### MINUTES OF THE HUNTSVILLE TOWN PLANNING COMMISSION MEETING

MEETING DATE: July, 28th 2022

**PLACE:** Electronic Zoom Meeting with anchor location at Huntsville Library

131 S 7400 E, Huntsville Utah

TIME: 6:**3**0 p.m.

NAME	TITLE	STATUS
Doug Allen	Planning Commission Chair	Excused
Liz Poulter	Planning Commissioner	Present
Steve Songer	Planning Commissioner	Present
Jeff Larsen	Planning Commissioner	Present
Allen Endicott	Planning Commissioner	Present
Suzanne Ferree	Alt. Planning Commissioner	Present
Sandy Hunter	TC Liaison	Present
Shannon Smith	Town Clerk	Present
Bill Morris	Town Attorney	Excused

Citizens: Ron Gault, Bruce Ahlstrom, Arite Powell

1-Roll call: Chairman Allen welcomed all who are attending the meeting.

PCM Poulter motioned to move item 6) Discussion and/or Annexation Policy Plan and Map on the agenda up. PCM Endicott Seconded the motion. All votes Aye. Motions passes. Vote reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter Commissioner Sandy Hunter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	Commissioner Allen Endicott

## 2- Discussion and/or action on Annexation Policy Plan and Map/ General Plan (Attachment\* 5)

Ron Gault spoke on behalf of the Annexation Policy Plan and Map. The map was discussed as what is currently in the plan and what are is proposed to add to the Map. Ron based this area on where the water company could more feasibly get water to. Ron's suggestion is that the Town include the area at highway 39 and Trappers loop intersection in it's plan. This was Ron's suggestion because Snow Basin owns that land and has been talking about developing that area. If that happens the Town might want to consider annexing this land in the future. It is a possibility that the town might want to include more area here but there would need to be modifications in the water system to pump water up the hill. This would be associated with an impact fee to help cover these costs.

PCM Larsen questioned whether the Town could annex property without the property owner requesting annexation. TCM Anderson stated that it is possible but more difficult. TCM Hunter commented that the Town is interested in expanding the map due to the possibility of the Ogden Valley incorporating. If the greater Ogden Valley incorporated the Town would have first rights to only the land in its annexation map.

TCM Hunter questioned the boundary of this map on the East end. Ron stated that it is the road that goes up to the water plant. PCM Songer questioned that the con would be putting a greater annexation are in the plan. Ron commented that the only con he could think of would be if the Town annexed a greater amount of land and the population grew above a certain number the Town would have to change its governmental body and process. That would be a choice the Town would have to make. The town is obligated to provide water to any area it does annex.

The boundary is currently drawn to about 8600 E, just a few blocks down from the monastery There were questions if it should be extended to monastery. The boundary would need to stop at Anderson cove as that is forest service land.

TCM Anderson stated most important property he believed to include would be commercial. This way there would not be a large impact on town population, but the tax benefit would be a positive financial gain for the Town. Anderson agreed with the map as drawn.

The area around the green waste landfill was discussed. PCM Endicott spoke in favor of TCM Kevin Anderson's comments on including commercial property but limiting residential areas. TCM Hunter also concurred. Hunter stated that she does not feel the map needs to go further East, but it good as Ron has proposed.

It was agreed that a better map needs to be found. PCM Larsen stated that the boundary on the west should go to the cul-de-sac just past Trappers Loop, to include the parcels on either side of Trappers. PCM Larsen recommended the following guidelines for map boundary's, The east boundry left as is, North as is, South, follow to Trappers loop and up to include the 4 parcels on either side of Trappers (as the farthest west point).

PCM Poulter motions to recommend approval of the map Ron has presented, to adjust to go up Trappers loop road, highway 167, to include ethe 2 snow basin parcels and that 2 parcels on the east side of the cul-de-sac. West of 167 to 7000 E. Motion seconded by PCM Songer. All Votes Aye. Motion Passes. Votes reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter
	Commissioner Sandy Hunter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Allen Endicott
NAYS:	

General Plan update: The new annexation map will be included here. Ron discussed transferring development rights. It was his understanding that the Town was not interested in this. Ron made a statement to this in the General Plan. Ron also made a comment on the 2 commercial lots currently under contract.

#### 2-Approval of Minutes for Planning Commission Meeting 4-22-21. (Attachment #2)

PCM Poulter motioned to approve the amended minutes from June 23<sup>rd</sup>, 2022. PCM Endicott seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter
	Commissioner Sandy Hunter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Allen Endicott
NAYS:	

### 3-Discussion and/or action on Land Use Permit for Bean new home build and outdoor dining area (Attachment #3)

Shannon presented a letter signed by Town inspector, Sean Lambert, stating that the height of the Bean Home does fit within town code. The code on height was reviewed.

The issue of coverage was reviewed, it was discussed in last months meeting that the coverage was well under the allotted 35%.

PCM Endicott motioned to the Land Use permit for Bean Home and covered outdoor dining area, contingent on the coverage being at or below the 35%, per town code. PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter
	Commissioner Sandy Hunter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Allen Endicott
NAYS:	

4-Discussion and/or action on Land Use Permit for Phil Winston Pole Barn. (Attachment #4)

Setbacks were discussed and deemed appropriate.

PMC Poulter motioned to the Land Use Permit for Phil Winston Pole Barn. PCM Endicott seconded the motion. All Votes Aye. Motion Passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter
	Commissioner Sandy Hunter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Allen Endicott
NAYS:	

### 6-Sandy's TC Updates

TCM Hunter updated on the Bill and Michaline Wangsgard subdivision. It was agreed that if the Wangsgard's dedicate their parcel # 200100022 as a Town alley, then this alleyway can be considered frontage for the lot being subdivided.

The road into the Sage development has changed to a cul-de-sac, not a through street. This plan has been approved by the Fire Marshall. CW Lands is also currently working with the Town on the development agreement. The A3 Zone will need to be approved before the development agreement.

The Town received a letter from Tom Freeman's attorney. This letter is requesting the appeals authority review this property in question and deem it buildable. The letter sighted that if a lot was existing before 1992 it is buildable. But these two lots were not a part of Huntsville in 1992, they were annexed into town in 2014. A map was presented with the letter, but the accuracy of the map is in question.

12-Public Comment. There were none.

13-Chairman's Remarks. PCM Larsen thanked all for the discussion.

