

**Francis City Council Meeting
Monday September 30th, 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, Sam Hunter, Clayton Querry and Clint Summers, City Planner Katie Henneuse, City Recorder Suzanne Gillett, City Engineer Scott Kettle, and City Attorney Brad Christopherson

Others Attending: Kimberly Lawson, Justin Ciampi, Rick Rapp, Riley Atkinson, Delorus Mansell, Jeff & Tay Faulkner, Tom Flinders, Julie Buckholz, and Robin Ross

1. Welcome, Call to Order and Pledge of Allegiance---The Mayor welcomed all in attendance to the September 30th, 2024, meeting. He asked Councilmember Hunter to lead in the Pledge of Allegiance.

2. Consent Agenda---None

3. Public Comment---None

4. Public Hearings---None

5. Discussion, Updates and Approval on Potential Action Items

A. Burton Ranch Annexation/Rick Rapp and Tom Flinders---The Mayor turned the time over to Planner Henneuse and she pulled up a map on the screens for all to see. She reviewed her staff report with all present. She explained that back in July they tabled the plan and asked the developer to go back and come up with an AG-2 zone plan. She explained that we are at the end of the annexation process. They have filed the letter of intent and back in April Council agreed to look at the plan. She explained that the Planning Commission had approved it with the AG-1 zone.

She stated that she was not going to go back through the General Plan analysis because they have already done that. She explained that they should contain a 1000-foot buffer between the property and the sewer ponds. She stated that the property was in the West Hills annexation area, but they wanted to try and work with Francis City.

Planner Henneuse explained that the AG-2 zoning map was shown and they need to figure out if they are going to allow AG-2 zoning or AG-1 zoning. She explained the differences between the two zones and reviewed what had gone on. She explained that if they do the conservation subdivision it will give them incentive units. Another issue she saw with the concept plan was there are some country lanes or shared driveways and they are not the widths of current City standards. They are proposing smaller internal roads. She said normally with those roads the HOA has to maintain the roads. She also reviewed the fact that some properties don't have enough road frontage. She explained that if they choose to annex, they will work with the City Attorney on the development agreement.

Planner Henneuse prepared a comparison table between the two concept plans submitted. She again explained the difference between the two zones. The AG-1 is more clustered housing. AG-2 would not have as much open

space, which still meets the code. AG-1 105 homes AG-2 55 homes. (See attachment). She reviewed the home pricing and the collector road. She said in June the Planning Commission approved the AG-1 zone. (See attachment for all of the Planning Commissions conditions).

Planner Henneuse feels they need to look at all of the conditions and guidelines. She explained that they can approve, deny, or table the application.

The Mayor asked if the applicants had anything to add. Tom Flinders explained that they are fine with either plan. The Mayor then asked the Council for any concerns.

Attorney Christopherson explained that some things they need to understand are that we have a new water tank. He also explained that with the annexation we receive annexation fees per lot. He feels that those fees could help go toward the new well on the north and west side of town and that changes with which zone they choose. Another thing they need to remember is it is a benefit to the public to understand that. He explained there is a City in Wasatch County that is having problems with homes being built too close to their sewer ponds. He feels that the bigger the buffer the City has, the better. He explained all of his thoughts on the project.

Engineer Kettle added in addition to the water we have the sewer. This development is right next to the sewer ponds, and it would allow the 1000 square foot buffer. In the future we are going to need to continue to work with people for the affluent water. We could add this to the protection of having some place to pump the water. If we add the extra property, then in the future we don't have to go out and buy the property for the water. He feels it would help not to have homes right against the sewer ponds.

Councilmember Fryer felt that this is mainly for the public. She asked what happens to the water once it hits the sewer pond, she feels that they really need the acreage. How much would it cost for a pump to get the water out into other acreage? She feels with AG-2 zone it will be more second homes and she is just trying to weigh things out and let everyone know what her concerns are.

Councilmember Hunter feels this has gone on for months and he said he asked the applicants what was going to happen if we don't annex them in. There is no guarantee based on the conservations they have had that if they went in another direction then we could end up with a whole lot more homes in there. From a personal standpoint he doesn't want to see any more development, but he can't vote that way he has to do what's best for the City. He explained his thoughts and wanted them out to the public.

Councilmember Query said he would echo Councilmember Hunter on his personal opinion. He disagrees with Councilmember Fryer, and he would like to see 55 homes versus 100. He would be more for the AG-2 zoning. He does like the willingness to put the connector road through so he feels that would be a benefit. He does have concerns about connector roads going through neighborhoods. He agreed with some of what Planner Henneuse had said. He has concerns about traffic and that needs to be looked at. He feels AG-2 zone is what they should be looking for.

Engineer Kettle explained that if they develop then they could get the connector road through, and the right of way is a benefit.

Councilmember Summers feels they all have the same concerns, and he feels they need to be in control of the growth. He feels this worsens the growth sooner. He agreed with Councilmember Query on the sewage issue. He feels this decision could have been easier if we weren't already over populated.

The Mayors thoughts are he has been real concerned, and we hear a lot about the general plan and conserving the agriculture here. Either way he likes the open space that is being offered. If he had his way, they would just give the City all of the land, but that is not realistic. He feels that they giving the amount of ground to the City that they are is huge. He explained his thoughts on open space and what is realistic and what is not. He feels that one way to preserve some ground is to accept one of these proposals. He reviewed some of the concerns that have been discussed. He feels some of those concerns should be looked at.

Engineer Kettle explained some of the things that they could do with Lambert Lane to get it widened.

