember Jackson expressed she was on the fence. She wondered if they should table it to get more information and asked Councilmember Joe Paul's opinion.

Councilmember Joe Paul asked if this was already codified in State Code and City Attorney Wilson explained it had been left to the City's determination. Councilmember Joe Paul then discussed that if a City employee was elected to office, they would have to recuse themselves from any votes which was a conflict of interest for them. If that was the case, the vote could be split and the Mayor would be the deciding vote. Councilmember Joe Paul thought that would be problematic.

Councilmember Jackson asked if City employees could serve on the Planning Commission. There was short discussion about this, since the Planning Commission was still an appointed position and also an advisory body, not a regulatory one. Mayor Dandoy commented there was a member of the Planning Commission who had been elected to a position at the County, though that was no longer current.

Councilmember Scadden motioned to approve Ordinance No. 24-10; An Ordinance of Roy City Establishing Certain Prohibitions on Political Activity of Employees and Prohibitions of

Employment for Elected Officials with the change as provided by City Attorney Wilson. Councilmember Sophie Paul seconded the motion, a roll call vote was taken, all Councilmembers voted “Aye” and the motion carried.

G. City Manager & Council Report

City Manager Andrews reported that Chief Gwynn had been working with UDOT on the installation of a beacon at 1900 West by the fire station and thanked him for his work. He also announced the grand opening of the Complex was August first at 6 PM. He stated there were some upcoming projects they would be working on for the data service.

Councilmember Jackson reported that some residents had reached out to her about the new meters. She explained the meters were so high that they could not mow their lawns over them and asked if anything could be done. City Manager Andrews suggested they reach out to secondary water in Public Works.

Councilmember Joe Paul spoke about the Sewer Board and said there was an upcoming Open House for the grand opening of the new pump station. He said the project was under budget and ahead of schedule and said there was a lot of excitement about it.

Councilmember Sophie Paul expressed appreciation for the workers involved with the installation of the tower in the pool parking lot, especially since she said the parking lot was so busy during the day. She asked if the project was nearing completion and City Manager Andrews anticipated it would go on for some time.

Councilmember Scadden shared some of the key findings from a presentation that Fire Chief Williams had sent out earlier that day about fire department call volume. He noted that their call volume was 10% higher than the previous year and urged the Councilmembers to look over the presentation.

Councilmember Saxton expressed his excitement for the opening of a new OK-U restaurant in Roy. He noted that their location in Sandy got very favorable reviews and said with their approval that evening, they were one step closer to opening.

Mayor Dandoy announced the Miss Roy pageant would be held that Saturday and it would kick off the Roy Days events. He asked City Manager Andrews to speak about the 5600 road-widening project.

City Manager Andrews reported that things were going very well, other than the fact that the officer had hit a gas line. He said they wanted the overpass to be completed by the start of the school year, and would start curb and gutter down 5600 South. He summarized the first part of the project had been demolition and then they had worked on underground improvements, but going forward the progress would be more visible. Mayor Dandoy said they might see the completion of the overall project as soon as mid-2025.

Mayor Dandoy also highlighted how Chief Gwynn had been very successful in his attempts to keep schoolchildren safe on their way to and from school during the construction project, and commended him on his work.

H. Adjournment

Councilmember Joe Paul motioned to adjourn the meeting, Councilmember Jackson seconded the motion, all Councilmembers voted “Aye” and the meeting adjourned at 6:56 PM.

Robert Dandoy
Mayor

Attest:

Brittany Fowers
City Recorder

dc:

DRAFT