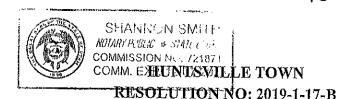
14-Motion to adjourn.

**PCM** Larsen made a motion to adjourn the meeting. PCM Songer seconded the motion. All votes Aye. Motion Passes.

Meeting is adjourned at 8:26 p.m.

Shannon Smith, Clerk





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Mayor James A. Truett

Town Council Max Ferre' Wendy McKay Bill Wangsgard Bill White

Town Clerk/Recorder Gail Ahlstrom

Treasurer Linda Laws

Attorney
P'" Morris

A RESOLUTION OF HUNTSVILLE TOWN, UTAH, ADOPTING RULES OF PROCEDURES IN ACCORDANCE WITH UTAH CODE §10-3-606; AND SPECIFYING THE EFFECTIVE DATE.

WHEREAS, Huntsville Town (hereafter "Town") is a municipal corporation duly organized and existing under the laws of the State of Utah;

WHEREAS, Utah Code Annotated §10-3-606 requires the Town to adopt certain rules of procedure and order;

WHEREAS, Utah Code Annotated §10-3-717 authorizes the Town to adopt such rules by resolution;

WHEREAS, the Town desires to comply with state law;

NOW, THEREFORE, be it resolved by the Town Council of Huntsville Town, Utah, as follows:

Section 1. Rules of Procedure and Order.

The Rules of Procedure and Order as attached as Exhibit "A" are hereby adopted and incorporated herein by this reference.

Section 2. Effective Date.

This Resolution shall be effective immediately upon adoption.

PASSED AND APPROVED by the Huntsville Town Council this 17 day of Jan 2018. 2019.

James Truet, Mayor, Huntsville Town

ATTEST

Beckki Endicott, Recorder, Huntsville Town

SEAL COUNTY, WIND

#### Exhibit "A"

### RULES OF PROCEDURE AND ORDER

In accordance with *Utah Code Annotated* §10-3-606, Huntsville Town Council, as a legislative body, adopts these Rules of Procedure and Order (hereafter "Rules") to provide for the systematic and orderly conduct of the Town business by the Town Council and Planning Commission. It is the objective of these Rules to assist in providing full, open, and comprehensive debate of issues brought before the Town Council or Planning Commission for action in a forum open to the public, and which encourages citizens' awareness of Town Council and Planning Commission are collectively referred to as the "Public Body."

These Rules do not increase or diminish the existing powers or authority of the Mayor or Town Council Members or Planning Commissioners, as set forth in state law or local ordinance.

#### RULES OF PROCEDURE

#### TOWN COUNCIL MEETING AGENDA

All meetings of the Town Council and Planning Commission will comply with these Rules and have a notice and agenda that complies with the Utah Open Meetings Act.

An "Item" may be placed on the agenda by the Mayor, at the request of any council member, the Town Clerk, or Town Attorney. For the Planning Commission and "Item" may be placed on the Agenda by the Presiding Officer, Town Clerk, or Town Attorney.

Agenda Items must be submitted to the Town Clerk at least one week before the date of the meeting, except in extraordinary cases where an item may be added by the Presiding Officer 24-hours prior to a meeting. Any item that is submitted to the Town Clerk that is not a week in advance will be put on the next following meeting agenda. A requestor shall also notify the Mayor of the added agenda item.

### ROLE OF THE MAYOR AS COUNCIL CHAIR AND OTHER COUNCIL MEMBERS:

- The Mayor or Planning Commission Chair (or their successor provided by law) shall serve as the "Presiding Officer" at their respective meetings before either the Town Council or Planning Commission.
- Participate in discussion of all matters.
- The Presiding Officer shall vote as a member of the Public Body provided by state law, and shall have no power to veto.

In addition, the Presiding Officer has the primary responsibility for ensuring that the Public Body's Rules are followed and:

- For maintaining the dignity of the Public Body and meetings.
- Calls the meeting to order and confines the discussion to the agenda.
- Recognizes members for motions and statements and may allow audience and staff participation at appropriate times.
- Requires knowledge of the Town's adopted Rules and how to apply it.
- Ensures compliance with the Utah Open and Public Meetings Act.
- Knows how to courteously discourage members who talk too much or too often.
- Knows how to courteously ensure those who have the floor are not interrupted and to rule
  out of order those not following meeting Rules.
- Recognize a member offering a motion, restate the motion, presents it to the Public Body for consideration, calls for the vote, announces the vote, and then announces the next order of business.

#### CODE OF CONDUCT FOR CITY COUNCIL AND MAYOR INCLUDES:

- Remarks should apply to the question under debate.
- Shall avoid references to personalities, and refrain from questioning motives of other members or staff personnel. \* Engenie ) 17 Hours
- Demonstrate courtesy and shall not disrupt proceedings.
- Shall not use their positions to secure privileges or personal gains and shall avoid situations which could cause anyone to believe that they may have brought bias or partiality to a question before the Public Body.
- Shall be dedicated to the principles of representative democracy by recognizing that the chief function of local government is to serve the best interests of the public at-large while respecting individual rights.
- Shall be dedicated to the effective use of the Town's available resources.
- Shall refrain from any activity that would hinder their ability to be objective and impartial.
- Town business shall be discussed in open, well-publicized meetings, except in rare situations in which Executive Sessions are authorized.

Closed

#### "RULES OF ORDER" -- PARLIAMENTARY RULES

The following Rules of Order and shall be the parliamentary rules for conducting the business of any public body. The Town Attorney will serve as the Parliamentarian and will recommend rulings during the proceedings. Each Rule is followed by a recommended Procedure and Purpose to explain the Rule and guide the Mayor and council members in its intended application.

# RULE NO. 1: The meeting is governed by the agenda and the agenda constitutes the Public Body's agreed-upon roadmap for the meeting.

PROCEDURE. Each agenda item will be handled by the Mayor in the following basic format:

First, the Presiding Officer should clearly announce the agenda item number and should clearly state what the agenda item subject is.

Second, following that agenda format, the Presiding Officer should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the Presiding Officer, a member of the Public Body, a staff person, or an invited person charged with providing input on the agenda item.

