

1 **ELK RIDGE PLANNING COMMISSION SPECIAL MEETING**

2 **August 12, 2010**

3
4
5 **TIME AND PLACE OF PLANNING COMMISSION MEETING**

6 A special meeting of the Elk Ridge Planning Commission was held on Thursday, August 12, 2010, at 7:00 p.m. at 80 East Park Drive,
7 Elk Ridge, Utah.

8
9 **ROLL CALL**

10 *Commissioners:* Dayna Hughes, John Houck, Kevin Hansbrow, Jason Bullard, Randy Jones
11 *Absent:* Debbie Cloward, Kelly Liddiard
12 *Tardy:* Paul Squires
13 *Others:* Marissa Bassir, *Planning Commission Coordinator*
14 Sean Roylance, *City Council*, Erin Clawson, *City Council*, Jamie Towse, Lucretia Thayne

15
16 **OPENING ITEMS**

17
18 **OPENING**

19 Dayna Hughes, Chair, welcomed at 7:02 PM. Opening remarks were said by Kevin Hansbrow followed by the pledge of allegiance.

20
21 Dayna Hughes, Chair, introduced the new alternate planning commission member, Randy Jones.

22
23 Randy Jones told a little bit about himself. He lives on Salem Hills Dr. He has lived in Elk Ridge for 14 years. He has never really had
24 the opportunity to serve in any capacity in the city, but has been more involved as of late, getting up to speed and learn a little bit. He
25 loves the city and what’s going on. He looks forward to the opportunity to learn more and serve on the planning commission. His
26 family is growing and moving out. He has two children and a wife still at home.

27
28 **KEVIN HANSBROW MOTIONED AND DAYNA HUGHES SECONDED TO MAKE RANDY JONES A VOTING**
29 **PLANNING COMMISSION MEMBER THIS EVENING. VOTE: YES – ALL, NO – NONE, ABSENT – (3) KELLY**
30 **LIDDIARD, DEBBIE CLOWARD, PAUL SQUIRES.**

31
32 **APPROVAL OF AGENDA**

33 Dayna Hughes, chair, reviewed the agenda and moved other business to be second on the agenda after the Thayne conditional use permit
34 moving minutes and council update to third and fourth respectively.

35
36 **THAYNE CONDITIONAL USE PERMIT**

37 Dayna Hughes, chair, opened the public hearing at 7:08pm.
38 Lucretia Thayne explained that they have a conditional use permit application in for six chickens, which she would like to have for
39 insect control and eggs. She has a very fine mansion for their chickens and a lovely garden for which they can eat the grasshoppers and
40 it is very far from all the neighbors. Because her lot is so large and the way it is situated, it is not close to any of their neighbors. The
41 closest neighbor is the Watson’s, but she thinks it is well within the required distance and they are not concerned.
42 Randy Jones asked if there were any residents at the back of the Thayne’s property.
43 Lucretia Thayne indicated there are residents, but they are well within any of the footage requirements because all of the other neighbors
44 have large lots, as well. She also said Shawn Eliot went out and looked at it and he said it was fine.
45 Planning Coordinator also indicated that Shawn Eliot did go visit the Thayne’s and that it did meet all the requirements.
46 Jason Bullard asked what the footage requirement was.
47 Sean Roylance indicated the setback is 25 feet away from any adjacent neighbors.
48 Planning coordinator agreed.
49 Randy Jones asked Ms. Thayne if six chickens was the maximum she would have.
50 Lucretia Thayne replied that is the maximum that is allowed within the code.
51 Kevin Hansbrow asked about how far she would guesstimate from the Watson’s.
52 Lucretia Thayne pointed out on the map where the Watson’s live and pointed out there was a shed, which is about 20 feet long, in
53 between the coop and the home and she knew it was way within the parameters.
54 Dayna Hughes, chair, closed the public hearing at 7:13pm.

