

Francis City Council Meeting
Thursday, August 8th, 2024, 6:00 p.m.
2319 So. Spring Hollow Rd. Francis, Utah

The meeting will be streamed via Francis City YouTube Channel
<https://www.youtube.com/channel/UC-9wahpEELShvGQZShXGIXg>
You can also comment by email to comments@francisutah.org

Staff: Mayor Jeremie Forman, Councilmembers Shana Fryer, Clayton Querry and Clint Summers, City Planner Katie Henneuse, City Recorder Suzanne Gillett, and City Engineer Scott Kettle

Others Attending: Julie Buchholz, Wyatt Crittenden, Sally Coon, Kimberly Lawson, and Antini Henderson

Excused: Sam Hunter

1. Welcome, Call to Order and Pledge of Allegiance---The Mayor led in the Pledge of Allegiance.

2. Consent Agenda---Approval of check register dated August 8th, 2024, and minutes from July 11th, 2024---The Mayor reviewed a couple of the larger items on the check register. He then asked for a motion.

Councilmember Fryer made a motion to approve the check register of August 8th, and the minutes of July 11th, 2024. Councilmember Querry seconded the motion. The Mayor and Councilmembers Fryer, Querry and Summers all voted in favor; the motion passed.

3. Public Comment---The Mayor opened the meeting for public comment and asked them to step up to the lectern and state their name. Just be aware that they may or may not respond to the issue right now.

Julie Buchholz thanked the Council for the opportunity to comment on the Burton Ranch Annexation. She explained where she lived to the Council and that she is just across the fence from the property. She also stated that she didn't get a Public Notice. She can see firsthand everyday things that she feels they might not be aware of. She has prepared a letter for the Council and asks that they read all of it. (See attached letter)

She feels that the Planning Commission may have made a hasty recommendation when referring to this for a positive recommendation in AG-1 annexation request. She appreciates the dissenting voice of Commissioner Kimberly Lawson. Before you concede with the final decision, she feels there are three things that she would like them to consider.

1. She would like them to consider the potential wetlands and creek in the southeast corner of the proposed project.
2. Traffic and light, real light on Lambert Road

3. Overall density and minimal open space concerns throughout the proposed project.

She fully recognizes that this is coming from a Francis newbie, but she has spent the last six months adjacent to the proposed property observing and seeing all that goes on there. It is a very special place. She is not against more people being fortunate to live in Francis. She respects the position they are all in. She explained that her phone number was on her packet if any of them would like to speak with her. (See attached packet).

Kimberly Lawson (Planning Commissioner) was really bothered that no one was going to protest. So last Monday night she walked the neighborhood, talked with people, and discussed the two proposals and she said that most of them did not receive any letters. She explained that only one person was for the Burton Ranch Development. And five were against it. She also learned from one of the residents that has been here for a long time that there is a pot of money set aside for the Hallam Road to go through to 248. She doesn't know if Mr. Burton was supposed to have this money. But this resident felt very strongly that money had been put away.

The Mayor said you mean the money is already there, he is just not following her. Kimberly explained that this resident believes that somewhere this developer has a pot of money to do this. She explained her conversation with the resident, and we shouldn't have to be raising our taxes to pay for it. She also, mentioned there was a developer building on the left side of Democrat Alley in Kamas, and she said they were paying for the roads and everything.

4. Public Hearings

A. Possible approval of Code Text Amendment on City Center Height Amendment

Chapter 18.15.10 & 18.57.080 Ordinance No. 2024-07---The Mayor explained that this was reviewing the City Code Height Amendment. He turned the time over to Planner Henneuse.

Planner Henneuse stated that the Mayor spoke with her and wanted to raise the height in the City Center Zone. She explained that they looked back to the General Plan on this, and it said the rate of commercial growth should be more than residential. She reviewed the goals in the General Plan.

She explained that the Planning Commission reviewed this last month with a 4-1 vote in favor. Her recommendation is to approve, table, or deny. She then explained all of the options that the Council had.

Mayor Forman asked the Council if there were any questions or comments. There were none. He then opened the public hearing.

Wes Harwood explained that he was a commercial resident, and he feels that if we are going to do it in the City Center then they should do it for all commercial areas. If we are making an exception here, why aren't we elsewhere?

The Mayor brought the meeting back to the Council.

Councilmember Query wanted to know why we were doing this; did someone bring it up?

The Mayor explained that they had discussed it previously when the Hotel was discussed. He then explained that the property next door wanted to do this, and they were turned down. He feels that maybe this is something worth looking at.

Councilmember Querry explained that when the last gentleman came in, we said no. So why are we doing it now?

The Mayor explained that this keeps coming up and he wants to have the discussion before someone else asks again.

Councilmember Querry said that another person has made commercial work with a height of 40 feet. He doesn't like people coming in and telling the City what to do.

