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Minutes of the
BOUNTIFUL CITY COUNCIL

October 10, 2017 – 6:00 p.m.

13 Present: Mayor Randy Lewis
14 Councilmembers Kendalyn Harris, Richard Higginson, Beth Holbrook,
15 John Marc Knight, John Pitt
16 City Manager Gary Hill
17 City Attorney Clinton Drake
18 City Prosecutor Jake Fordham
19 City Planner Chad Wilkinson

20 Department Directors/Staff:

21 Finance Director Tyson Beck
22 Streets/Sanitation Director Gary Blowers
23 Asst. Streets/Sanitation Dir. Charles Benson
24 Assist. Police Chief Ed Biehler
25 Asst. City Engineer Lloyd Cheney
26 IT Director Alan West
27 Recording Secretary Nikki Dandurand
28 Victim Advocate Nicole Daugherty

29 Official notice of the City Council Meeting was given by posting an Agenda at City Hall and on
30 the Bountiful City Website and the Utah Public Notice Website and by providing copies to the
31 following newspapers of general circulation: Davis County Clipper and Standard Examiner.

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Work Session – 6:00 p.m.
Planning Conference Room

Mayor Lewis welcomed those in attendance and called the session to order at 6:05 p.m.

VIDEO STREAMING OF PUBLIC MEETINGS – COUNCILMAN KNIGHT

Councilman Knight stated that several weeks ago this item was brought up and he would like an update from staff about the options available. Mr. Gary Hill stated he has spoken with other cities about streaming live, making digital recordings to be uploaded later and other possibilities. Mr. Alan West, IT Director, has analyzed the current City Council Chambers and what technical options are available. Mr. West found there are many options that range in cost from a couple hundred dollars to thousands of dollars. Mr. Gary Hill stated that this is only a preliminary review, so there are no recommendations at this point and this is not a budgeted item in the current year. There are also public policy questions and concerns that would need to be addressed. Staff would like to keep moving forward on this subject as there are lots of options. Councilman Knight thanked Mr. West for the update. Mayor Lewis stated that staff is moving in the right direction and the Council will make a good decision when a recommendation is made. Councilman Higginson asked if there were any legal issues with recording/streaming the meetings. Mr. Clinton Drake replied no. The meetings that

1 would be recorded are all public meetings. Councilwoman Harris asked when staff could return with
2 more information. Mr. West replied that they could have some rough numbers within a couple
3 weeks. Mr. Gary Hill stated they will do their best to have more information at the next meeting.
4

5 **VICTIM ADVOCATE PROGRAM OVERVIEW – MR. CLINTON DRAKE**

6 Mr. Clinton Drake introduced Nicole Daugherty, the new Bountiful City Victim Advocate.
7 Mr. Drake explained that the victim advocate position is grant funded position and a new program for
8 the city. Mr. Drake stated that the program is designed to assist victims of domestic violence but also
9 assists victims of other crimes. Mr. Drake stated that the program will be a great benefit to the City
10 and its citizens. Ms. Daugherty outlined the needs of Bountiful City with regard to prosecution of
11 crimes involving victims and described purpose and goals of the new victim advocate program. Ms.
12 Daugherty’s presentation included various prosecution statistics from prior years. Councilwoman
13 Holbrook asked about the domestic violence statistic from last year and asked if Bountiful City’s rate
14 of domestic violence cases is higher than other cities. Ms. Daugherty stated they are about the same
15 as surrounding cities. Mr. Jake Fordham stated she will be able to provide more outreach for those
16 victims than the City has been able to provide in the past and assist them in the prosecution process.
17