55 **JOHN HOUCK MOTIONED AND KEVIN HANSBROW SECONDED TO APPROVE THE CONDITIONAL USE PERMIT**
56 **FOR THE THAYNES. YES – ALL (5), NO – NONE, ABSENT – (3) KELLY LIDDIARD, DEBBIE CLOWARD, PAUL**
57 **SQUIRES**

58
59 **OTHER BUSINESS**

60 **Development Process**

61 Dayna Hughes, chair, indicated that she wanted to talk about some of the issues going on with the city council right now. She wanted to
62 brainstorm some ideas for things that can be done differently, things that need to be changed; things that need to be enforced and
63 recommend them to the city council to make their job easier. Two main points that two of the city councilmen had was that the
64

65 planning commission received an application for a code change and they were told by the planner that Seth Waite (Fire Chief) and
66 Corbett Stephens (Building Inspector) had said the request to adopt the International Fire Code of 30 lots was fine with them. She
67 thought the planning commission had discussed this and said that if they think the fire chief and the building inspector said its ok and the
68 international fire code is adopted already, then let's go ahead and send it forward. The part where it gets sticky is that an elected official
69 in the administrative body started working on the planning commission motion, and as far as she understands, that is not allowed. This
70 is all what she has been told. If an elected official sees that there has been an error, which there was, because an elected official can look
71 at it and asks the fire chief if he said it was ok and the fire chief replied that he didn't and that's not what he meant. There was a
72 miscommunication and misunderstanding. It seems to Dayna that at that point, the correct procedure would be for the person who is in
73 charge of the city council agenda, which is the city council with the mayor should send it back to the planning commission. The mayor
74 is just not cart blanch with the agenda. The council persons can put items on the agenda.

75 Sean Roylance said it depends on what the code says. Currently the code says the mayor is in charge of the agenda or two city council
76 members can call a meeting and set the agenda for that meeting. There is leeway for us to make changes to the way that it works, but as
77 of right now, that is how it currently works.

78 Dayna Hughes indicated that the elected administrative official at this point is the mayor who has the planning commission motion.
79 From what she understands from the last city council meeting is that there is no timeline that the mayor has that he has to present it to
80 the city council, but she thinks the sticking point with some of the members of the city council was he took it and started working on it
81 and talking to people and having letters written and things like that before it had been presented to the city council members so that they
82 also knew what the status was.

83 Lucretia Thayne indicated that the mayor said they all got it at the same time.

84 Dayna Hughes indicated that she has other information that that was not true. He had it and asked Seth Waite to write a letter stating
85 that was not what he said. He asked the building inspector to write a letter indicating that that is not what he said and held onto it and
86 worked on it with the appearance of wanting to change the planning commission motion before it had gotten to the city council.

87 Sean Roylance clarified the city council gets it in the packets delivered before the meeting. Now some of them had known what was
88 going on because of their attendance at the planning commission meeting previously. With that said, from his perspective, he doesn't
89 want to worry about what went on.

90 Kevin Hansbrow indicated that it doesn't seem like an elected official should start work on the motion the planning commission
91 recommended whether it is for approval or not. It doesn't seem that it should be worked on by just one person outside of the city
92 council meeting. The planning commission puts forth their recommendation and it shouldn't be changed. He knows that the city
93 council could change it, but that would be the entire body.

94 Jason Bullard said it should have gone from the planning commission to the city council to discuss and at that point, the mayor could
95 voice his concerns with it. If the council agreed, then the council could send it back to the planning commission to work on it again.
96 That, to him, would be the proper procedure, but it sounds like the opposite happened.

97 Paul Squires said he wasn't giving up as a planning commission member and there are some things he would like to see some things
98 changed. Paul is going online and printing the whole code and he realizes that the code online is not complete because Jan said there
99 are pending ordinances for codification. He suggested having one code book in the office that has all the current code and then anything
100 that has pending amendments in the book as well. Then everyone could see what has transpired and there aren't any questions. There
101 may be notes if anything is happening with the particular code. The planning commission has to keep themselves informed. He thinks it
102 would solve a lot of problems. Everyone's code book is out of date. Everyone would be on the same page if there was just one code
103 book to look to. He indicated there are some timelines in the code, things to be turned in, and the inspector has so many days to do
104 certain things. In this case, there isn't many.

105 Dayna Hughes asked the planning commission coordinator if that was something she could do and work it into her duties.

