Pledge of Allegiance was led by Chair Peterson

APPROVAL OF THE MINUTES FROM THE SEPTEMBER 10, 2014 PLANNING COMMISSION MEETING

Commissioner Murray moved to approve as written the minutes of the September 10, 2014 meeting. Seconded by Commissioner Allen. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON CUP 1409-0008, A REQUEST BY KANG WOO LEE ON BEHALF OF NORTHERN UTAH COUNSELING FOR A CONDITIONAL USE PERMIT FOR A BEHAVIORAL TREATMENT FACILITY IN THE C-2 ZONING DISTRICT LOCATED AT 49 EAST 200 SOUTH

JJ Allen stated the first two items on the agenda were for the same property; discussion would be first on the Conditional Use Permit (CUP) followed by the Site Plan. He said the CUP was for a behavior treatment facility. He said in the C-2 zone Behavior, Alcohol and Drug Treatment facilities were a conditional use. He said the business operated during normal daytime business hours and does not generate objectionable noise, odors, dust or fumes to make it incompatible with the adjacent uses. He said the applicant indicated the business would be staffed during the day and there would not be any 24 hour services provided on site. Mr. Allen said the facility would serve children aged five to twelve with behavior problems and have been referred by the school system or insurance to receive behavioral treatment from licensed professionals. He reviewed the proposed conditions of approval. Mr. Allen requested a revision to condition
number one, adding Northern Utah Counseling before a Behavioral Treatment Facility. He also recommended the addition of a condition (1d) the facility shall not receive court ordered clients. Mr. Allen explained that a facility that cared for court ordered clients would fall under the City’s definition of a detention or rehabilitation facility. He said a detention or rehabilitation facility was not an allowed use in the C-2 zone. Mr. Allen stated the applicant had provided copies of their permits and State licensing prior to the meeting.

Chair Peterson declared the public hearing open at 7:08 p.m.

PUBLIC COMMENT:
None

Commissioner Murray moved to close the public hearing at 7:09 p.m. Seconded by Commissioner Roper. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.

Matthew Dunham, Associate Mental Health Counselor and Program Director at Northern Utah Counseling currently located at 1387 West 1800 North, Clinton, Utah, asked the commissioners what questions they had. Commissioner Browning asked to explain what type of work was done at Northern Utah Counseling. Mr. Dunham said they provided mental health services for Box Elder, Weber, Davis, and a portion of Salt Lake Counties. They provided intensive outpatient services and partial hospitalization facility for youth ages five to twelve. He said there were two components to the program. The day treatment provided a program for children in crisis ages five to twelve who have difficulty with respective behaviors and were not functioning at home or school. Mr. Dunham said the outpatient program was working with standard mental problems like anxiety and depression. He stated currently none of the clients were court ordered; it was a liability and it was a benefit for Northern Utah Counseling to not have court ordered clients. Commissioner Allen asked what hospitalization included. Mr. Dunham said partial hospitalization was outpatient service and the client didn’t stay overnight. Commissioner Allen asked why Northern Utah Counseling chose Clearfield. Mr. Dunham said the facility was closer to freeway and more centrally located. Commissioner Murray asked if the current location would be closed. Mr. Dunham said yes. Chair Peterson asked what this site offered. Mr. Dunham said that 34% of the clients were from Clearfield and it was more advantageous for the client.