18 **LTAP ROAD STUDY PRESENTATION – MR. GARY BLOWERS**

19 Mr. Gary Blowers introduced Mr. Nick Jones and Mr. Seth Thompson from the Utah LTAP
20 Center (Local Technical Assistance Program), based out of Utah State University. LTAP conducted
21 a driving analysis and survey of all the roads within Bountiful City limits. Utah roads typically last
22 about 20 years, but the higher elevations, especially in Bountiful, have a shorter life span. Weather
23 and utility cuts are the hardest on roads. Mr. Jones continued that Bountiful is on a good track for
24 repairing the roads, with about 10.2 years left overall, but there is some work to be done. Throughout
25 the state, construction rates have doubled, which, coupled with constant road work, makes it hard to
26 maintain roads on a normal schedule. Mr. Jones recommended increasing the road budget to \$1.7
27 million, an increase over the current budget of slightly over \$400,000. He expects costs to reach
28 close to \$5 million over a five year time period. Mr. Jones then reviewed the current methods of
29 sealing roads, and went on to suggest another option to help with road maintenance costs which is to
30 monthly fee to the residents, similar to the other City utilities. Councilman Pitt asked what impact
31 the hills and snow plows in the winter have on our roads. Mr. Jones said there is obvious scraping of
32 the roads, but that scraping does not cause much damage. The weather in general has a much larger
33 effect on the roads than the snow plows. Councilwoman Holbrook asked about the sample test that
34 was done on Davis Blvd. Mr. Blowers replied it has done very well so far. It was sealed with a chip
35 and cape seal. Mr. Lloyd Cheney commented that an expanded shale composite is also very good.
36 Mr. Jones stated it is good to keep the roads above that 10 year limit, and Bountiful’s Streets
37 Department has done a very good job of maintaining that level. Mr. Hill asked if having “terminal
38 roads” is okay. Mr. Jones replied no, all roads should be in good condition in order to keep them
39 from more expensive repairs and that’s why the additional funding to keep the majority of the City’s
40 roads between the 11 to 12 years of remaining life is recommended. Mayor Lewis stated that we
41 have about 10.2 years remaining. If the City can get to an 11 year mark, then doing what is currently
42 being done is safe. Mr. Gary Hill asked the Council what benchmark they would like to have.
43 Mayor Lewis stated Bountiful has about 159 miles of roads and asked how much of that did LTAP
44 analyze. Mssrs. Jones and Thompson responded that every road, every street was driven on.
45 Councilman Pitt asked if every city does this survey and who performs the work. Mr. Jones replied
46 that four or five cities can be done in a year and undergrads do most of the field work. Councilman

1 Knight asked if we can expect them back in about five years. Mr. Hill said yes.

2
3 **Regular Meeting – 7:05 p.m.**
4 **City Council Chambers**
5

6 Mayor Lewis called the meeting to order at 7:05 p.m. and welcomed those in attendance. Mr.
7 Richard Watson, Community Service Council/resident, led the Pledge of Allegiance; President Joe
8 Cowley, Orchard Bountiful Stake, gave an opening prayer.
9

10 **PUBLIC COMMENT**

- 11 - Chris Brinkerhoff – 1446 Skyline Dr. – concerned with trash, traffic and noise on his street
12 and surrounding the “B”
13 - Ms. Durtschi – 208 N. 200 E. – would like more code enforcement for neighboring yards
14 - Sharon Hanson – the fruit that has was not picked from the fruit trees at the Historical
15 Society Museum needs to be cleaned up
16

17 **APPROVE MINUTES OF PREVIOUS MEETING – SEPTEMBER 26, 2017**

18 Mayor Lewis presented the minutes from the previous meeting. Councilman Higginson
19 moved to approve the minutes and Councilwoman Holbrook seconded the motion. Voting was
20 unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.
21

22 **COUNCIL REPORTS**

23 Councilwoman Harris announced the cemetery statue dedication tomorrow at 1 p.m.
24 Councilman Pitt stated that donations are still being taken, although this was primarily funded by a
25 private fundraising effort. He also mentioned that Meet the Candidates night is tomorrow night at
26 7:00 p.m. here in the Council Chambers. Staff made a correction that the cemetery statue dedication
27 is Thursday, not Wednesday. Mayor Lewis congratulated Councilwoman Holbrook for being elected
28 as president of the Utah League of Cities and Towns. There are 248 cities in Utah and it is exciting
29 to have Councilwoman Holbrook lead them. Mayor Lewis would like to have her take a few minutes
30 each Council meeting to update the Council on any future items. Councilwoman Holbrook spoke
31 about the issues of the road work survey that was just completed, how legislation will impact the City
32 and briefly mentioned that ULCT trains those new to positions within the organization, as to provide
33 the same training to all the cities. Councilman Higginson inquired about the crew going to Puerto
34 Rico to help with those in need. Mr. Gary Hill stated that a voluntary crew was created, but after
35 review and talks with Mr. Allen Johnson, that crew is not needed at this point in time. Mr. Hill added
36 that when the wind storm struck the Bountiful area several years ago, many cities and companies
37 were involved with the cleanup and restoration of power. We all want to help each other he stated.
38