106 Planning Commission Coordinator indicated that the book already exists. The book is in her office and she keeps it up-to-date. The
107 pending ordinances are in there as well. The mayor's code book is also up-to-date, but it does not contain the pending ordinances. She
108 also indicated from what she was told when the code was put online, Sterling Codifiers suggested throwing all the code books out and
109 just keep one main book in the office. So if any planning commission member has a book, they should give them to her or throw them
110 out. The city does not give code books out anymore. It is better to go to the website because it is more up-to-date. If you have
111 questions, you can call the office and they can let you know what is pending. Also, it has been recommended and she didn't think it had
112 gone to the council yet, but to get laptops and keep them at the city for the use of the planning commission, as well as the city council.

113 Dayna Hughes indicated that as part of the planning commission procedures, they do not bring their code books to meetings or rely on
114 them in any way. They either do what Paul has done and print out the code or the planning commission tries to get laptops.

115
116 **DAYNA HUGHES MADE A MOTION AND RANDY JONES SECONDED THAT THE PLANNING COMMISSION**
117 **RECOMMENDS TO THE CITY COUNCIL THAT BECAUSE CODE CHANGES AND AMENDMENTS ARE HAPPENING**
118 **FASTER THAN STERLING CODIFIERS CAN KEEP UP WITH THE BOOKS, TO LOOK AT THE POSSIBILITY OF**
119 **HAVING SEVERAL LAPTOP COMPUTERS WITH INTERNET ACCESS AVAILABLE TO THE PLANNING**
120 **COMMISSION AT PLANNING COMMISSION MEETINGS SO THAT WE CAN LOOK UP CODE. VOTE: YES (4), NO (2)**
121 **KEVIN HANSBROW, JOHN HOUCK, ABSENT – (2) KELLY LIDDIARD, DEBBIE CLOWARD**
122

123 The planning commission coordinator was tasked to get the steps for the subdivision process so the planning commission can review it
124 and make sure they are all in understanding of the process and timeline.

125
126 Kevin Hansbrow clarified that if somebody applied for a code change, the mayor does not have any timeframe that he has to present that
127 to the council.

128 Dayna Hughes asked who presented that information on Tuesday.

129 Jamie Towse indicated that City Recorder, Jan Davis could not find the code that Councilman, Weston Youd and Councilman, Sean
130 Roylance were saying that there was a certain Thursday or a date that one had to have it done by.

131 Kevin Hansbrow thought that state code would probably come in there.

132 Erin Clawson indicated that the recorder had looked at state code and did not find anything.

133 Jason Bullard did not remember any of them saying there was a certain time period. What he heard was that they were not saying there

134 was not a set amount of time as there was a reasonable amount of time for a homebuilder or being able to get back with them.

135 Dayna Hughes commented that there was a conversation about set time and reasonable amount of time.

136 Lucretia Thayne indicated that it was said that it was supposed to be the next meeting and she knows the planning commission wants to

137 go forward, but the problem cannot be understood, unless the previous problem is known. She said she went through and read the duties

138 of the mayor. The mayor is an administrator and an executive and he may at any reasonable time, request the papers, data and stuff of

139 any employee, agent, officer of the city and review them.

140 Dayna Hughes said that would be the planning commission.

141 Lucretia Thayne explained that what she hears them saying and per her, she might be misinterpreting it wrong, but somehow there was a

142 flaw because the mayor saw a flaw in the report and as an administrator tried to deal with the data collection, information or whatever.

143 She never heard anything to say that he wanted to change the planning commission's recommendation because he knows he can't do

144 that. So her consensus from the six or seven people who are not city officials, none of them could see where there was anything wrong

145 with him doing what they said he did. He didn't try to hide information or keep it. If there was a question, she would hope that an

146 executive would ask what's going on. As an administrator executive, that is a perfectly logical step for him to take.

147 Dayna Hughes read the following. "The Utah courts consistently require a city or a town to follow its own ordinances in regulating land

148 uses." That's the issue that is being discussed. Is the city following the proper procedure?

149 Dayna Hughes went over the development process. Subdivision is what they get most often so that is the example to go from.

150 "Applicant meets with staff, mayor, and council member to explain concept". This states that the mayor is involved in the meeting

151 before TRC. "The city gives advice of what would make the project a good project". She has talked to Shawn Eliot and it seems that he

152 is disagreeing with this saying that the mayor should only get involved in any development process at the city council level. She asked

153 Councilman Roylance if she is misunderstanding.

154 Sean Roylance indicated that what he heard from Shawn Eliot is very close to Dayna's comment. The important difference is that the

155 mayor got involved in a political manner to steer it in a particular directions. As far as attending, observing, clarifying code then that is

156 ok for him to be involved in that process.

