

CC 2021-01-26 CI #1 George

From: [Terry George](#)
To: [Public Comment](#)
Subject: 26 Jan 2021, PC changes needed Terry George
Date: Monday, January 25, 2021 7:10:40 PM

Honorable Mayor & Honorable Council Members,

The events of the last Planning Commission meeting have left me baffled and frustrated. I've petitioned before for changes and highlighted concerns with the planning commission process, and certain members actions. I again petition you, our elected servants to do what is right by the citizens, our community and our city. I submit the following request for your serious consideration:

1. We need drastic changes to the PC membership, Chair, and processes. It starts with the removal of Mr. Osborn as the chair and as a PC member. He has proven time, and time again that he has no commitment to serve the citizens or our General Plan. He has been belligerent toward citizens, and has grossly overstepped his boundaries. I, along with many other citizens have zero confidence in his abilities to act in this trusted capacity and those who keep him in position/power are also rapidly losing/lost the trust and confidence of us citizens.
2. No PC member should be granted a second term whenever there are other citizens willing to serve in that position. The PC has become a "Good-old-boy" club and mentality. The longer they serve together the more they feel empowered to disregard the General plan and the desires of our citizens.
3. Term limits need to be changed to a maximum of 3 years or less.
4. The number of PC members should be increased from 5 to a minimum of 7. The more people we have on the PC the less likely we are to see a tyrant type member take control of the PC and use it as a position of power and influence. Since I can imagine one or more of you thinking "how can we get 7? We can barely get any interest in openings now!" I strongly believe if my first request above is met we will have several more people that are willing to serve.
5. We need to amend our city code to allow a majority vote of the City Council to remove any member of the PC that they deem has violated the position for any reason. This will be a check and balance on a Mayor who may not be willing to do the removal regardless of the circumstances.

We are a small tight-knit community in South Weber. It is often hard to take the appropriate actions against those who serve the city or work for the city because those individuals may also be our friends. However, a friend who is not doing the right thing and is in the service or employment of our collective city must be dealt with or the consequences can be sever and long lasting. I'll forgo the multitude of examples because we all know what they are when it comes to the actions of our PC this last couple of years and by others previous as well. This is our chance to make it right and correct the course and role of the PC so we can have the community and city we, the people want versus that of the few.

Thank you for your continued service as out elected. I pray for you to all be guided to do the right things, for the right reasons and at the right time.

Respectfully,
Terry George
7825 South 2000 East
South Weber Utah

CC 2021-01-26 CI #2 Mitchell

From: [Amy Mitchell](#)
To: [Jo Sjoblom](#); [Wayne Winsor](#); [Hayley Alberts](#); [Angie Petty](#); [Blair Halverson](#); [Quin Soderquist](#); [Public Comment](#)
Subject: Public Comment for 1/26/2021
Date: Tuesday, January 26, 2021 12:18:06 PM

Amy Mitchell
1923 Deer Run Drive

Dear Mayor and City Council-

I am writing to all of you to express my concern about the PC Meeting held on the 14th of January. Having watched the meeting and read through the comments about the re-cap that Joel Dills provided on Facebook, I would like to express my own.

I am shocked at the "leaders gone rouge" that we see when it comes to the planning commission. Not one member present expressed any concern or displeasure at the appointment of Mr. Osborne being the chair for the 3rd year in a row. It was even commented that the last year has run smoothly and he has done a great job. How out of touch this PC is with reality and with the wants of the city they all represent. They even commented on how it was quiet now that the GP was finished. Having said that, I wonder if they were even paying attention to what the residents were really saying? Did they not hear the outcry for lower density? Obviously not, when Rob and Taylor both wanted, and was agreed upon in the GP by the CC, to change the code right after it was adopted. I do not understand how we keep finding ourselves in this position!! The one thing that is glaringly obvious is **change!!** The citizens would not have been so frustrated and at times angry with the PC, if they just would have listened to us!!