Third, the Presiding Officer should ask members of the Public Body if they have any technical questions of clarification. At this point, members of the Public Body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the Presiding Officer should invite public comment if at a formal hearing and should open the public hearing for public input. If numerous members of the public indicate a desire to speak to the subject, the Presiding Officer may limit the time of public speakers. At the conclusion of the public comments, the Presiding Officer should announce that the public hearing is closed. For a regularly scheduled agenda item, the Presiding Officer may invite public comment.

Fifth, the Presiding Officer should invite a motion. The Presiding Officer should announce the name of the member of the Public Body who makes the motion.

Sixth, the Presiding Officer should determine if any member of the Public Body wishes to second the motion. The Presiding Officer should announce the name of the member of the Presiding Officer who seconds the motion. If there is no second then the item will be deemed concluded without decision.

Seventh, if the motion is made and seconded, the Presiding Officer should make sure everyone understands the motion. This is done in one of three ways: (1) The Presiding Officer can ask the maker of the motion to repeat it. (2) The Presiding Officer can repeat the motion. (3) The Presiding Officer can ask the Town Clerk, or designee, to repeat the motion.

Eighth, the Presiding Officer should now invite discussion of the motion by the Public Body. If there is no desired discussion, or after the discussion has ended, the Presiding Officer should

announce that the Public Body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the Presiding Officer takes a vote. All votes for purposes of the meeting minutes shall be by voice vote or roll call as provided by law. Roll call votes are required to approve any Ordinance, Resolution, or any matter that creates a liability for the Town.

Tenth, the Presiding Officer should announce the result of the vote and should announce what action (if any) the Public Body has taken.

PURPOSE OF THE RULE. All meetings must comply with the Utah Open and Public Meetings Act which requires that a notice and an agenda for a public meeting be prepared in advance of the meeting and that no final action be taken on any item that is not on the agenda. In addition the Act requires that the minutes of the meeting contain certain minimum information including the name of any member of the council speaking on an issue, the substance of what the member says, an accurate description of any action taken by the council and the voting record of each individual member of the council.

### RULE NO. 2: Any matter that requires a Public Body decision shall be made by motion.

**PROCEDURE.** The procedure for any motion shall be as follows: First, the Presiding Officer should recognize the member of the Public Body. Second, the member of the Public Body makes a motion by preceding the member's desired approach with the words: "I move...." Therefore, a typical motion would state: "I move to approve (or recommend approval for Planning Commission) Ordinance ABC-123."

The Presiding Officer usually initiates the motion by either: (1) Inviting the members of the Public Body to make a motion. "A motion at this time would be in order." (2) Suggesting a motion to the members of the Public Body. "A motion would be in order that we adopt the Ordinance." (3) Making the motion. As noted, the Presiding Officer has every right as a member of the Public Body to make a motion, but should normally do so only if the Presiding Officer wishes to make a motion on an item but is convinced that no other member of the Public Body is willing to step forward to do so at a particular time. (4) Reading a motion suggested by the Town Staff.

PURPOSE OF THE RULE. The purpose of this rule is to limit items under discussion to those and only those that the council members want to discuss; give clarity as to what is being decided; and to make sure everyone, including the person taking the minutes actually knows and can remember what the ultimate outcome of any discussion and debate is.

### RULE NO. 3: One question at a time and one speaker at a time.

**PROCEDURE.** Only one question will be discussed at a time. The question may have several motions.

There will only be one speaker at a time. Anyone who wishes to speak must raise their hand first after the current speaker finishes. The Presiding Officer will call upon the person by name. Once a member has been recognized, he has been granted "the floor" and may begin speaking. The speaker may not be interrupted except as allowed by these rules.

If a member wishes to ask a question during their time and retain the floor to speak after the question has been answered they may indicate so before posing the question by saying something similar to "I have additional comments and wish to retain the floor after this question has been answered."

**PURPOSE OF THE RULE.** The purpose is to focus on only one question and to allow members the ability to express their points of consideration without losing their train of thought and to completely finish without fear of interruption.

RULE NO. 4: The Presiding Officer may use General Consent with all motions except those motions where the votes are used for purposes of the meeting minutes and require a roll call of the Public Body.

PROCEDURE. When the Presiding Officer feels the Public Body is all in unanimous agreement, the Presiding Officer asks if there are any objections to the motion to amend, withdraw, or any motions in Rule No. 7. The Presiding Officer pauses and if there are no objections states that the motion is approved. If there is any objection then the motion is put to a regular vote. A member may object simply because he or she feels it is important to have a formal vote.

Example: The Presiding Officer states, "If there is no objection, we will recess for 10 minutes, [pause to see if any member objects]. There being no objection, we will recess for 10 minutes."

If a member objects by stating, "I object" the matter is then put to a vote.

The Presiding Officer states, "An objection being made, the question is shall we recess for 10 minutes? Those in favor of the 10 minute recess say 'Aye.' Those opposed, say 'No.' The Ayes have it and we are in recess for 10 minutes."

PURPOSE OF THE RULE. General consent is helpful in expediting general routine business or when the Mayor senses the council is in agreement. General consent allows flexibility of the rules while protecting the right of the majority to decide and the minority to be heard.

## RULE NO. 5: There are only three basic forms of motions allowed: Initial Motion, Motion to Amend, and Substitute Motion.

**PROCEDURE.** The initial motion is the one that puts forward an item for the Public Body's consideration. An initial motion might be: "I move that we adopt Resolution ACB-123 as presented."

If a member wants to change the initial motion that is before the Public Body, they would move to amend it. A motion to amend might be: "I move to amend the motion to adopt Resolution ABC-123 with a change in paragraph 1 as follows...." A motion to amend takes the initial motion which is before the Public Body and seeks to change it in some way. The motion to amend must be germane to the initial motion. The motion to amend must not be the same as a negative vote on the initial motion.

If a member wants to completely do away with the initial motion that is before the Public Body, and put a new motion before the Public Body, they would move a substitute motion. A substitute motion might be: "I move that we refer Resolution ABC-123 to the Town Staff for correction and recommendation."

PURPOSE OF THE RULE. "Motions to amend" and "substitute motions" are often confused. But they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the Presiding Officer. So that if a member makes what the member calls a "motion to amend", but the Presiding Officer determines that it is really a "substitute motion", then the Presiding Officer's designation governs.



RULE NO. 6: There can be up to three motions on the floor at the same time and no more than three. The Presiding Officer can reject a fourth motion until the Presiding Officer has dealt with the three that are on the floor and has resolved them.