157 Dayna Hughes asked what the difference is in giving advice and political maneuvering. "City gives advice of what would make the

158 project a good project." She could see the mayor trying to steer the project to what he thought and it says in the process that that is

159 perfectly fine.

160 Sean Roylance said theoretically, that a mayor or city council person could get in technically, as someone who is overseeing things and

161 then they could potentially still steer things and at that point, there really isn't a whole lot the city can do. Trust has to be in place to

162 trust the elected officials are going to do things appropriately.

163 John Houck asked how the city could prevent a conflict of interest in that.

164 Sean Roylance said (1) he didn't know, (2) he does know that Aqua Engineering had said that they have a process that it might be pretty

165 good at dealing with some of these issues. They had suggested this at one point in the past because this is not a new thing; these types of

166 concerns. The city recorder thought the city should talk with them.

167 Dayna Hughes stated "The Utah courts have consistently required a city or town to follow its own ordinances when regulating land

168 uses." The state code specifically says this. That is what she wants to know is if the city is following their own code. This is a double

169 check on the planning commission with any recommendations to the city council or apology indicating the planning commission was

170 doing it wrong and then specifies how it will be rectified.

171 Jason Bullard said a lot of the people feel like some of the people making comments are saying that the planning commission opposes

172 the mayor being involved and being active in going out, listening, hearing, viewing the project. He doesn't feel that way. The question

173 was brought up how to prevent conflicts of interest and he thinks processes are put into place and if things are followed appropriately

174 then things can be prevented. It's best for the planning commission to simply make a recommendation and it goes to the city council,

175 they look at it and if anyone has an issue, they can work on it and talk about it. In his opinion, he thinks it should go to the city council

176 and have the mayor voice his opinions and concerns there. If the others agree with his concerns, then it can go back to the planning

177 commission to be looked at again. The planning commission needs to have the professionals in attendance too, such as the fire chief to

178 voice their professional opinions. The procedures need to be looked at to see if it prevents that from happening.

179 Dayna Hughes asked if anyone would feel good about eliminating the pre-submittal meeting in the process. The applicant would submit

180 an application and they don't talk to anybody. The staff determines if it is complete, which just means they have paid their fee. Then it

181 goes to the TRC, which is made up of the planner, building official, engineer, mayor and a city council member. She thinks it would be

182 a good idea if there were minutes taken for the TRC.

183 Planning Commission Coordinator stated that minutes are taken by her, but they are not necessarily distributed to everyone.

184 Erin Clawson indicated that Krisel Travis (Consultant for Elk Haven E) said she had a TRC, but there were not any minutes. The mayor

185 said there wasn't a TRC meeting.

186 Planning Commission Coordinator indicated there were minutes taken for that meeting, and the problem is that Krisel says it is a TRC,

187 but the mayor doesn't because the engineer wasn't there. Regardless, whenever there is a meeting whether it's a TRC or not, minutes

188 are taken. Whether it is recorded or actually transcribed, that is different.

189 Jason Bullard asked if he understood correctly that the chair would like to remove any type of conversation with a developer who is

190 interested in building and would like to talk to the mayor about his ideas.

191 Dayna Hughes thinks that is ok, but she thinks this needs to be removed from the development process. The mayor can talk to

192 whomever he wants.

193 Kevin Hansbrow indicated that the planning commission has had people come in before and talk to them before they even started the

194 process. He thinks it is just not a necessity for the development process.

195 Jason Bullard suggested maybe not allowing anyone to have a private conversation with the developer before going through the process,

196 unless it is in a meeting where it has to be recorded.

197 John Houck did not think it was necessary to have the meeting recorded. If the developer wants to come in and talk to the mayor about
198 his idea, it does not need to be recorded.

199 Jason Bullard said at that time, the mayor could say it is a good idea and set it up for a formal meeting. It seems that if things are written
200 down or recorded, then sometimes, the city is put in a bad position. The city just needs to follow the process with the developer.

201 Dayna Hughes asked the city council members what their thoughts were about limiting the mayor's conversations with the developers.

202 Jason Bullard commented that from a developer standpoint, he would have appreciated the documentation because of promises made by
203 mayors that were never done because of lack of documentation.