39 **BCYC REPORT**

40 Ms. Aliza Zobell, BCYC photographer, announced the Youth Council Pumpkin Patch party
41 this Friday, October 13th at Lewis Park.
42

43 **CONSIDER APPROVAL OF:**

- 44 a. **WEEKLY EXPENDITURES > \$1,000 PAID SEPTEMBER 25, 2017**
45 b. **AUGUST 2017 FINANCIAL REPORT**

46 Mayor Lewis presented the expenditures/financial report and asked for a motion to approve.

1 Councilman Higginson moved to approve the weekly expenditures/reports, and Councilwoman
2 Harris seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,
3 Holbrook, Knight and Pitt voting “aye”.

4
5 **CONSIDER APPROVAL OF THE PURCHASE OF TWO POLICE VEHICLES FROM**
6 **PERFORMANCE AUTOMOTIVE GROUP IN THE AMOUNT OF \$69,524 – ASSISTANT**
7 **CHIEF ED BIEHLER**

8 Chief Biehler stated that funding for these vehicles has been approved in the FY 2018 budget.
9 Both vehicles will be purchased from a local dealer, using the State Bid price. They will be used in
10 the patrol division and will replace two other vehicles, which will be sold. Councilwoman Harris
11 asked how they will be sold. Chief Biehler replied that Sgt. Bryson handles that, and it is usually
12 through KSL online. Councilman Knight also noted that using a local vendor is appreciated and
13 these vehicle prices have already been reviewed by the Council and tonight is just the approval to
14 purchase. Councilman Knight moved to approve the purchases and Councilwoman Harris seconded
15 the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and
16 Pitt voting “aye”.

17
18 **CONCERTS IN THE PARK – MR. RICHARD WATSON**

19 Mr. Watson reported on the summer concert series that it was a great success and is
20 continually growing. He wished to thank the sponsors and the public for supporting them. The only
21 fundraiser for hosting these concerts is the upcoming performance of the Bar J Wranglers, who will
22 be performing on December 1st at Woods Cross High School. He also thanked the Bountiful Food
23 Pantry that collected money for our community throughout the summer. If anyone is interested in
24 enrolling in the CERT program, they should contact Lt. Edwards at the Police Department. The
25 Community Service Council meets monthly for those that would like to volunteer.

26
27 **CONSIDER APPROVAL OF ORDINANCE 2017-10 CHANGING APPROXIMATELY 155**
28 **PARCELS FROM RM-19 (MULTI FAMILY RESIDENTIAL 19 UNITS PER ACRE) TO R-4**
29 **(SINGLE FAMILY RESIDENTIAL 4 UNITS PER ACRE) – MR. CHAD WILKINSON**

- 30 a. PUBLIC HEARING
31 b. ACTION
32

33 Mr. Chad Wilkinson reviewed the background of this area and why this is being brought to
34 the Council. This area is part of the Historic Fort District also known as Plat A. There are 113 single
35 family lots, which makes up approximately 73% of the zone. There are certain physical
36 characteristics of the zone that make it difficult to develop multi-family housing. The size of the
37 parcels varies greatly with most parcels being less than the minimum required for a multifamily
38 development or even a duplex. With the RM-19 zoning, a developer would have to combine multiple
39 lots to make the purchase/design possible and that would be expensive. This is part of the reason a
40 re-zone to R-4 is recommended. This proposal is not necessarily the end of discussion regarding the
41 future land use for the area. The area along 200 West should be reviewed in the future for a possible
42 mixed use zone as encouraged by the 2008 Historic Fort Planning process. Staff has heard from a lot
43 of the residents and is looking at other codes as well. As of today, this is generally a single family
44 neighborhood and the goal is to preserve the quality and unique nature of this neighborhood. Where
45 density makes the most sense is also being looked at. The Planning Commission had a tie vote, with
46 no recommendation or denial.