Attorney Christopherson explained that he works with other Cities, and this is coming up a lot. He tried to explain why developers were wanting to do things this way. He said you are not getting greater square footage. He said this is in the Counties in Salt Lake City.

Planner Henneuse reviewed what the code changes were. (See attached)

The Mayor explained that this is only in the City Center Zone, and he wants to get the commercial growth in the City Center Zone, so we have something that says commercial development fits in the City. He also feels that they need some incentive to build in the City zones.

Councilmember Summers felt that we should have it the same across the board for all commercial projects. And if there is not a real drive to change it, do we need to?

The Mayor feels that they need to change it because someone will come in here with a project and say that 40 feet won't work so he doesn't feel there are compelling reasons, and it will come up again.

Councilmember Fryer said taken into consideration that 30 years ago when she went to architect school five feet really does make a big difference when you are building and designing, and she thinks it will help get more businesses in here. She would even consider doing all the Commercial Zones that way. She felt we might be pushing away potential large income to bring into the City.

The Mayor feels it's important to remember that they don't want taxes to increase, and he feels that will continue to happen until we have the commercial coming in. So, we need to figure out a way to get the money coming in. He thinks this is important. He asked Attorney Christopherson if this is specifically for the City Center Zone or could they change that. He was told yes; they could change it.

Councilmember Summers said he would probably be ok with it, but he would like it to be across the board like Councilmember Fryer.

The Mayor said personally he can get behind either way. So, with that he asked for a motion.

Councilmember Summers motioned to approve the City Center Height text amendment including all commercial zones and approve Ordinance 2024-08 with the corrections. Councilmember Fryer seconded the motion. The Mayor aye, Councilmembers Fryer, and Summers voted aye. Councilmember Querry voted nay. Motion passed 3-1.

5. Discussion, Updates and Approval on Potential Action Items

A. Southwest Field Final Plat/Wyatt Crittenden---Mayor Forman explained that the applicant was here, and the information was in Dropbox. He turned it over to Planner Henneuse.

Planner Henneuse explained what parcel Wyatt Crittenden owned and he applied for the subdivision for his kids to build homes on. She explained what had gone on in the past and all of the steps that they had taken. She reviewed the final plat and stated they made corrections to all of the comments that she had. She explained they are building a road that meets our standards. They are just waiting for the addresses.

The Planning Commission is forwarding with a positive recommendation.

Planner Henneuse's recommendation is to approve the final plat with the condition of the address table being completed and recorded.

Engineer Kettle reviewed his staff report. He explained that the road will connect to the water line on 1000 East and luckily, we have already stubbed that in. The road will be 30-foot asphalt with six feet on each side.

The Mayor asked Wyatt Crittenden if he had anything to add and he said no she did a good job. He then asked the Council if they had any questions and there were none, so he asked for a motion.

Councilmember Fryer made a motion to accept the Southwest Subdivision Final Plat. Councilmember Summers seconded the motion. All present voted in favor; motion passed.

B. Hidden Meadows Development Agreement---The Mayor turned the time over to Attorney Christopherson to review the agreement. Attorney Christopherson explained that this is a clean version of the agreement with all the changes that had been discussed. He explained what had been discussed in the past and that there were a couple of items in Dropbox that needed to be figured out. They need to identify the exact number of shares on the water that needs to be turned in. With Hidden Meadows and Hart Crossing they were pushed to do secondary water and the shares and conversion with that did not all work out. He explained some things and that they would not sign off on that. Instead of a secondary well they will dedicate a site for a well for culinary water. So, we need a fresh estimate of what that will cost.

They removed the concerning language on the number of shares required and them maintaining the roads and streets until 50% owner occupied.

Engineer Kettle explained the cost to have two pipes in the ground and it would cost more money to maintain them and contribute it to the culinary system and it allows us to take Beaver Shingle Creek Shares and that is why they are doing this because it would cost the City more money if they didn't.

The more diverse we can make our water systems the better.

Attorney Christopherson feels that the Council should approve this, it gives them a fresh start.

Councilmember Fryer motioned to approve the subject to identifying the number of water shares and sources that need to be there for the development identifying and getting a mutual agreement on the costs for the culinary system in lieu of the previous system. Councilmember Summers seconded the motion. The Mayor and Councilmembers Fryer, Querry and Summers all voted aye; motion passed.

C. Fire Restriction Order/Fireworks Ban Resolution No. 2024-07---The Mayor explained that he is looking into the fire restrictions because we have had four or five fires around, but he would prefer we not have a major fire. So that is why he went in this direction. He explained the Ban and Resolution have been done in other Cities as well.

Councilmember Fryer asked if this would have dates. There was a brief discussion on that.

The Mayor said it will go into effect immediately. This doesn't prohibit things it just prohibits in certain instances. He asked Council if they had any questions. There were none and he asked for a motion.

Councilmember Summers motioned to approve the Fire Restriction Order with Resolution No. 2024-07 with the start date of August 8th, 2024. The Mayor seconded the motion. The Mayor and Councilmember Fryer, Querry and Summers all voted in favor; the motion passed.