204 John Houck indicated that he was a developer who did a 265 acre development and the mayor was a family member so he talked to him
205 about the development, but he still had to go to the planning commission and still go through the process to make it happen. He doesn't
206 think there was anything where he had to pre-submit or talk to the mayor.

207 Jason Bullard said he wasn't saying that the developer had to talk to anyone; they can just go through the normal process.

208 Dayna Hughes thinks they are getting closer to an agreement that the planning commission should suggest to the city council that in the
209 development process, the pre-submittal meeting portion should be eliminated.

210 Planning Comm. Coordinator indicated that she didn't think it was a necessity. It's there to just kind of get the concept out there and get
211 any recommendations. It can happen.

212 Dayna Hughes said she thinks the process should begin at the TRC. After the application is filled out and checked by staff, the first time
213 anyone meets is at the TRC.

214 Further discussion took place regarding the conversation between developer and the mayor/city staff. It only seems right to let the
215 mayor have discussions with developers without record, none of it binding. It was discussed to leave the pre-submittal meeting in the
216 development process and just make it optional.

217 Planning Comm. Coordinator commented that the pre-submittal meeting was put into the process to see if the developer's idea is worth
218 our while to spend the money to get our engineer here to the TRC meeting. Notes are taken at those meetings, maybe not necessarily
219 recorded. The pre-submittal meetings were put together because the city did not want to spend the money to get the engineer here just
220 yet. However, the pre-submittal meeting is not a necessity.

221 Dayna Hughes polled a vote to make a recommendation to the city council meeting that the pre-submittal meeting is eliminated so the
222 first thing an applicant does is to submit an application, the staff reviews it before anyone sees it, then it goes to the TRC. The option is
223 that it is indicated in the pre-submittal meeting that a recording be kept. Eliminating pre-submittal had two votes. There was additional
224 discussion before the vote of the adding of the recording to the pre-submittal meeting could take place.

225 Dayna Hughes wants to see as many people at the first meeting that don't have to be paid.

226 Jason Bullard recommended having concept or ideas go to the planning commission first. Anyone could come and listen. It could be on
227 the agenda and then it would be recorded.

228 Dayna Hughes indicated that the planning commission cannot cross the line and start acting like planners. She then took a vote of who
229 would like to see the pre-submittal meeting eliminated and all applicants begin at the TRC committee and who would like to see the pre-
230 submittal meeting changed to read planning commission concept meeting – applicant meets with planning commission and anyone else
231 who would like to come as an agenda item at a regularly scheduled planning commission meeting. Everyone (Jason Bullard, Dayna
232 Hughes, Randy Jones, and Kevin Hansbrow) voted to recommend the latter, but John Houck voted to eliminate the pre-submittal
233 meeting.

234 The applicant has the option of skipping this proposed meeting and going straight to the TRC.

235 Dayna Hughes will write the recommendation to the city council calling it the planning commission concept meeting (optional). The
236 applicant meets with the planning commission and any other interested parties. Dayna Hughes wants to make sure that no one feels like
237 the planning commission is trying to take over anything and its open to anyone.

238

239 **Planner Role**

240 Dayna Hughes prefaced by saying they will not be talking about Shawn Eliot, but just the planner's role for the planning commission.
241 She quoted the following.

242 **2-1-5: EMPLOYEES; EXPENDITURES:**
243 *The planning commission may appoint such other employees and staff as it may deem necessary for its work and may contract with city*
244 *planners and other consultants provided its expenditures, exclusive of gifts, shall be within the amounts appropriated for that purpose by*
245 *the city council. (Ord. 99-11-9-12, 11-9-1999, eff. 4-4-2000)*

246 Dayna Hughes explained at the city council meeting, there were four out of five members present who verbally, on the record, said they
247 were in favor of having a city planner. There was Erin Clawson, Sean Royslance, Julie Haskell and Weston Youd. The mayor was of the
248 opinion that the city did not need a full time planner.

249 Randy Jones said, in his opinion, the city can have one, but a full time planner isn't needed and they don't need to be living in Elk
250 Ridge.

251 Dayna Hughes indicated the previous city planner only made \$10,000 a year. That is not a full time position.

252 Jason Bullard asked if someone could provide a list of the previous planner's duties. His understanding is that the previous planner was
253 not only the city planner, but he was putting in street signs, he also checked code enforcement.