We need change in the leadership of the PC so that the same things don't continue to be done. We need leaders that not only listen to what the citizens are saying, but they should weigh out the options and then move forward with what the consensus is, not what they personally think is best. When in public office, your wants and desires take a back seat to the constituents you represent. They put you in the driver's seat to push the gas or breaks, but they are all with you to hold the wheel steady and stay on the right path. The "we know best" mindset is toxic for a city.

I personally feel that after watching Rob Osborne in action for the last 3 years, it is obvious to me that he should not be in a leadership position in the city. He might bring a lot to the table with his knowledge, but when it comes to handling things, he is completely out of touch and at times, out of control. The times he has yelled at citizens should have had him kicked out of office the first time... and yet, he not only stays on the commission to repeat offenses, but continues to be chair! After seeing him completely move forward without the official recommendation by the Mayor and CC for the PC, I suggest removing him from office all together and putting 2 new members in. He is not an elected official and has now power to put someone on the PC.

I hope that you take into account some of the recommendations Joel put on Facebook. Just in case you missed them Joel said:

1. Increasing the number of commissioners from 5 to 7. This is pretty standard with most Utah cities and does a good job of lessening the impact of any single member

from dominating the commission and encourages a stronger consensus.

2. Change the current term of office from 5 years, which is longer than the term of the mayor who appointed them, to 3 years. This would provide more residents the opportunity to be involved and keep them fresh and engaged.

3. Increase the Planning Commission budget to provide ongoing education and training opportunities. The small investment here would easily pay for itself and better protect the city from legal issues that often arise in land use disputes.

4. Add to our city code a provision that would allow a majority vote of the City Council to call for the removal of a Commissioner. My hope here is to prevent the political struggles that can arise when the citizen's vision is not being represented or a Commissioner becomes insubordinate or adversarial with our City Council.

5. Add a recommendation in the City Code which talks about the selection and appointment of a Commissioner that would recognize the value of having candidates from all corners of the city providing better representation of all of our residents. I would also like to see the prioritization of new candidates vs reappointments for no other reason than to encourage a fresh perspective.

We need a fresh perspective on the planning commission. We have all worked so hard on the GP, being promised that it is the document that guides the building in our city, it should not be diminished so quickly. I thank Gary, Tim and Shari for pointing it out that no change is needed, especially on a property that was directly referred to in the GP Survey.

Just FYI... I looked up the term of bullying. As that phrase is being tossed around a lot lately, I thought it was important for us to understand the actual meaning and who it really might apply to.

bullying

Insulting with threats; imperious; overbearing; blustering: as, a *bullying* manner.

adj. Noisily domineering; tending to browbeat others.

n. An act of [intimidating](#) a [weaker](#) person to do something, especially such [repeated coercion](#).

Bullying does not mean a difference of opinion... it's what you do with that difference of opinion. We can disagree without having to be a bully.

I appreciate your time and all the work you do for our city! I support you in your efforts to uphold the guideline of the General Plan and help the citizens to keep our beautiful little town what it is!

Sincerely,
Amy Mitchell

CC 2021-01-26 CI #3 Dills

From: joel.dills@gmail.com
To: [Public Comment](#)
Cc: [Shari Phippen](#)
Subject: Public Comment - City Council Meeting, Jan 26, 2021
Date: Tuesday, January 26, 2021 1:36:59 PM

Public Comment – City Council Meeting, Jan 26, 2021

Joel Dills

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I think it's safe to say, the residents of South Weber still a lot of resentment and frustration with the Planning Commission and more specifically, the way it is being run. Many residents still feel at odds with our Planning Commission and considering the history of the past couple of years, the decisions made and the adversarial relationship that has developed, we should take an honest look at where this all went wrong. – Don't worry, I'm not going to rehash all the old issues nor provide a blow-by-blow account on a personal level. Instead, I want to talk about the role of the Planning Commission in relation to the city residents and the city government.