1 Councilwoman Holbrook asked where the BRT (Bus Rapid Transit) route will be. Mr.
2 Wilkinson stated it will run with traffic and will run on Main Street past the Renaissance Town
3 Center and then continue north on Main Street to 500 South where it will run west to the Frontrunner
4 Station in Woods Cross. Councilwoman Harris asked about 400 North and if it can be kept as high
5 density Councilman Higginson responded that it is not desirable that 400 North turn into another 500
6 South, and it should be kept residential.

7 Mayor Lewis opened the public hearing.
8

9 ***PUBLIC HEARING – OPEN – 8:05 p.m.***

- 10 • Rebecca Thompson – 147 N. 200 E. – keep as historical area, single family
- 11 • Jo – 181 W. 100 N – the Planning Commission was split, didn't listen to public in 2006,
12 please listen now
- 13 • Nick – 305 N. 100 E. – R-4 is not the perfect zone but it will work, but the current zoning will
14 not protect us from developers, please listen to the people
- 15 • Tanya Bascom – 195 North 100 E – read personal letter to Council, include homes on the east
16 side of 100 W. in the Zone Change

17 Mr. Wilkinson responded that those homes are in a different zone, which cannot be addressed tonight

- 18 • Richard Todd - 170 E. Center St. – He lives here for a reason, don't change Bountiful.
- 19 • Mary Williams – 376 W. 3100 S. – don't live in this area currently, but supports the zone
20 change
- 21 • Kevin Boardman – 1848 Ridge Hollow Dr. – supports zone change, preserving the properties
- 22 • Mark Parkin– 190 W. 100 N. – owns apartments in the area, does not agree with the zone
23 change, it will make his units non-conforming
- 24 • Amelia Tilley – 322 S. 800 E. - grew up in that area and wondered if the infrastructure is
25 ready for a change. Traffic noise, narrow streets a problem
- 26 • Robin Myers - 174 W. 100 N. – its been zoned this way for years, needs more discussion
- 27 • Steve Benard – 92 W. Center St. – RM-19 matches the George Sorros rules, voter makeup
28 very different, vote yes for R-4
- 29 • Jerry – 1606 Vineyard – there is a lot of divisiveness, is there a middle ground?
- 30 • Larry Dupaix – 145 W. 300 S. – well maintained historic area, disappointed with the Planning
31 Commission's vote last week, would like R-4
- 32 • Brian Knowlton – 630 E. 500 S. – was on the 2006/2008 Planning Commission vote for this
33 area. Maybe the RM-19 is wrong for this area, but changing it will create many non-
34 conforming lots, property devaluations, etc. Supports something different
- 35 • Andrew Siddoway - 154 W. 100 N. – Asked if there was a grandfather clause to include
36 multi-family units, would this only be applicable to new builds, make it R-4, keep that special
37 atmosphere

38
39 Councilman Higginson stated to the audience that those who disagree should not be demonized,
40 especially in light of the national politics. There are honorable people on the Planning Commission.
41

- 42 • Paul Morris – 165 W. 200 N. – lives in this area in what would be considered a non-
43 conforming apartment and would like to stay, and asked if there is a grandfather clause

- 1 • Zigg Sondelski – 143 W. 100 N. – diversity is good, several factors to consider that need to be
2 prioritized. What is the feeling of the community, why would you not vote for the people’s
3 choice?
- 4 • Mike Allred – 5th Amendment reference to protect people’s property rights. He was against
5 the change
6

7 Mr. Clinton Drake stated the 5th Amendment concern that was presented to the Council is not an issue
8 as it does not apply to the agenda item the Council is considering. Mr. Drake stated that questions
9 regarding “grandfathering” continue to be raised by the public and it was appropriate to answer that
10 question to help address any potential concerns. Mr. Drake explained that all legally existing
11 apartments that currently meet code would be allowed as legal non-conforming uses and would be
12 “grandfathered” if the ordinance is passed.
13