254 Dayna Hughes explained that there is an enforcement officer and zoning administrator. "The enforcement officer – there is hereby
255 created the office of zoning administrator. The mayor with the advice and consent of the city council shall appoint one or more persons
256 to act as zoning administrator. Powers and duties: It shall be the duty of the zoning administrator to review all applications for building
257 permit and zoning approvals and to issue zone clearance permits for those projects and uses found to be in compliance with the
258 development code." She asked if the previous city planner did all of that.

259 Planning Comm. Coordinator replied he went above and beyond. Jason Bullard agreed.

260 It was discussed that the enforcement of code was not being done. Others believed enforcement notices were being sent out, but perhaps
261 nothing was done after that.

262 Dayna Hughes said she talked to Ray Brown who told her of a city that hired a person from a different city and had them be the code
263 enforcement officer when they collected around 20 complaints or so and paid the person an hourly rate of \$14 per hour. They were used
264 on an as-needed basis.

265 Randy Jones said he liked it being a person from outside the city so somebody isn't getting mad because it's their neighbor. It is a
266 benefit.

267 Jason Bullard agrees with that, but he believes code is code and if you are not following it...why would you get mad at the code
268 enforcement officer? He's like a policeman.

269 Dayna Hughes thinks everyone is in agreement that there needs to be an enforcement officer to enforce zoning codes outside of the
270 purview of the city planner. The city planner does not enforce code.

271 Jason Bullard asked if there has been anyone else besides the recent planner who has enforced code.

272 Sean Roylance replied that the city did have the Sheriff deliver some enforcement notifications. Corbett also volunteered to do some.

273 Jason Bullard then asked if the previous planner was hindered by anyone in doing the enforcement.

274 Erin Clawson replied that she didn't think so.

275 Sean Roylance pled the fifth.

276 Jason Bullard said the reason he asked the questions was because if they are going to make a recommendation that we get a code
277 enforcer, who does the code enforcer report to because he does not think the code enforcer should report to the mayor. He thinks the
278 code enforcer should report to a body.

279 Erin Clawson indicated that any city employee would report to the Mayor.

280 Kevin Hansbrow commented that codes can be changed.

281 Jason Bullard said if the code enforcer only reports to one person...it would be better if they reported a list of the violations to the city
282 council and some are against the rules, then it would be easier as a body to enforce rather than just one person. There is power in
283 numbers.

284 Dayna Hughes asked if there was any member of the city council that would be willing to be over the code administrator. Of course, the
285 mayor would still be in charge, but one of the council members would be the direct report.

286 Lucretia Thayne said she knows they don't want to hash the past, but what is being said is that the planning commission doesn't trust the
287 mayor. Why would you trust the city councilman?

288 Jason Bullard indicated he is saying it would be better to report to a body. Put the violations in front of the city council on the agenda
289 and they can look at them.

290 Randy Jones commented that the sheriff was going to go out and deliver them. His question is what is the sheriff's responsibility in
291 this?

292 Erin Clawson responded that it is not the sheriff's responsibility. He has a legal responsibility. He volunteered, but he really shouldn't
293 have done that.

294 Dayna Hughes commented that she has reason to believe that there is a potential for the highest elected official in the city to be biased.
295 And to look at a list and perhaps not want to follow through because he or she is the highest elected official and want to be perceived a
296 certain way, want to be re-elected. She wants to have another entity involved in this process besides the mayor.

297 Jamie Towse suggested that maybe have the code enforcer give reports of the people who were served to the city council and then come
298 back the next meeting with a follow up?

299 Dayna Hughes suggested recommending to the council, when the enforcement officer has compiled their report of complaints, they first
300 go to the city council and it's on the record and then the enforcement officer goes out and serves the violators, then reports to back to the
301 city council.

302 Jason Bullard indicated that it should just be an item on the city council agenda once a month to review the violations, not with the intent
303 to take people off, but to make it a public record. Then they can be served and the code will be enforced. Everyone will follow it and no
304 one can say let's give them more time and it will then be forgotten.

305 Randy Jones asked if there is a number of violations to be collected before they will be served.

306 Kevin Hansbrow said even if there isn't any, they can still talk about it.

307 Sean Roylance commented that he really liked where this is going and that the planning commission has come up with some good ideas.
308 The one thing the planning commission needs to be cautious about is that it is an administrative thing and the mayor is very much over
309 the administration of the city. He does not know if it is possible though.