PROCEDURE. When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed first on the last motion that is made. So, for example, assume the first motion is a basic "motion to adopt Ordinance ABC-123." During the discussion of this motion, a member might make a second motion to "amend the main motion to adopt Ordinance ABC-123 with changes in paragraph 1 as follows...." Perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we refer the matter to staff." The proper procedure would be as follows:

First, the Presiding Officer would deal with the third (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion passed, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the Public Body of the third motion (the substitute motion). No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) failed then the Presiding Officer would proceed to consideration of the second (now, the last) motion on the floor, the motion to amend.

Second, if the substitute motion failed, the Presiding Officer would now deal with the second (now, the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment. If the motion to amend passed the Presiding Officer would now move to consider the main motion (the first motion) as amended. If the motion to amend failed the Presiding Officer would now move to consider the main motion (the first motion) in its original format, not amended.

Third, the Presiding Officer would now deal with the first motion that was placed on the floor. The original motion would either be in its original format, or, if amended, would be in its amended format.

PURPOSE OF THE RULE. Too many motions on the same subject can cause confusion as to what the end result is and in the official record. Limiting the number of motions to no more than three at a time, allows for enough debate and parliamentary maneuvering to satisfy those who want to be clever while allowing the slow to still keep up.

RULE NO. 7: The debate can continue as long as members of the Public Body wish to discuss an item, subject to the Presiding Officer determining it is time to move on and take action by using General Consent to limit debate or by a proper motion by a member to limit the debate. The following motions are not debatable – a motion to adjourn; a motion to recess; a motion to fix a time to adjourn; a motion to table; and a motion to limit debate.

**PROCEDURE.** There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the Public Body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Presiding Officer must immediately call for a vote of the Public Body without debate on the motion):

A motion to adjourn. This motion does not require a second, if passed, requires the Public Body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

A motion to recess. This motion, if passed, requires the Public Body to immediately take a recess. The length should be set in the motion which may be a few minutes or an hour. It requires a simple majority vote.

A motion to fix the time to adjourn. This motion, if passed, requires the Public Body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold." The motion can contain a specific time in which the item can come back to the Public Body: "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case the matter will not be placed back on an agenda for a future meeting except at the order of the Presiding Officer or the request of any two members. A motion to table an item requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call the question." When a member makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the Presiding Officer should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a simple majority vote of the Public Body.

PURPOSE OF THE RULE. Debate and discussion are important until they are not. When a matter is chewed on enough it should be swallowed. This rule allows the Presiding Officer, by General Consent, or the majority, to end the debate after a reasonable time. It also keeps those in a minority position on an issue from filibustering until they get their way.

RULE NO. 8: Three yes votes are required to pass any item before the Town Council with limited exceptions. The exceptions include a motion to go into closed session (executive session) which requires a 2/3 vote of the members present.

**PROCEDURE.** If the Mayor and all five members of the Town Council are present, a vote of 3-2 passes the motion. A vote of 2-2 with one abstention means the motion fails. The Mayor is entitled to vote. The Planning Commission takes action by a majority vote of the quorum present at the public meeting.

PURPOSE OF THE RULE. Utah statues set out both the number of the quorum and the minimum vote required on any issue for the Town Council. This rule is meant to clarify that when the entire Town Council is present and voting then it is not a tie when one member abstains. If however the member is absent from the meeting for any reason and the vote is 2-2 then it may be a tie and a tie vote does not pass and Item before the Town Council.

RULE NO. 9: A motion to reconsider any item requires a majority vote to pass, but there are special rules that apply only to the motion to reconsider. First, is timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the Town Council if the item is properly on the agenda. In addition, a motion to reconsider cannot be made at a special meeting of the Town Council unless the number of members of the Council present at the special meeting equals or exceeds the number present at the meeting when the action was approved. Second, a motion to reconsider can only be made by a member who voted in the majority on the original motion.

PROCEDURE: If such a member has a change of heart, he or she can make the motion to reconsider (any other member of the Town Council may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order.



PURPOSE OF THE RULE. The purpose of this rule is finality and allowing the correction of errors. If a member of the minority could make a motion to reconsider, then the item could be brought back to the Town Council again and again. That would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the Town Council, and a new initial motion is then in order. The matter can be discussed and debated as if it were on the floor for the first time.

The Planning Commission is a recommendation body and surrenders jurisdiction to the Town Council upon making a recommendation. Therefore, the Planning Commission cannot make a motion to reconsider.

## RULE NO. 10: The Presiding Officer and Members shall adhere to the code of conduct.

**PROCEDURE.** The Presiding Officer, as chair of the meeting, is primarily responsible to see that debate and discussion of an agenda item focuses on the agenda item and the policy in question, not the personalities of the members. There are, however, exceptions that are intended to assist the Presiding Officer in keeping order to the meeting. A speaker may be interrupted by a member only for the following reasons and in the form set forth below:

Privilege. The proper interruption would be: "point of privilege." The Presiding Officer would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort or safety of the meeting or when the reputation of the Public Body or any individual is at stake. For example, the room may be too hot or too cold, a blowing fan might interfere with a person's ability to hear, or the speaker may be misrepresenting an individual's remarks.

Order. The proper interruption would be: "point of order." Again, the Presiding Officer would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Presiding Officer moved to vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the Presiding Officer makes a ruling that a member of the Public Body disagrees with, that member may appeal the ruling of the Presiding Officer. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the Presiding Officer is deemed reversed.

Call for orders of the day. This is simply another way of saying: "Let's return to the agenda." If a member believes that the Public Body has drifted from the agreed-upon agenda, such a call may be made. If does not require a vote, and when the Presiding Officer discovers that the agenda has not been followed, the Presiding Officer simply reminds the Public Body to return to the agenda item properly before them. If the Presiding Officer fails to do so, the Presiding Officer's determination may be appealed.

Withdraw a motion. To withdraw a motion, the maker of the motion on the floor states: "I request that my motion be withdrawn." The motion to withdraw a motion requires a simple majority vote.

PURPOSE OF THE RULE. Debate and discussion should be focused, but free and open. In the interest of time, the Presiding Officer may, however, limit the time allotted to speakers, including members of the Public Body. A member may continue speaking on a majority vote of the Public Body. The Rules are meant to create an atmosphere where the members and the public can attend to business efficiently, fairly, and under rules of participation. At the same time, it is up to the Presiding Officer and the members of the Public Body to maintain common courtesy and decorum. Only one person at a time will have the floor and every speaker must be recognized by the Presiding Officer before proceeding to speak.