Chair Peterson reviewed the conditions of approval. The commissioners agreed to add condition of approval (1d) that stated the facility shall not receive nor treat court ordered clients. Mr. Dunham asked for clarification for the definition of court ordered. JJ Allen said any individual that was ordered for treatment by the court was not eligible for treatment at Northern Utah Counseling. Mr. Dunham said they had participated in an education program for clients with substance abuse issues however, they won’t renew when their contract was over. Chair Peterson said that type of client changed the definition of the operation and explained City Code doesn’t allow that type of use in the C-2 zone. Commissioner Browning said there was court ordered and court suggested treatments. Mr. Allen said staff would follow up with the City Attorney for clarification. Chair Peterson said anytime a client was ordered and had no other option for compliance, it would be considered court ordered.
APPROVAL OF CUP 1409-0008, A REQUEST BY KANG WOO LEE ON BEHALF OF NORTHERN UTAH COUNSELING FOR A CONDITIONAL USE PERMIT FOR A BEHAVIORAL TREATMENT FACILITY IN THE C-2 ZONING DISTRICT LOCATED AT 49 EAST 200 SOUTH

Commissioner Roper moved to approve as conditioned, CUP 1409-0008, a conditional use permit for a behavior treatment facility located at 49 East 200 South (TIN: 12-003-0173), based on the findings and discussion in the staff report and with the following conditions:

1) This Conditional Use Permit is for Northern Utah Counseling, a Behavioral Treatment Facility, located at 49 East 200 South.
   a. The facility shall only operate during normal daytime business hours (7:00 AM to 8:00 PM).
   b. The facility shall not provide 24 hour treatment or services to clients.
   c. The facility shall not provide overnight stays, or be staffed overnight.
   d. The facility shall not receive nor treat court ordered clients.

2) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Seconded by Commissioner Allen. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.

DISCUSSION ON SP 1409-0008, A REQUEST BY KANG WOO LEE ON BEHALF OF NORTHERN UTAH COUNSELING FOR SITE PLAN APPROVAL FOR CHANGE OF USE IN THE C-2 ZONING DISTRICT LOCATED AT 49 EAST 200 SOUTH

JJ Allen said there were two reasons the project required site plan approval. First it was a change of use on the property. He said there were also some minor exterior modifications as well as some interior remodeling. Mr. Allen said there were no proposed changes to the site access. He said the changes were minor and in keeping with City design standards. Mr. Allen reviewed the conditions of approval. He said condition 1f referred to § 11-13-23 and stated City Code called for one tree per 500 square feet of landscaped area, a cash bond of 125 percent of the value of the landscaping to be installed within six months from occupancy, an automatic irrigation system be installed, and the engineer’s estimate must be approved by the City. Mr. Allen said the definition of landscaping as defined in Title 5 stated: “Natural material, free of weeds, which is intended to prevent wind and water erosion. Acceptable landscaping will consist of cultivated vegetation and flower gardens, manicured shrubs, decorative rock, decorative ground cover, or at a minimum, a well groomed lawn. Any combination of these materials is permitted.” He said the area east of the building was not landscaped and was a requirement.

Chair Peterson asked if the specific items called out from City Code needed to be added to the conditions of approval. Mr. Allen said the items did not need to be included in the motion. He said they just wanted the applicant to be aware of the conditions. Chair Peterson said the
applicant would be required to comply because it is a City standard and were not negotiable and an escrow could be set up for up to six months. Kang Lee, owner, said his architect said the ten percent landscape required was met. Mr. Allen said ten percent was the minimum requirement but there was an area that had not been landscaped previously. Mr. Lee was concerned with the cost of the landscaping. Mr. Allen said City Code allowed installation of landscape improvements within six months of occupancy. He said the options and the landscaping could be xeriscaped or low maintenance materials used. Mr. Lee said as it was explained he could comply.

APPROVAL OF SP 1409-0008, A REQUEST BY KANG WOO LEE ON BEHALF OF NORTHERN UTAH COUNSELING FOR SITE PLAN APPROVAL FOR CHANGE OF USE IN THE C-2 ZONING DISTRICT LOCATED AT 49 EAST 200 SOUTH

Commissioner Browning moved to approve as conditioned SP 1409-0008: a request by Kang Woo Lee on behalf of Northern Utah Counseling for site plan approval for a change of use, in the C-2 zoning district, located at 49 East 200 South based on the findings and discussion in the staff report and with the following conditions:

1) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1409-0008; however, they will also include and address the following:
   a. The final building plans submitted shall meet building safety standards and be to the satisfaction of the City Building Official.
   b. The final building plans shall meet the minimum standards for building materials as established in C-2 Zone. The final building plans should be in substantial conformance with Chapter 18 Design Guidelines.
   c. The appropriate number of parking stalls shall be delineated and designed for the site and shown on submitted construction drawings. An adequate number of stalls must meet ADA standards. Parking Stalls must be 9x20.
   d. Missing or damaged concrete and asphalt must be repaired or replaced.
   e. New lighting for the site, either parking lot or exterior to the building shall be shown on the construction documents and meet City Code.
   f. A minimum of 10 percent landscaping shall be provided and meet the minimum standards set forth in 11-13-23. The property along the east side must be maintained free of weeds in accordance with Code Enforcement requirements.
   g. Proposed signage must meet Title 11, Chapter 15 standards. Signs are not included as part of this Site Plan approval. Separate review and approval will be required.

2) The garbage dumpster remain in the screened area indicated on the site plan.

3) Site Plan approval is subject to North Davis Fire District review and approval.

4) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.
PUBLIC HEARING ON FSP 1410-0001, A REQUEST BY CAMERON WINQUIST TO AMEND THE LARSEN COMMERCIAL SUBDIVISION PLAT LOT 2, LOCATED AT 325 WEST 1700 SOUTH (TIN:12-243-0011, 12-243-0008)

JJ Allen said the request was actually a plat amendment not a final subdivision approval. He said there was discussion at last meeting for site plan approval for the construction of a new building. Mr. Allen said approval of the new building was conditioned upon the correction of the illegal lot split. He said the plat was substantially completed and staff was working with the applicant’s engineer for the inclusion of all required easements. He said staff recommended the inclusion of public utility easements to surround the lots. Mr. Allen said the 25 foot access easement needed to continue north through the lot to 1700 South. He said a note on the plat must be made that the dividing wall separating the two parcels should be maintained in perpetuity in order to maintain the structural integrity of the southern portion of the existing building. Mr. Allen reviewed the conditions of approval.

Chair Peterson declared the public hearing open at 7:53

PUBLIC COMMENT:
None

Commissioner Allen moved to close the public hearing at 7:54 p.m. Seconded by Commissioner Roper. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.

RECOMMENDATION OF FSP 1410-0001, A REQUEST BY CAMERON WINQUIST TO AMEND THE LARSEN COMMERCIAL SUBDIVISION PLAT LOT 2, LOCATED AT 325 WEST 1700 SOUTH (TIN:12-243-0011, 12-243-0008)

Commissioner Murray moved to recommend to the City Council approval as conditioned FSP 1410-0001: a request Cameron Winquist to amend the Larsen Commercial Subdivision Plat Lot 2, located at 325 West 1700 South based on the findings and discussion in the staff report and with the following conditions:

1) The applicant shall correct the Plat to include all red-lines from Planning, Engineering, and Public Works Departments, including but not limited to necessary easements and other call-outs as required.

2) Pursuant to the Subdivision Ordinance 12-4-5, an estimate of public improvements (as outlined in 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to obtaining building permits. An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any certificates of occupancy.

3) Pursuant to the Land Use Ordinance 11-13-23(C) and (D) Prior to obtaining any certificates of occupancy, the applicant either completes landscaping...
improvements or is subject to establishing an escrow account, as reviewed and approved by the City Engineer and City Attorney.

4) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Seconded by Commissioner Allen. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON GPA 1410-0002, A REQUEST BY CON WILCOX FOR A GENERAL PLAN AMENDMENT TO AMEND FUTURE LAND USES ON PROPERTY LOCATED AT APPROXIMATELY 919 W 1600 SOUTH (TIN: 12-391-0008, 12-391-0009) FROM COMMERCIAL TO MANUFACTURING

JJ Allen said the property for discussion was Wilcox Farms Subdivision lots eight and nine. He said currently the General Plan showed commercial use for the area. He said the applicant requested the General Plan be amended to show lots eight and nine as manufacturing for the future use. Mr. Allen read from the staff analysis, “The property is currently master planned commercial as well as zoned commercial. The property has sat vacant for many years while being marketed for Commercial Use. The property is currently under contract with a warehouse/distribution use, and that land use best fits in the Manufacturing M-1 zoning district. The history of this property sitting vacant and on the market would suggest that Commercial is not the highest and best use of the property, and that a change of zoning and land use classification in the General Plan is warranted. Careful consideration should be taken for how this potential use fits in with the surrounding development.”

Mr. Allen also referred to the staff report which stated:

“A request to change the land use classification in the General Plan from Commercial to Manufacturing is generally consistent with the goals and policies of the City’s General Plan, outside of number 14 indicated below. Clearfield City’s General Plan “Land Use Guidelines” number 2 and 10 state:

2. The relationship of planned land uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.
10. Commercial and Manufacturing uses should be highly accessible, clustered near the center of their service areas, and developed in harmony with the uses and character of surrounding districts.
12. The few remaining vacant properties in the City should be developed at their highest and best use to maximize their value to the landowner and the City.
14. Manufacturing and industrial activities should be limited to those areas already zoned for such uses.”

Mr. Allen said the highest and best use was sometimes difficult to determine and the subject property had been vacant for some time and there was a potential user if the property was zoned...
M-1. He said there was already a substantial amount of property zoned for manufacturing use and careful consideration should be made before additional property was planned for manufacturing use.

Chair Peterson declared the public hearing open at 8:02 p.m.

PUBLIC COMMENT:
None

Commissioner Roper moved to close the public hearing at 8:03 p.m. Seconded by Commissioner Allen. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.

Con Wilcox, Wilcox Farms LC, said 16 years ago in 1998 development of Wilcox Farms started with the construction of the 7-Eleven. He said since that time 26 businesses were brought to the area. Mr. Wilcox said the frontage developed first and the two subject lots had no visibility from 1000 West or 1700 South. Mr. Wilcox said Leckington Trucking chose this site for their new business location and corporate office. He said they distribute fish and seafood to local retail stores. He said there would be low traffic volume and the business was not a trucking company. He said the product was brought in and then redistributed. Mr. Wilcox said the last sale of property was in 2007. He said the reason for the change to manufacturing was because an application was made on the C-2 property and the Zoning Administrator determined the use fit in the M-1 zone. Mr. Wilcox said an appeal was made but the decision was upheld.

Chair Peterson said there were two requests on the same property. The General Plan needed to be opened and amended before the rezone could happen. She said there were conditions that the Planning Commission needed to consider and discuss. Chair Peterson said when considering the General Plan Amendment, the full entitlement of the M-1 zone would be given the property. Commissioner Allen asked if the General Plan was changed and the property rezoned to M-1, any permitted use in the M-1 zone could apply and would be allowed. Chair Peterson said yes, the zoning entitled the land. Commissioner Allen said he was hesitant the rezone for that reason. Commissioner Browning asked who owned the agricultural land to the north. Chair Peterson asked Mr. Wilcox to explain property ownership in the area. Mr. Wilcox gave the commissioners a plat of the subdivision and said lots 8, 9, 11, 12 and 14 were the vacant lots in the subdivision. He said he was willing to put more property into an M-1 zones and would place restrictions in the M-1 zone with the Codes, Covenants and Restrictions for Wilcox Farms. Mr. Wilcox said he thought it was the best to finish out the development and for the City.