First, I want to give a wholehearted thanks to EVERY member of the planning commission for the hard work and dedicated service they have given us. These members of our community, have willingly chosen to play a critical role in our local government and I believe have done so because they, like the rest of us, love this little town of ours. Likewise, the city staff that works with and supports this commission should be recognized for the work they do as well.

When a group of people decide to band together and form a city, they do so with a specific vision in mind. They then elect a City Council to create the laws to achieve this vision and a Mayor to execute them. To help them constantly clarify and understand that vision, they ask for a group of citizens to help them plan for the future and a Planning Commission is formed. The PC immediately begins to define the vision by creating a huge document the city can use as a roadmap called the General Plan.

This General Plan is not about the vision of the PC nor is it a technical manual designed by experts. It is the result of a tireless PC constantly reaching out and engaging the residents to define specifically what they want their city to be like – it is a living document. They then take this guide to the City Council and say "here is what the people want". The CC, as our elected officials, then read it and either ask for further clarification or accept it and use it to guide their role as law makers.

The City Council then creates laws to protect this now well defined vision, setting up zoning regulations, building codes, landscaping and green space requirements etc based on the recommendations made by the PC. The Mayor and her staff make sure these rules are followed by guiding the growth and enforcing the code. The PC then goes back to their job of understanding the city's ever changing vision and recommending new policies as they come up.

I'm a little hard headed at times, but once I understood the role of the Planning commission, it was easy to see how valuable they are and unfortunately why ours has become so far off track. I was reminded of Commissioner Tim Grubb's comment in last week's meeting "We've always, when I've been on the Planning Commission, tried to stick to the General Plan. I don't know why we wouldn't, unless we are going to review the General Plan again...and I think that would have to happen first before we go away from it". I completely agree with his sentiments.

From my perspective, somewhere along the line, the people's vision became secondary and eventually treated as adversarial to the vision of our "leaders". A contentious spirit of "I know best" replaced the value of a diverse, informed population and their desire to protect our special community. Resentment set in as decisions were dared to be challenged and public scrutiny became more intense. Unfortunately, this continued through the creation of the General Plan where it became political and its creation a fight for whose vision of our future it would represent.

The Planning Commission is designed to be a diverse group of citizens who can bring their own experiences and perspectives to interpret (for lack of a better word) the vision of the General Plan. As new issues arise, they are to make formal recommendations to the City Council on improvements to the city code. They are policy advisors, not creators. They are average citizens who work closely

with our professional City Planner to guide the functional development of the land within the city boundaries.

I would like to make a few recommendations to our City Council and our Mayor, based on my understanding of the role of a Planning Commission and how I see we could make our more effective.

1. Increasing the number of commissioners from 5 to 7. This is pretty standard with most Utah cities and does a good job of lessening the impact of a single, strongly opinionated member from dominating the commission. An alternate member, serving 1 year, should also be appointed, to step when another Commissioner cant attend or when a conflict of interest is declared.
2. Change the current term of office from 5 years, which is longer than the term of the mayor who appoints them, to 3 years. This would provide more residents the opportunity to be involved and keep them fresh and engaged. Each year 2 new Commissioners would be appointed.
3. Increase the Planning Commission budget to provide ongoing education and training opportunities. The small investment here would easily pay for itself and better protect the city from legal issues that often arise in land use disputes.
4. Add to our city code a provision that would allow a majority vote of the City Council to call for the removal of a Commissioner. My hope here is to prevent the political struggles that can arise when the citizen's vision is not being represented or a Commissioner becomes insubordinate or adversarial with our City Council.
5. Add a recommendation in the City Code which talks about the selection and appointment of a Commissioner that would recognize the value of having candidates from all geographic corners of the city providing better representation of all of our residents. I would also like to see the prioritization of new candidates vs reappointments for no other reason than to encourage a fresh perspective.
6. Formally change the term of the PC chair to begin and end on the 1st PC meeting in March, giving plenty of time for the selection process to be finalized.
7. To promote better communication, I would recommend an annual meeting of the Planning Commission, the Mayor, the City Council, the City Planner and the included city staff, to discuss ways to improve the processes and discuss the hot topics other cities are facing promoting more proactive policy making.

