

1 **West Bountiful City**

September 11, 2012

2 **Planning Commission**

3 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice
4 website and the West Bountiful City website, and sent to Clipper Publishing Company on
5 September 7, 2012 per state statutory requirement.

6 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**
7 **September 11, 2012, at West Bountiful City Hall, Davis County, Utah.**

8 **Those in Attendance:**

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10 **MEMBERS PRESENT:** Chairman Denis Hopkinson, Vice
11 Chairman Terry Turner, Mike Cottle, Alan Malan, and Steve
12 Schmidt, Planning Commissioners and Laura Charchenko
13 Alternate Commissioner.

14

15 **MEMBERS/STAFF EXCUSED:**

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17 **STAFF PRESENT:** Ben White (City Engineer), Cathy
18 Brightwell (Deputy Recorder) and Debbie McKean (Secretary).

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20 **VISITORS:**

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22 The Planning Commission Meeting was called to order at 7:30 p.m. by Chairman Denis
23 Hopkinson. Steve Schmidt offered a thought regarding 9/11 and Utah's patriotism.

24 **I. Accept Agenda**

25 Chairman Hopkinson reviewed the agenda. Terry Turner moved to accept the agenda as posted.
26 Alan Malan seconded the motion. Voting was unanimous in favor.

27 **Business Discussed:**

28 **II. Discuss combining two adjoining parcels into one – 841 W 400 N- Pam Nichols**

29 Included in the Commissioner's packets was a memorandum from Ben White and Cathy
30 Brightwell dated September 7, 2012 regarding a request from Pam Nichols to combine two
31 parcels of land into a single parcel at 841 West 400 North. The memorandum stated that this
32 application qualifies for the small lot subdivision process and listed the items that need to be
33 provided by the applicant. Also included in the packet was an aerial site plat of the property.

34 When asked what fees would apply, Mr. White explained it is just the cost of the final plat fees.
35 It was pointed out that the LDS Church property is located to the south of the property that she
36 bought. A public hearing has been noticed for the next Planning Commission meeting.

37 **III. Consider Updates to Planning Commission Bylaws**

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39 Included in the commissioner's packets was a memorandum dated September 6, 2012 regarding
40 the Planning Commission By-laws. The memorandum stated that the bylaws were attached in
41 both a redline copy and a clean draft with a reminder that once the Planning Commission
42 adopted the Bylaws, they would go to the City Council for final approval.

43

44 **Commissioner's Comments:**

- 45 • Laura Charchenko thought all looked well.
- 46 • Mike Cottle felt fine about the document.
- 47 • Terry Turner was okay with the document.
- 48 • Steve Schmidt had no changes.

- Alan Malan still would like the conflict of interest paragraph to be revised. Cathy Brightwell said she spoke with Steve Doxy several times about the Commission's earlier suggestions regarding a two tiered approach. She found that even though there is no state statute that prohibits a member from participating in discussion and voting on an item once a conflict has been disclosed, the existing language has been included in previous Planning Commission Bylaws since 1999.
- Some discussion took place regarding keeping language regarding participation in the discussion of or voting on the matter. It was decided that if there was financial gain to be made, then you must recuse yourself. The last sentence will be modified to include, "After disclosing a conflict of interest *that can or may result in financial gain*, the commissioner shall not participate..."

ACTION TAKEN:

Alan Malan moved to approve the Planning Commission Bylaws with the changes made during this meeting and after the final draft has been reviewed by the chairman electronically it should then be forwarded to the City Council for final approval. Steve Schmidt seconded the motion.

IV. Staff Report

- Ben White informed the commission of the intent he had to Notice a public hearing for the Phillip's Development. He noted that the property owners abutting the bubble have been contacted. After getting City Council consent and the property owner's input, it has been decided to leave the bubble as is, adding handicap ramps and crosswalk markings.
- Cathy Brightwell explained that the Jensen's farm animal appeal has been sent to the prosecutors. The Jensen's continue to refuse to comply with the ordinance. All the animals are still on the property even after having been directed to come into compliance. Cathy informed the Commission that the Farm Animal Ordinance was discussed by the City Council last week and the changes they are making will still not allow the Jensen's to be in compliance.
- Cathy then described the decisions of City Council to the Farm Ordinance to be adopted at next week's meeting.
- Ms. Brightwell informed the commissioners that copies from the training that was provided to the City Council last week on the Open Meeting's Act were included in their packet this evening for their review.

V. Approval of Minutes of August 28, 2012.

ACTION TAKEN:

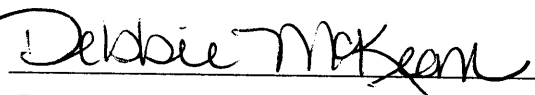
Mike Cottle moved to approve of the minutes dated August 28, 2012 as corrected. Alan Malan seconded the motion and voting was unanimous in favor.


VI. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting. Steve Schmidt seconded the motion. Voting was unanimous in favor. The meeting adjourned at 8:17p.m.


DENIS HOPKINSON-CHAIRMAN


DEBBIE MCKEAN /SECRETARY


HEIDI VOORDECKERS/CITY RECORDER