# GUEST RULES VISITOR AND RESIDENT RIGHT TO BE HEARD

Visitors and residents are guests at a meeting before a Public Body. It is recognized that guests may from time to time believe it is necessary to speak to the Town Council or Planning Commission on matters of concern. Accordingly, the Public Body expects any person presenting to the Public Body to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending. Further, it is the policy of the Town Council that complaints involving any volunteer or employee performance be resolved by the administration with staff or the Mayor directly and not before the Town Council or Planning Commission, except where authorized by the Mayor.

- No member of the public shall be heard unless recognized by the Presiding Officer.
- Public comments will only be heard during the Public Comment portion of the meeting
  unless the issue is a Public Hearing or a member of the public is asked to speak on a
  matter by the Presiding Officer.
- Speakers must state their name for the record.
- Any guest requesting to speak is limited to matters of fact regarding the issue of concern.
- Comments are limited to three (3) minutes, unless approval for additional time is granted by the Presiding Officer.

- If a representative is elected to speak for a group, the Presiding Officer may approve an increased time allotment.
- Personal attacks made publicly toward any person, volunteer, staff, or employee is not allowed. Speakers are to bring their complaints regarding such through the supervisory chain-of-command or in accordance with the Town's Personnel Policies.
- Any member of the public interrupting the proceedings of a Public Body, approaching the dais without permission, or otherwise creating a disturbance, or failing to abide by these Rules in addressing the Public Body, shall be deemed to have disrupted a public meeting and, at the direction of the Presiding Officer, shall be removed from the chambers by law enforcement personnel or other agent designated by the Town.

### VII. SUMMARY OF APPLICABLE STATE LAWS

Utah Code §10-3-502 - Regular and special council meetings.

Utah Code §10-3-504 - Quorum defined.

Utah Code §10-3-505 - Compelling attendance at meetings of legislative body.

Utah Code §10-3-506 - How the vote is taken.

Utah Code §10-3-507 - Minimum vote required.

Utah Code §10-3-508 - Reconsideration.

Utah Code §10-3-601 - Business of governing body conducted only in open meeting.

Utah Code §10-3-606 - Rules of procedure and conduct.

Utah Code §10-3-607 - Rules of conduct for members of the governing body.

Utah Code §10-3-608 - Rules of conduct for the public.



# MINUTES OF THE HUNTSVILLE TOWN PLANNING COMMISSION MEETING

MEETING DATE: June 23rd 2022

PLACE: Electroni

Electronic Zoom Meeting with anchor location at Huntsville Library

131 S 7400 E, Huntsville Utah

**TIME:** 6:00 p.m.

NAME	TITLE	STATUS
Doug Allen	Planning Commission Chair	Present
Liz Poulter	Planning Commissioner	Present
Steve Songer	Planning Commissioner	Present
Jeff Larsen	Planning Commissioner	Present
Allen Endicott	Planning Commissioner	Excused
Suzanne Ferree	Alt. Planning Commissioner	Present
Sandy Hunter	TC Liaison	Present
Shannon Smith	Town Clerk	Present
Bill Morris	Town Attorney	Excused

### Citizens:,

1-Roll call: Chairman Allen welcomed all who are attending the meeting.

2-Approval of Minutes for Planning Commission Meeting 5.19.2022 (See Attachment #1)

PCM Poulter motioned to approve the amended minutes from May 19th, 2022. PCM Larsen seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen
	Commissioner Liz Poulter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Suzanne Ferree
NAYS:	

3- Approval of Minutes for Planning Commission Meeting 5.26. 2022 (See Attachment #2)

**PCM Poulter motioned to approve the minutes from May 26th, 2022.** PCM Ferree seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen
	Commissioner Liz Poulter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Susanne Ferree
NAYS:	

### 8- Discussion and/or action on Land Use Permit for Esther Hansen Deck extension. Parcel # 240790001, 400 S. 7700 E. (See Attachment # 3)

Mr. Hansen Commented that there will be no interference with the septic system. The Deck will go over an existing concrete patio. PCM Poulter questioned the coverage of the lot. Mr. Hansen commented their lot is over an 11/2 acer and coverage currently is about 18% and they are not changing any footprint of any building. There will be a slight change in pitch of the roof with this addition.

PCM Larsen motioned to approve the Land Use permit for Esther Hansen Deck extension. Parcel # 240790001, 400 S. 7700 E. PCM Ferree seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen
	Commissioner Liz Poulter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Suzanne Ferree
NAYS:	

## 7- Discussion and/or action on Land Use Permit renewal for Bill White Pole Barn. Parcel #240100014, 285 South 7500 East (See Attachment # )

Mr. White a land use permit previously for this same lot, but it had expired. Mr. White plans to use this building for personal storage. Mr. White states there will most likely be electrical., but no plumbing.

Chairman Allen motioned to approve the Land Use Permit for Bill White Pole Barn, 285 S. 7500 E. Parcel #240100014. PCM Poulter seconded the motion. Roll Call Vote. All Votes Aye. Motion Passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen
	Commissioner Liz Poulter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
•	Commissioner Suzanne Ferree
NAYS:	

5- Discussion and/or action on Land Use Permit Bean, New home Build. Parcel # 240140027, 140 South 7300 East (See Attachment # )

PCM Songer entered the meeting 7:11pm

The height of the home was discussed. The plans we enlarged to read the max height of the roof to be 35 feet and the height of the Chimney cap to be 36' 2 ½". It was the concern of the PC that the height was too tall. The PC requested that the house plans be redone to reflect a height of 35 Feet.

PCM Poulter questioned the coverage, Shannon was able to provide the answer of 19% coverage. As was emailed by the homeowner and calculated by the contractor. The square footage of the home and barn were discussed. PC agreed that the coverage was not an issue.

TCM Hunter requested a closer look at the height of the barn. The Barn was found to be 33 feet.

The height of the home was looked at closely. The chimney cap was over 35 feet which was a concern for the PC.

PCM Larsen requested a closer look at the barn. The plans were presented.

PCM Poulter motioned to Table the Land Use Permit for Bean New home Build, due to the issue of the height, 140 S. 7300 E. Parcel # 240140027. PCM Larsen seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen
	Commissioner Liz Poulter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
_	Commissioner Suzanne Ferree
NAYS:	

6-Discussion and/or action on Land Use Permit for Bean, Barn. Parcel # 240140027, 140 South 7300 East. (See Attachment #)

Discussion on Barn as above.