- 14 • Terry Eggett – 1311 E. 1700 S. – attended the Planning Commission meeting last week,
15 neither for/against the zone change. Greater study is needed, make the best decision to suit
16 the community, but if there is not enough information, then we need to wait
- 17 • Beth Oliphant – 108 W. 300 N. – her daughter, Amelia, spoke earlier. Asked to please protect
18 her neighborhood
- 19 • Ryan Downer – 125 W. 400 S. – chose to live here because of the community, in favor of the
20 R-4 change because it’s the best tool available right now to protect it. It’s not ok to delay the
21 vote, and asked what could be done now.
- 22 • Alan Arbuckle – own apartments in the area, they are young couples, affordable homes, trying
23 to start out, consider R-7 zone
24

25 ***PUBLIC HEARING CLOSED – 9:06 p.m.***
26

27 Councilman Knight made a motion to approve the zone change and Councilman Higginson
28 seconded the motion. Councilman Pitt asked to verify the legitimacy to live in the area and if there is
29 a middle ground. He suggested maybe other options should be considered between those areas that
30 have been presented. He asked where new people could be put. Mr. Wilkinson stated that staff
31 recommends approval of the change to R-4 zoning. Councilman Higginson stated that in the
32 2006/2008 change, the needs were different. The Planning Commission was trying to provide for
33 others, which was recognized at that time. This a good tool to use right now and the moratorium will
34 expire soon. Councilwoman Holbrook stated we need to balance out our needs, density and the BRT
35 issue. In reality, this is not an ideal model. RM-19 or R-4 are not great options. Councilwoman
36 Harris commented that the survey had great input and the process was done right. Mayor Lewis asked
37 for the vote. Councilpersons Harris, Higginson, Knight and Pitt voted “aye”. Councilwoman
38 Holbrook voted “nay.” Ordinance 2017-10 was approved on a 4-1 vote.
39

40 Mayor Lewis asked for a 5 minute break.
41

42 **CONSIDER APPROVAL OF ORDINANCE 2017-11 MAKING CHANGES TO THE**
43 **DOWNTOWN ZONING STANDARDS – MR. CHAD WILKINSON**

44 Mr. Wilkinson stated that the proposed changes will be for the design standards for the
45 buildings in the Downtown (DN) Zone.

1 Mr. Wilkinson outlined the proposed changes to the ordinance. The list of permitted and
2 conditional uses will be changed to provide clarity. Councilwoman Holbrook asked for clarification
3 on changing from multi-use to conditional use. Mr. Wilkinson clarified that no changes have been
4 proposed to the uses just clarifications to the land use table. Mr. Wilkinson continued by stating that
5 standards have been added or clarified in order to designate minimum lot sizes, vertical vs. horizontal
6 use, setbacks, parking, etc. He continued by saying that the structure height standard originally
7 proposed was 35 ft. or two stories, “whichever is less.” The Planning Commission recommend
8 removing the “whichever is less” language. Mayor Lewis asked if this new standard could lead to the
9 construction of four or five story buildings. Mr. Wilkinson stated there is the potential for that. He
10 stated that to clarify some items, language referencing the RM-12 Zone has been removed since there
11 is no RM-12 zone; those references will all be changed to RM-13, the landscaping code will be
12 updated and parking will be addressed. The Planning Commission had concerns about parking
13 including whether to designate off-street parking for guests or to include driveway spaces as guest
14 parking. The parking on Main Street is required to be behind the building. Sign standards need to be
15 discussed, the design/construction of these buildings need to include the main entrance facing Main
16 Street. Questions have been asked if the new commercial buildings meet requirements.
17 Councilmembers wondered if there should be a work session with the Planning Commission to
18 discuss the survey results and to receive input from the public. Councilwoman Harris asked if these
19 are just changes or are they staying with the original ordinance. Mr. Wilkinson replied the staff
20 report and proposed ordinance includes only the changes to the code discussed at the Planning
21 Commission meeting. If the unit is a multi-family use, the proposed code would keep building
22 footprints smaller as proposed in the 2008 Historic Fort Planning Process. Councilman Pitt asked
23 what the average height is on lots. Mr. Wilkinson explained the proposed standards and added that
24 the responses to the survey suggested that people were okay with the height of buildings on Main
25 Street. He also encouraged the Council to take action tonight, either to make the changes proposed or
26 to deny the proposal. It will take time to make the changes voted on.