Commissioner Allen asked if the M-1 zone was the only option. Chair Peterson said as presented the business would be allowed only in the M-1 zone and the Planning Commission needed to determine if the rezone was a good fit for any permitted use in the M-1 zone. Commissioner Allen said he was in favor of a light manufacturing zone. Commissioner Browning was concerned that 1600 South was not designed for large truck traffic. He was in favor of the proposal.
Chair Peterson asked the commissioners if M-1 was the highest and best use for the property and read from the City’s Land Use Guidelines which stated: “manufacturing and industrial activities should be limited to those areas already zoned for such uses.” She said the commissioners needed to state on record the findings why the action taken was the best for the property. Commissioner Roper said he was back and forth on the issue, that he didn’t want to prevent future business, but he was concerned with the future impact. He said the property wasn’t visible and a commercial business would have difficulty.

Chair Peterson asked the commissioners to consider the General Plan amendment and determine if the proposed use was the highest and best use of the land. Commissioner Allen said the use might be the highest use in 16 years but not the best use. Commissioner Roper agreed and questioned if it was the best use for the property. Commissioner Browning said there was plenty of manufacturing area in Freeport Center. He said in his opinion this was a positive and while it was not the letter of the General Plan it was in keeping with the spirit of the General Plan which was to make Clearfield City the best possible.

Commissioner Roper said he knew businesses that wanted to come to Clearfield but didn’t want to be located in the Freeport Center and this could be a good option for those businesses. Commissioner Murray said the trucking business was not a heavy manufacturing business and could possibly be incorporated in a C-2 zone; however, the Planning Commission could not make a judgment based on one business, but what was allowed in the M-1 zone. She said a steel building was not in harmony with the characteristics of the surrounding buildings. She continued, the few remaining properties in Clearfield City should be developed at the highest and best use and it was her opinion that this might be the highest but was not the best use. Commissioner Murray referred to the General Plan guidelines number 14 and said a decision should not be made on what looked like a good fit because there was no guarantee how long the business would be there. She said any decision made must be in writing. Commissioner Murray said she could not in good conscience rezone the property to M-1, but agreed that something between the extreme manufacturing and C-2, similar to the flex business area of Clearfield Station, would feel more comfortable. Commissioner Allen said hazardous materials were allowed in the M-1 zone and businesses with hazardous materials could be located adjacent to commercial areas. He said the request completely defies intent of zoning and would advise another option.

Chair Peterson said it was difficult because there was an application for a lot, but the Planning Commission needed to consider the request without the proposal that was brought forth. Adam Lenhard commented on the street construction and said any truck traffic would have wear and tear, but that the street was constructed according to the City’s standard. He said the M-1 zone had provisions that specifically prohibited uses that created traffic hazards, excessive noise, dust, fumes, odors, smoke, vapor, vibration or industrial waste disposal problems. Mr. Lenhard said those types of uses would not be allowed. Commissioner Browning said a light industrial zone was needed and recommendation of approval could not be made with the current zoning.

JJ Allen said Planning Commission could make a recommendation for staff to prepare an ordinance to adopt a new zoning classification for light manufacturing. He said research would be done and presented to the Planning Commission and City Council. It would also require a
change to the General Plan to state that option was available. Councilmember LeBaron said he would like to see that in the future, but tonight the decision was if the property could be rezoned to M-1. Chair Peterson stated both items would be a recommendation to City Council.

Con Wilcox stated he was a four generation farmer in the area and wanted to leave a legacy to the area. He said he was asking for help and direction from the City to finalize the development. He said was willing to do what was needed to move the development forward.

Commissioner Murray said the Planning Commission didn’t have a problem with the development that was being requested, but with the zoning. She said it would be good to get a zone that didn’t have holes. Commissioner Murray said the project needed to be approved the right way and not through the back door. She said the commissioners understood the frustration of the applicant. Chair Peterson asked the commissioners for final comments on recommendation to the City Council. Commissioners Allen and Murray said they would move to deny but recommended consideration of a new zone.