D. Frontier Days---Councilmember Summers informed Council that the plaques were done for the tribute. He is working on the music and the talent show. He explained he found a different group for the music, and they are less than Mountain Talent has been. He shared the names of the bands. We are saving \$1,000 with that so it's a win. He has two sponsors he is waiting to hear back from. but so far, he has \$1,000.

The Mayor said he has most of the arena help, he has buckles ordered, he explained that he is working on shirts for his arena help. He has looked at some shirts for Council, but he has some options for them to consider, but he would like their input. He would prefer a long sleeve western shirt. He has talked to most of his sponsors.

Councilmember Querry explained that posters have been put up around the valley. Sponsors he has a couple of commitments too, and he hasn't heard back from a couple of the others.

Councilmember Fryer said that Uinta Cabinet will not sponsor this year. She said Lou Cernich reached out to see if she could do a big ballon bouquet for the open house for the new building.

Attorney Christopherson took care of the movie “Wonka.”

Byron Ames agreed to let us use his speakers again.

Planner Henneuse wanted to know if we were getting a flyer for the barrel racing. Mailers, the Mayor, and Planner Henneuse have been working on them. They will go to everyone in Francis, Wasatch County, and Coalville. She received an email from someone to sing for the Rodeo and the talent competition. She was told the anthem was covered, but she should come to the talent show.

6. Council Business

A. Council Reports---Councilmember Summers said Ennis Gibbs reached out again about Wreaths Across America.

B. Planner Reports---Planner Henneuse explained what would be in the next Planning Commission meeting. Uinta Cabinets will be on the agenda as they are doing an addition. Council needs to figure out phones in the new City building and the last thing is that we have some issues with the code that have come to her attention. Remember Don Loftus coming in last month and that our code conflicts. In one case you can’t have any unlicensed vehicles at all and in another you can if they are screened. She is just putting it out to the Council.

Attorney Christopherson said it is a double-edged sword. Maybe there should be a limit. He feels we need to come back with some proposals. They will have to go to the Planning Commission. The Mayor is opposed to taking more freedoms away. It needs to be very reasonable and lean on more freedoms than less.

Councilmember Summers wanted to know if code enforcement was only on done on a complaint basis and he was told yes.

Attorney Christopherson said the goal is not to make more regulations. He said they could check other Cities around the state.

What concerns the Mayor is the Bates property is not his favorite to look at either, but it’s been that way for years. The code just needs to be consistent.

C. Engineer Reports---The new City building, they are finishing up the fire sprinkler system and working on the dry wall. The water project on 1000 East is pretty much done. Then UDOT is going to be paving 35 to Noblett’s and they started today. He explained what was going on there. Engineer Kettle said they are chip sealing from Rock Port to Kamas and that starts Monday.

D. Mayor Reports---None The Mayor turned the time over to Attorney Christopherson. He said there is a possibility of getting some real estate. The Mayor asked him to explore some possibilities. One is an SSD zone sight specific development. They are not asking them to put anything into that zone. You would have a transfer of development rights. He explained how that all worked. His question to the

Council is, is this something they want him to do? This is just a tool in the box to customize a zone for a specific project.

The other thing he wanted to mention is they don't have to reinvent the wheel he has seen this done with other Cities. Site specific development that is truly good for everyone. He is not stating anyone in particular. So that's what he is proposing. Is that something that Council wants to pursue.

Councilmember Fryer said it might be a good option to have on the table.

The Mayor said as Planner Henneuse was giving her staff report on the text amendment about policy statements he would like the Council to go back and look at those and if those declarations are different than what the Council feels and agrees then they are not accurate they need to be modified.

The last thing he wanted to mention was back in February the Park Record had an article related to the Midway Sewer Ponds and they are much bigger than the Francis City sewer pond. In Midway the residents are asking them to be moved. He is not trying to tell the Council how to act with the Burton Annexation, but what he is nervous about potentially is that if the Council denies that annexation then something still will happen. The value of what they are proposing to the City is creating that buffer to the City and residents. He just wants to make sure they are taking things into consideration. He is not pro or anti-development, but he feels that they need to take this into serious consideration.

Engineer Kettle explained he was at the sewer ponds last week and he would like to take the Council out there and show them where the property is and the operation of the system. He is willing to take the Council out there. The concern with what has happened in Midway is a huge concern. It was explained that only two Councilmembers at a time could go out with Engineer Kettle.

7. (As Needed) Closed Executive Session to Discuss Pending or Reasonably Imminent Litigation, Purchase, Exchange, or Lease of Property and/or the Character, Professional Competence or Physical or Mental Health of an Individual.

8. Adjourn---*Councilmember Fryer motioned to adjourn. Mayor Forman seconded the motion. All in favor; meeting adjourned.*

Mayor Jeremie Forman

City Recorder Suzanne Gillett