PCM Larsen motioned to approve the Land Use Permit for Bean Barn. Parcel # 240140027, 140 South 7300 East\_PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen
	Commissioner Liz Poulter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Suzanne Ferree
NAYS:	

### 4-Discussion on corner commercial lots- Hunter Murry to present w/ McKay Lewis.

Hunter wanted to get the opinion on the PC on the development on the 2 commercial lots that they are under contract with. Hunter has received input from the residents from the last community meeting.

Hunter in interested in mixed use with a combination of condos and commercial units. The idea if the Condo Units would be for short term rental with a possibility of some Condos to be owned and some to be short term be rented. The idea currently is that Hunters development would own and manage the commercial units and condos. They are thinking of 750 sq ft per unit, with 12 Condos. Retail space would be on the first level below the Condos. Septic will be a limiting factor for this development.

Hunter stated that the goal is to create a space fluid with the park and the area in general. Rentals will be slated for 30 days or less which qualifies for the transient tax fee that benefits the Town. On Call Management is what is currently in the plan.

There have been a few changes in Hunters plan as last presented at the community meeting. The topic of what kind of businesses would fit into and benefit the community. Ogden Valley Pizza, a small grocery store and a nicer sit-down restaurant are some of the ideas currently on the table.

The PC was very supportive of mixed use and liked the ideas Hunter presented. A citizen in attendance questioned the parking situation. Hunter commented that there will be some onsite parking, possibly shared with the Compass Rose. Also to utilize the parking currently available around the library area. Hunter also commented on events that area could host that would bring in customers and benefit the community.

It was discussed that there will need to be an HOA to govern the Condo's and some kind of on or off-site management. PCM Songer requested a render to move this project forward. Hunter stated that next time he is at a meeting with the Town he will have sight specific rendering and a narrowed down list of businesses.

#### 9-Sandy's TC Updates

Bill and Micheal's Wangsgard property access was circled back to at the TC. This issue is still being worked out. A joint work session is in process of being set up to discuss the changes to the A3 and C1 Zones. The Planning Commission Ordinance also needs to be addressed and passed.

<u>10-Public Comment</u>. There was a question on why condos are allowed in the Commercial Zone. TC Hunter commented it all comes down to Zoning. There was also a question about an alley way vs a road in Town. TC Hunter referred to the code to about frontage and alley's in regards to the Wangsgard's situation.

11-Chairman's Remarks. Chairman Allen deferred his time to Steve Songer. PCM Songer commented on an e-mail he received from the Mayor regarding a shed PCM Songer is building on his property. PMC Songer referenced the Town Ordinance in reference to this matter. PCM Songer brought up the issue of the Town's lack of enforcement. PCM Songer was strongly opposed neighbors reporting neighbors. The PC was in agreement. It was the consensus of the PC that lack of enforcement is an issue and something the Town needs to step up and work on.

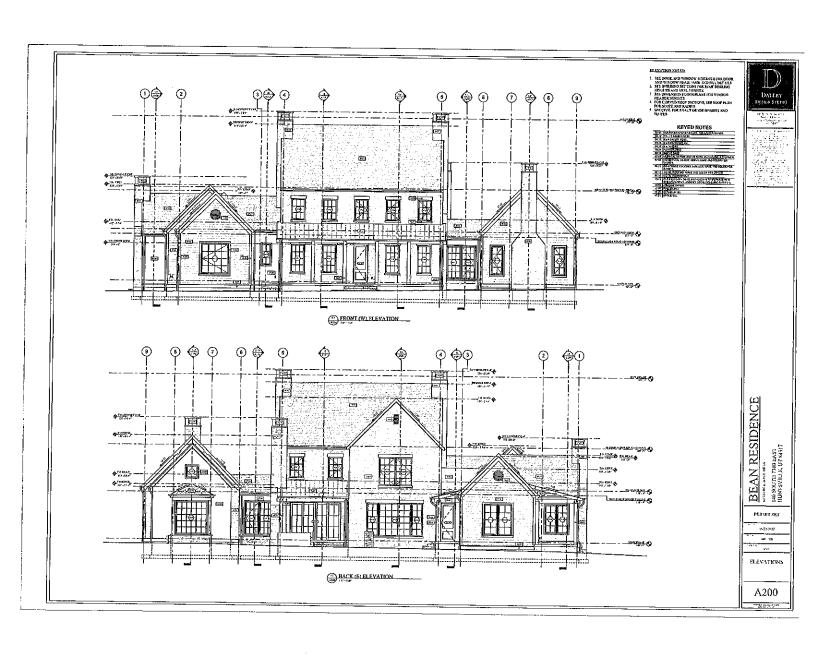
PCM Songer Thanked all the members for their service.

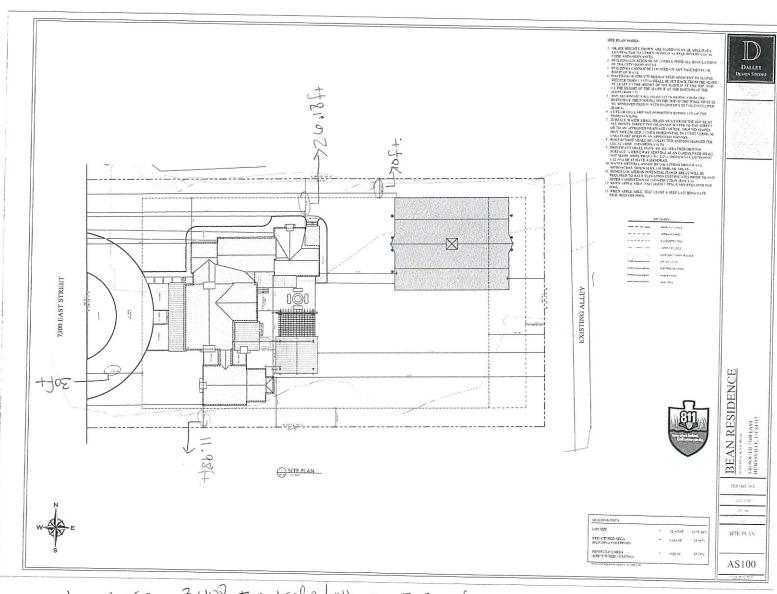
Chairman Allen commented on the issue of Mark Goodson asking to live in the commercial building he currently rents. This conversation led to the question of if it was allowable for the Mayor to live on his commercial property at the Mercantile. TC Hunter commented that the only dwelling unit allowable in the C1 zone is a single family home. There was some discussion on the Mayors residency, to which Chairman Allen thought the Town Council needed to address.