JJ Allen told the applicant that the timing for a new zone was about a three month process. Brad Lasater said it would not be an ugly steel building. He said the trucking company had been around for 14 years would be around for a while. Mr. Lasater said there was bad planning in the beginning with the creation of the deep lots that had no visibility from 1700 South and 1000 West.

Commissioner Roper said he would move to deny but would like some light industrial zone for the future. Commissioner Browning said there was a gap in the zoning ordinance and the tools were not available to help match the highest and best use.

RECOMMENDATION OF DENIAL OF GPA 1410-0002, A REQUEST BY CON WILCOX FOR A GENERAL PLAN AMENDMENT TO AMEND FUTURE LAND USES ON PROPERTY LOCATED AT APPROXIMATELY 919 W 1600 SOUTH (TIN: 12-391-0008, 12-391-0009) FROM COMMERCIAL TO MANUFACTURING

Commissioner Allen moved to recommend denial to the City Council on General Plan Amendment GPA 1410-0002 based on the findings and discussion. Seconded by Commissioner Roper. The motion carried on the following vote: Voting AYE: Commissioners Browning, Roper, Murray, and Allen. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON RZN 1410-0002, A REQUEST BY CON WILCOX FOR A REZONE OF PROPERTY LOCATED AT APPROXIMATELY 919 W 1600 SOUTH (TIN: 12-391-0008, 12-391-0009) FROM COMMERCIAL (C-2) TO MANUFACTURING (M-1)

Chair Peterson declared the public hearing open at 8:50 p.m.

PUBLIC COMMENT:
None
Commissioner Murray moved to close the public hearing at 8:51 p.m. Seconded by Commissioner Allen. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.

RECOMMENDATION OF DENIAL OF RZN 1410-0002, A REQUEST BY CON WILCOX FOR A REZONE OF PROPERTY LOCATED AT APPROXIMATELY 919 WEST 1600 SOUTH (TIN: 12-391-0008, 12-391-0009) FROM COMMERCIAL (C-2) TO MANUFACTURING (M-1)

Commissioner Murray moved to recommend to the City Council denial of the rezone of RZN 1410-0002 based on the findings and discussion. Seconded by Commissioner Allen. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.

Chair Peterson said the items would be presented to the City Council with that recommendation.

Con Wilcox said for the record this use does fit in the C-2 zone. He said they had legal counsel review the ordinance. Mr. Wilcox said they were looking for direction to fix the problem. He said had offered all he could to put restrictions and covenants on the property to protect the business owners. He asked for direction for fix the problem. He said they had waited 16 years for a sale and there was no direction to fix it.

Commissioner Allen moved for a recess at 8:55 p.m. Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.

The meeting reconvened at 9:06 p.m.

STAFF REPORTS

Nothing to report.

PLANNING COMMISSIONERS’ MINUTE

Commissioner Browning – Said in jest he was glad he missed the last meeting; it looked like a long one.

Commissioner Roper – Nothing.

Commissioner Murray – Nothing.

Commissioner Allen – Recommended that staff begin the process to create a light industrial zone.

Commissioner Peterson – Concurred with Commissioner Allen’s request.
Commissioner Murray moved to adjourn as Planning Commission at 9:07 p.m. and reconvene as the Appeal Board. Seconded by Commissioner Browning. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.

APPROVAL OF THE MINUTES FROM THE OCTOBER 1, 2014 APPEAL BOARD MEETING

Commissioner Murray moved to approve the minutes of the October 1, 2014 meeting as written. Seconded by Commissioner Allen. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.

APPROVAL OF THE FINDINGS, CONCLUSIONS AND DETERMINATION BY THE APPEAL AUTHORITY REGARDING ZD 1409-0007

Commissioner Murray moved to approve the Findings, Conclusions and Determination by the Appeal Authority regarding ZD 1409-0007. Seconded by Commissioner Allen. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.

Commissioner Allen moved to adjourn as the Appeal Authority at 9:09 p.m. Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen. Voting NO: None.