27
28 ***PUBLIC HEARING – OPEN – 10:03 p.m.***

- 29 • Mary Christensen – 376 W. 3100 S. – vote yes on the parking issue
- 30 • Nick Nielson – the building height requirement is a loop hole and will negatively affect the
31 area
- 32 • Todd Willey – 66 E. 1200 S. – representative for property on Plat A, the recommendation
33 from the Planning Commission was not unanimous, the height restrictions should have
34 transitions, 100 W-there should be other options, more restaurants would have a positive
35 impact
- 36 • Tanya Bascom – concerned with the zoning, setbacks, the existing homes should be included
37 in the R-4 zone now, keep the family feel to the area, concerned with building height, i.e., the
38 new Eye Center, would like to continue to develop Main Street, but not overpower the area
- 39 • Jake Hoffman – owns properties in the downtown area and was directly affected by the
40 moratorium, would like to advocate for the business owners on Main Street, things have
41 slowed down, not so much foot traffic. Greater density within walking distance is needed, the
42 proposed draft is not good for business, entrepreneurs, etc.
- 43 • Brian Knowlton – major stakeholder in downtown, these changes are just a band aid for the
44 problem. East side there is nothing left to develop, west side can be done, but the moratorium
45 killed that. Likes the changes in the draft, lots to be developed, can staircase the height issue
- 46 • Larry D – business owner, not confident in Brian’s statement/ability

- 1 • Tanya Bascom – these changes really upset her, big demand on a small area, how come
2 residents in this neighborhood area/community are the only neighborhood responsible to
3 support Main Street and that is false.
4

5 Councilman Pitt asked if the regulations provide any protection right now. Ms. Bascom
6 requested they be reviewed.
7

- 8 • Zigg Sondelski – supports all the changes, likes the direction of Bountiful, transition zone of
9 100 W., keep less than 35 ft or two story
10 • Joyce – 92 W. Center St. – requests that any building over two stories have an elevator
11 • Mike Allred – thrilled about development on Main St., but needs more foot traffic
12 • Joe – 160 E. 300 S. – we don't need high density for businesses to succeed. The right
13 product, right people will help it be successful
14 • Resident – walked downtown for over 12 years. Not sure if density is the solution, nothing is
15 open after 6:00 p.m. downtown. Questioned what the demographic was and didn't want to
16 damage the atmosphere
17

18 ***PUBLIC HEARING – CLOSED – 10:52 p.m.***
19

20 Councilwoman Holbrook asked Mr. Wilkinson how the decision was reached on the height
21 requirement and if that was the best way to handle this. Mr. Wilkinson stated that it is a transition
22 from 100 W., with the additional height requirements transitioning back to Main Street.
23 Councilwoman Holbrook asked if there is another city that does that. Mr. Wilkinson could not recall
24 specific instances but was sure other cities have similar transitions. He stated that it just naturally
25 happens because of the development pattern. Mr. Wilkinson asked the Council if they wanted to
26 implement the original goals of the 2008 Historic Fort Plan or if they thought differently now.
27 Councilman Pitt made a motion to table this item and asked for additional time to review. Mr.
28 Wilkinson asked what staff could do to assist in this process and to be specific. Councilwoman
29 Holbrook stated that she wants to create a vibrant Main Street, but it has some challenges, which
30 include long term density. The events are great, but are only one-time events. She asked about the
31 day-to-day activities and if the height restrictions should be left alone. This will be a long term
32 decision and Council is not ready to make that decision. Councilman Pitt agreed that more time is
33 needed. Mr. Wilkinson asked what specific standards the Council would like to see and requested
34 more feedback. Councilman Higginson stated that the process is being ignored, the footprint needs to
35 be limited, and that small town America is the model, not Sugarhouse. We need balance.
36 Councilwoman Holbrook disagreed with his statement, said yes to balance, future growth was
37 needed, and people want to invest in our City but get frustrated and legislation superimposes local
38 control. The millennials will be the ones to invest. The Council discussed continuing the
39 moratorium. Mr. Wilkinson stated that the timing has expired on the moratorium and there is a
40 pending ordinance on the table tonight. Mr. Drake reminded the Council that there is a motion on the
41 table that has not been voted on. There has been a lot of discussion but the Council either needs to
42 second the motion and move forward and get to a final point or it will fail and the Council can
43 continue to discuss. Councilman Pitt motioned to postpone the vote and table for a future date. Mr.
44 Drake advised him to designate a certain date. Councilman Pitt made a motion to reschedule this
45 item for discussion at the next Planning Commission meeting, with a City Council meeting to follow.
46 Mr. Wilkinson asked for clarification at the next meeting as to whether or not to include height