Finally, I would like to recommend the adopt and place in to city code a state similar to the one Brigham City uses, which I have provided below.

Thank you,
Joel Dills

29.01.070. General Plan Mandate.

Land development shall be consistent with the General Plan. The City's administration and its departments shall carry out the mandate of the General Plan when reviewing project proposals, and development plans.

- Planning Commission Implementation - The Planning Commission shall not approve any project for which it cannot substantiate a finding that the project is consistent with the goals, policies and implementation programs of the General Plan.
- Appeal Authority Implementation - The Appeal Authority shall not approve any variance request for which it cannot substantiate a finding that the project is consistent with the goals, policies and implementation programs of the General Plan.
- Relationship of the General Plan to the Land Use Ordinance - The General Plan is the adopted policies of the Brigham City Council. The General Plan represents a lengthy public participation process and incorporates long range goals, identified polices, and an implementation program.

The content of the General Plan may be cited as a basis for making decisions or as a part of the finding to support actions initiated by this Land Development Code. The General Plan is adopted as a part of this code by reference.

- The General Plan provides the policies that enable the specific regulations of the Land Development Code to be carried out. Implementation measures in the General Plan provide direction for specific measures within the Land Development Code. When there is a conflict between the General Plan and the Land Development Code, if the General Plan provides precise development standards, the General Plan is to be used. If the General Plan provides policy language and no specific development standards, the Land Development Code's specific measures are to prevail.



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**Comments to South Weber City - City Council
for 26Jan21 Meeting
by Paul A. Sturm**

Agenda Item 6a - Comments on Meeting Minutes Regarding the Lofts PC presentation

During a review of the meeting minutes from the CC meeting of 12Jan21, I noticed a minor inconsistency with the emphasis of the text that was not included in the minutes. Request that a minor adjustment be made to the 12Jan21 Meeting Minutes to clarify the intent of the original comment, as shown in the last paragraph of this presentation.

As Presented 12Jan21

Item 1) During the Planning Commission Meeting of 17Dec20 -Agenda Item 6 was a "Public Hearing and Action on PRELIMINARY Site Plan, Improvements & Amended Development Agreement for: The Lofts at Deer Run located at approx. 7870 S 2700 E by Developer Joseph Cook of Deer Run Development LLC" was held. Based upon some of these discussions, I had a question and conducted additional research regarding these parcels and found out that at least one, if not two of the parcels are considered to be within Deer Run Estates. As such, the proposed Lofts building(s) should have the CC&R requirements for Deer Run Estates attached/enforced on that portion of the Lofts development. A copy of the existing/applicable CC&Rs (Covenants, conditions, and restrictions) should be included with the Plot Plans filed in the Davis County Recorder's Office for Deer Run Estates. ...

Comments on CC 12Jan21 Meeting Minutes Regarding my Lofts comments.

As shown in the 12Jan21 meeting minutes:

Paul Sturm, 2527 Deer Run Drive, expressed during the Planning Commission meeting of 17 December 2020 a public hearing was held for the Lofts at Deer Run located at 7870 S. 2700 E. Since that meeting, he conducted his own research regarding the parcels and found at least one, if not two parcels, are considered within Deer Run Estates **attached/enforced on that portion of the Lofts development. A copy of the existing/applicable CC&Rs (Covenants conditions, and restrictions)** ~~He advised the proposed Lofts buildings should have CC&R requirements for Deer Run Estates and should be included with the plot plans filed in the Davis Recorder's Office for Deer Run Estates...~~ *(Added Comment 26Jan21, if permitted, to show intent of initial presentation. "and these CC&Rs used as a source during the plan reviews for the Lofts by Staff, Planning Commission, and City Council.)*