#### 12-Motion to adjourn.

PCM Songer made a motion to adjourn the meeting. PCM Larsen seconded the motion. All votes Aye. Motion Passes.

Meeting is adjourned	at	8:52	p.m.
		••	: <sup>77</sup>
Shannon Smith, Clerk			





hourl-5g-3,408 + outside other= 752 ggf+



### LAND USE PERMIT

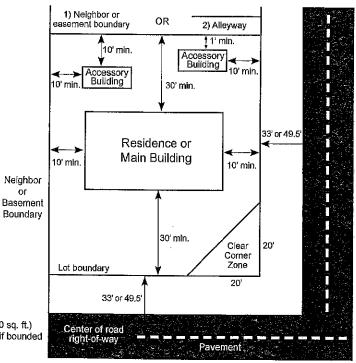
**Huntsville Town Building Inspection** 7309 E. 200 S. **P.O. Box 267, Huntsville, UT 84317** 

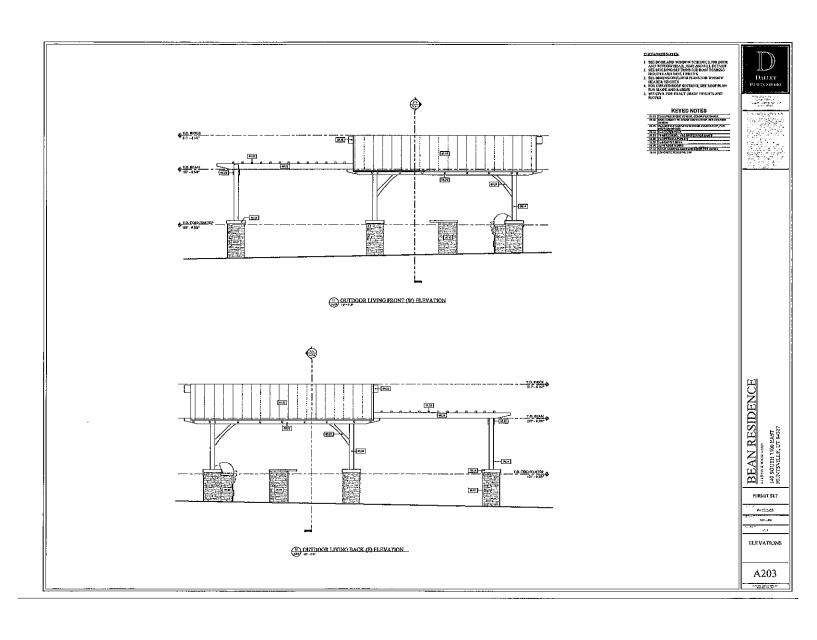
Tax ID # 240140027 (801)	745-3420
Address of Structure 1405, 7300 E	y , w ,
Name & Address of Owner/Owners Beaw	
The above described Site Plan has been reviewed for Planning Commission on:	or setback compliance by the Huntsville Town
Set Backs Approved: Yes No	
Any special stipulations and conditions of the Site I	35'/ Per Town Code  Huntsville Town Residential Zone Setbacks
Huntsville Planning Commission Chairman	1) Neighbor or easement boundary OR 2) Alleyway  10' min. Accessory Building 10' min.  Residence or Main Building 10' min.
Property Owner Signature	Neighbor or Basement

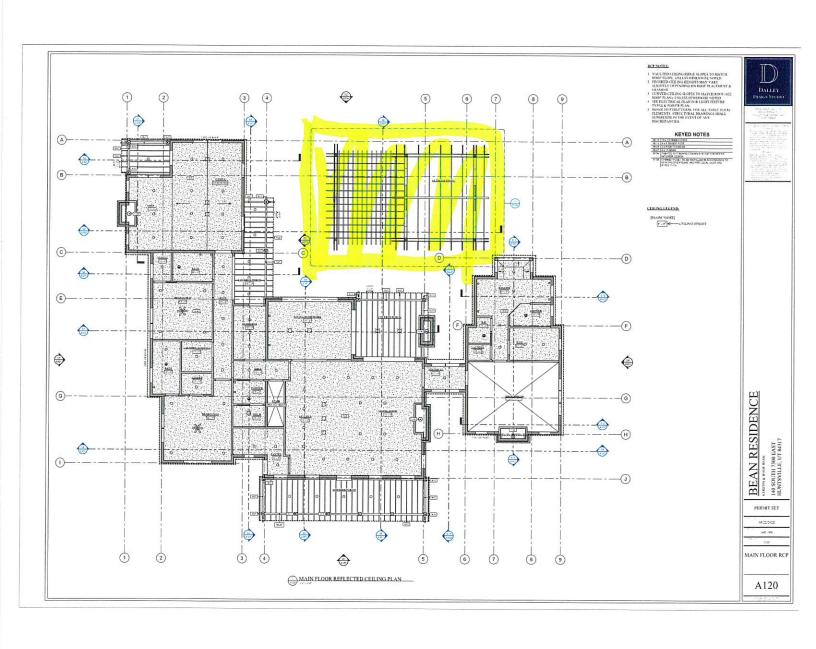
"By signing this form, the applicant agrees that they understand that the Huntsville Town R-1 zone, which their lot is zoned, only allows for one single family dwelling on the lot. The applicant also agrees that they understand that if any changes to their site plan are made after the Land Use Permit is issued, that those changes must be approved by the Planning Commission."

• Minimum lot size = 0.75 acre (32,670 sq. ft.)