310 Dayna Hughes said it was worth suggesting it even if it doesn't go anywhere. She is just trying to help. She said she would include in
311 the memo that the planning commission recommends that an enforcement officer be hired preferably from somewhat outside of the
312 community who meets with the city council on a monthly basis to gather any code enforcement violations that come into the city and
313 that becomes part of the public record and then that person does the code enforcement job.

314 Jason Bullard added that it should be the most qualified person for the job whether it is within the city or not.

315 Dayna Hughes quoted the city code: *2-1-5 Employee expenditures: The planning commission may appoint such other employees or staff
316 as may deem necessary for its work and may contract with city planners and other consultants provided its expenditures, exclusive of
317 gifts, shall be within the amounts appropriated for that purpose by the city council.* So does that mean the planning commission finds a
318 planner and then we present how much money the planner requires to the city council and then the council approves it?

319 Sean Roylance responded that if the city council appropriates money for that purpose, the planning commission can contract with a
320 planner of their choosing, but for a particular project. It is a project by project basis. To have a permanent part time planner is not under
321 the planning commission's jurisdiction.

322 Dayna Hughes thinks that is a bad idea because the planning commission needs a planner that is consistent from project to project. She
323 also questioned the money spent on Mountainland.

324 Sean Roylance indicated that he has never questioned it, but when it was set up, the council and mayor at the time felt it was money well
325 spent.

326 Dayna Hughes would also like to suggest to the city council that they look at the Mountainland contract now that the general plan is
327 done and it will be done for five years, perhaps if money is an issue, it is the planning commission's recommendation that they would

328 rather have that money go for a part time planner, than go to them. As far as numbers go, what Shawn Eliot was paid, is not the
329 \$10,500. He made \$800/month from Mountainland and \$1000 from planner. So the \$10,500, according to him, is not accurate. So she
330 is asking for suggestions on what to ask for as far as money. Or just say, would you please hire a planner?
331 Jason Bullard would like to suggest that what he thinks is the most qualified individual for the job, the recent planner to rehire him.
332 Dayna Hughes indicated that the recent planner does not want to come back under the current administration. But she does want
333 everyone to be comfortable with she recommends to the city council so she will email to everyone first. She asked how the planning
334 commission goes about asking the city council to hire another city planner.
335 Randy Jones recommended asking for a city planner that is also an engineer as well.
336 John Houck asked if there were some good engineers that are retired in Elk Ridge.
337 Dayna Hughes indicated that the planning commission wants a certified city planner, not just an engineer acting as a planner.
338 Sean Roylance recommended just telling the city council that the planning commission feels it is important to have a city planner.
339 Dayna Hughes indicated they don't feel that it is important, it is in the code.
340 Planning Comm. Coordinator said it was talked about in staff meeting to make it an agenda item for the city council to get a planner.
341 Further discussion took place concerning the request for a city planner and whether the most recent planner would come back or could
342 re-apply.
343 Jason Bullard asked if the city council vote on the hiring.
344 Sean Roylance indicated he would have to look at the code, but there are certain positions where the code specifies advice and consent
345 of the council.
346 Dayna Hughes will write a memo to the council. And she is under the impression and the feeling that the planning commission will not
347 meet again until there is a planner if there is a subdivision. It will not be heard if it is a subdivision or code change until there is a city
348 planner because it is not in the benefit of the city for the planning commission to advise on it without a planner.
349

350 **REVIEW AND APPROVE MINUTES OF 6/24/10 COMMISSION MEETING**

351 There were not any changes made to the minutes of 6/24/2010.

352
353 **DAYNA HUGHES MOTIONED AND JOHN HOUCK SECONDED TO ACCEPT THE PLANNING COMMISSION**
354 **MEETING MINUTES OF JUNE 24, 2010 AS WRITTEN. VOTE: YES – ALL (6), NO – NONE, ABSENT (2) – KELLY**
355 **LIDDIARD, DEBBIE CLOWARD**
356

357 **ADJOURNMENT** – Chair, Dayna Hughes, adjourned the meeting at 8:45p.m.
358
359
360
361

Planning Commission Coordinator