1 requirements and setbacks. Mr. Drake asked if there is a second on the motion. Councilwoman
2 Holbrook seconded the vote to table the item.

3 Councilman Knight stated that the problem with the downtown district is that it is not being
4 allowed to be developed. The choice to change the zone was wise and a good decision. The zone
5 needs a chance to develop and to shut it down now is not good. More time is not needed, but the staff
6 is owed some guidance. The public has been heard and the plans for setbacks, building height and
7 transitional landscaping need to be tweaked. The Council further discussed landscape requirements,
8 height and the potential for additional time to contemplate the proposed changes. Mayor Lewis asked
9 if they could hold a work session before the next Planning Commission. It needs to be hammered out
10 so they can come back with answers. Councilman Knight said it is unfair to the staff to give no
11 additional time to prepare. Councilman Higginson stated that the changes that have been made were
12 intended to make development downtown easier and doesn't want to have to make the public come
13 back to say they don't want the changes again. Mr. Drake stated that based on Councilman
14 Higginson's remarks, there is another option besides tabling. There are several other projects being
15 held up because of the moratorium that if the Ordinance was adopted could move forward. In order
16 to help those projects move forward, the Council could make a decision tonight and still have further
17 discussion in the future. If the Council takes action tonight those projects can begin now.

18 Councilwoman Holbrook asked if the ordinance was adopted tonight, could it be amended later, and
19 how would that be different from waiting to vote. Councilman Knight replied that at least a standard
20 would be in place. Mr. Drake stated that if the Council would like, they can approve the changes
21 tonight and still move forward with the other meetings and continue to consider the possibility of
22 making further amendments. Mayor Lewis suggested they can adopt the ordinance by a substitute
23 motion. Councilman Pitt stated his original motion stands. Councilwoman Holbrook seconded the
24 motion. Councilwoman Holbrook and Councilman Pitt voted "aye", Councilwoman Harris and
25 Councilmen Higginson and Knight voted "nay." That motion failed. Councilman Higginson stated
26 that we need to pass this ordinance with some strong notes on what to work on, like the height,
27 setback, ratios, landscaping, etc. Mr. Wilkinson stated that the Planning Commission meets next
28 week, which is not enough time to prepare. Mr. Drake suggested they have the Planning Commission
29 attend the next City Council Work Session on October 24th. Councilman Higginson made a motion
30 to adopt the ordinance, Councilwoman Harris seconded the motion. Voting was unanimous with
31 Councilpersons Harris, Higginson, Holbrook and Knight voting "aye".
32

33 **CONSIDER APPROVAL OF ELECTION JUDGES RECRUITED AND TRAINED BY**
34 **DAVIS COUNTY AND GRANT THE DAVIS COUNTY'S CLERK/AUDITOR'S OFFICE**
35 **AUTHORITY TO ASSIGN ALTERNATES AS CIRCUMSTANCES REQUIRE – MR. GARY**
36 **HILL**

37 Councilman Knight made a motion to approve the judges and Councilwoman Holbrook
38 seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook and
39 Knight voting "aye".
40

41 **ADJOURN TO AN RDA MEETING WITH A SEPARATE AGENDA**

42 Councilman Higginson made a motion to adjourn the regular city council session to an RDA
43 meeting, Councilwoman Holbrook seconded the motion. Voting was unanimous with
44 Councilpersons Harris, Higginson, Holbrook and Knight voting "aye".
45

46 The regular session of the City Council was adjourned at 11:40 p.m.

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Mayor



City Recorder