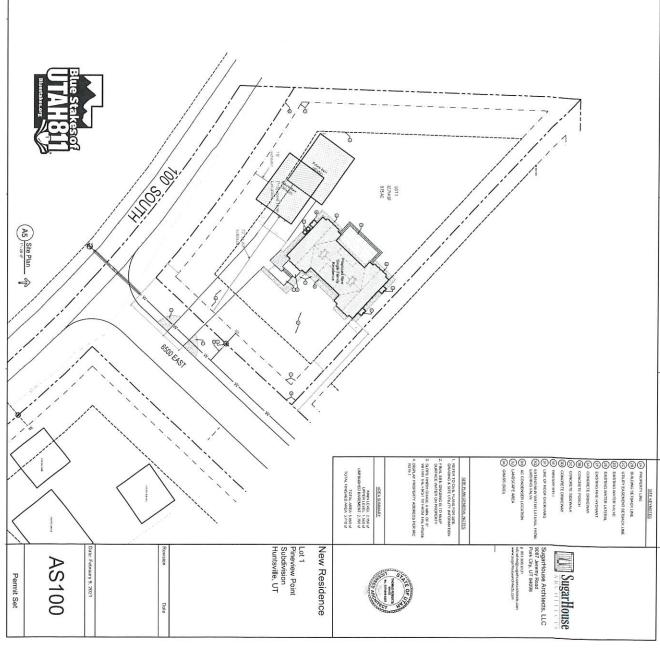
• Minimum width = 130 feet (120 feet if bounded by an alleyway

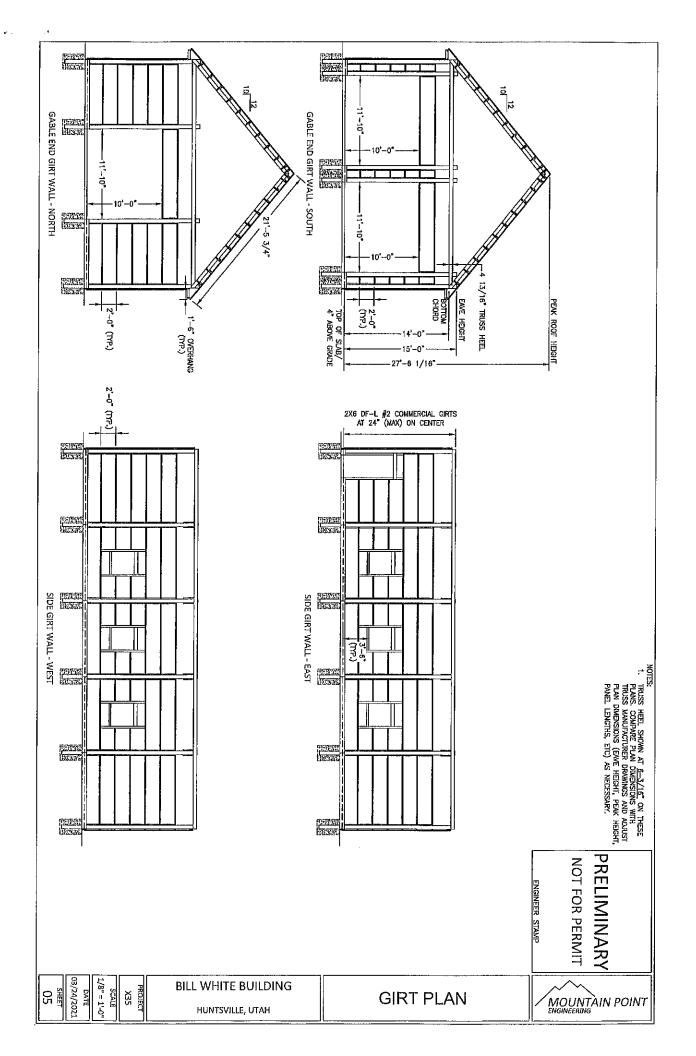














### LAND USE PERMIT

**Huntsville Town Building Inspection** 7309 E. 200 S. P.O. Box 267. Huntsville IIT 8/217

(801) 7-	45-3420
Tax ID#	
Address of Structure 175 N. USDOE	epe Tr
Name & Address of Owner/OwnersPhillw	aston
The above described Site Plan has been reviewed for Planning Commission on: 7 2 8 207	r setback compliance by the Huntsville Town
Set Backs Approved: Yes No	
Any special stipulations and conditions of the Site Pla	an Review:
	Huntsville Town Residential Zone Setbac
Huntsville Planning Commission Chairman	1) Neighbor or easement boundary OR 2) Alleyway  10' min.  Accessory Building 10' min.  30' min.

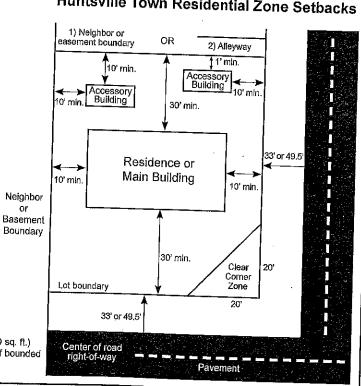
or

Property Owner Signature

"By signing this form, the applicant agrees that they understand that the Huntsville Town R-1 zone, which their lot is zoned, only allows for one single family dwelling on the lot. The applicant also agrees that they understand that if any changes to their site plan are made after the Land Use Permit is issued, that those changes must be approved by the Planning Commission."

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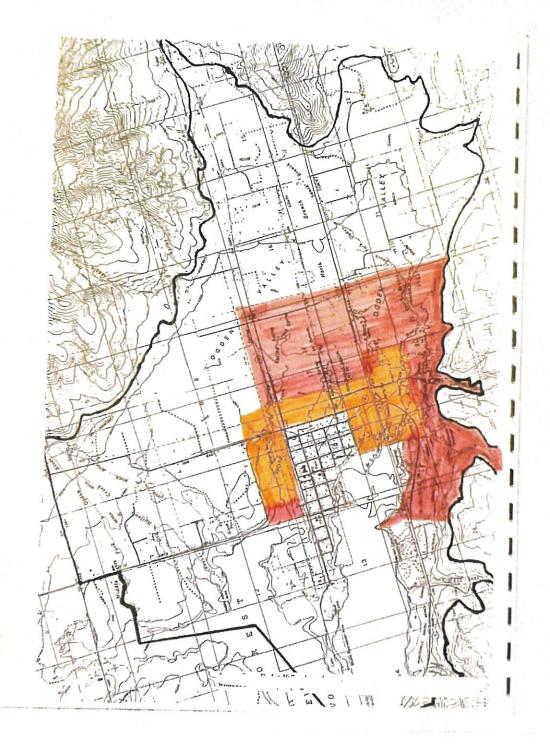


Figure One - Annexation Proclamation (in bold line) with color shading depicting approximate land areas considered for near-term annexation.