The Mayor continued to share his thoughts, and he feels there are some major benefits. That open space will never be able to be built on and that's huge.

Rick Rapp said this whole AG-1, AG-2 zone thing is the only way things will get resolved is with affordability, and that would be smaller lots.

Engineer Kettle explained why we have had the annexation fees over the years.

The Mayor explained he has a real concern that no one knows what will happen with the West Hills. He feels strongly that they need to have control on the land that surrounds the City as there is a lot of political influence there. He feels that while we have a chance to control it a little bit then they need to take it.

One thing they talked about at the start of the meeting was the public comment and this was not a hearing, but he felt that maybe they should open the meeting up to the public in attendance.

Councilmember Hunter agreed with the Mayor and that the public in attendance took the time to come to the meeting and they should be able to speak.

The Mayor felt that he should open the meeting for public comment since there were quit a few in attendance. He asked Council if they were good with that being this wasn't a public hearing. Council was ok with it, so the Mayor opened the meeting for public comment.

Jeff Faulkner 915 Village Drive in Francis feels if you can't walk your horse down the lane or walk or ride your bike then we shouldn't do it. He is concerned with all of the traffic it will bring. He just doesn't feel it's prudent for the community.

Julie Buckholz 862 Crab Apple Court, she lives in Hart Crossing echoed what the gentlemen before her shared. She feels a collector road would help, but what else can be done to help Lambert Lane as it's an accident waiting to happen. She is all for an AG-2 zone, but the high density proposed concerns her, also the wetland study hasn't been brought up and they need to consider that.

Kimberly Lawson 690 Spruce Way. She contacted Herriman City as she wanted to talk with them about the growth. She explained that they went from 700 to 55,000 residents in 20 years, and she doesn't want to see that happen here. She said she spoke with David Darcy the Mayor in Kamas, and he is not concerned with the West Hills happening. She explained what she felt and what our plan states and they will never be able to keep up with that.

Riley Atkinson 350 West Lambert Lane explained that he works with the Fire Department, and he really likes the collector road idea to 248. He is concerned with the traffic on Lambert Lane and public safety.

Justin Ciampi 1899 South Ash Court wanted to insert his personal feelings into this. But if you were to do a list and make pros and cons, he doesn't see how you don't come to the AG-1 conclusion. It's more space and more revenue to the City. He feels it continues to align with the general plan, but all of that being said he agrees with everything that has been said. He would love to see trails connected to Hart. He thinks the width of Hallam is great and that gives them room to expand. He feels that we are going to have to keep those spaces open. Let's look at the annexation first then kick the elephant on the next bite and then look at the trails and roads and everything else.

Rick Rapp said he didn't know what the right of ways were, but if it was a concern then all of the developments should have to help kick in on them.

The Mayor agreed and suggested that they could do that. First, they need to decide if they want to annex or not and at what zone.

Councilmember Query said Lambert is really a disaster when you have two vehicles wide.

Councilmember Hunter asked if Lambert Lane was all the City's and he was told no, part of it was the Counties.

Engineer Kettle explained what they could and couldn't do.

Tom Flinders asked if they could do something to say the density was 50 to 100. Attorney Christopherson said yes, they could and there needs to be some flexibility for road widths and things like that. The Mayor wanted to know if it were important if they put a zoning on it with a maximum of 104 or 105 or could they not zone it.

Planner Henneuse said it would really be better to have the zoning attached.

Attorney Christopherson said choose AG-1 zone or AG-2 zone. Once you set the zone your done. Their was a brief discussion on how to zone things and how many lots.

Tom Flinders feels that it is a curse and a blessing at this point because things change in the process. What they need to know is the ceiling in each zone. He feels they have spent enough money to show what they are looking at doing.

Planner Henneuse recommends adding this as a conservation subdivision locking in the open space.

The Mayor wanted to know if they went with AG-1 zone what percent would that be, and he was told 50%. The zone sets the floor for the open space. The Mayor shared all of his thoughts and explained what he was thinking.

Rick Rapp said yes, they could work with what the City wanted and what code would allow them to do.

Engineer Kettle explained that he has looked at the plan and it would be beneficial on the current plan to put some homes across the canal, and he feels there are some things that could be done to make the development look a little better that would benefit both of them, but it depends on the number of units.

The Mayor wants to know how to zone to get as much as he can out of it. He wants his cake and eat it to.

Tom Flinders asked if they could commit to conservation subdivision with either AG-1 zone or AG-2 zone. He was told no it had to be zoned. Planner Henneuse said AG-zone would make things easier.

Councilmember Fryer presented a plan she thought might work. Attorney Christopherson did not agree with it. Engineer Kettle explained his thoughts on what could count as open space.

There was a lengthy discussion and many ideas thrown out on how things could work.

Tom Flinders wanted to know what tabling would do. Planner Henneuse explained all of the details that would need to be worked out. Approve the annexation subject to a cap. AG-1 zone no more than 80 lots subject to a mutual agreement with both parties.

Councilmember Summers said there are two pros to do this. But in doing that those are possible problems. They know for a fact the problems they are going to create, and it will impact more people. If Burton Ranch weren't a thing, how concerned would they be with doing this? He has been thinking about this for the last couple of months, but he thinks they are making a decision with the unknown. But we know for sure the problems we will have. He feels they are twisting their own arms to approve of this. We know we are creating problems already.

Engineer Kettle explained his biggest fear is losing control of the property and if we say no, they will take it out of our annexation declaration area. Once it's gone it could come back on the City and the City loses all control.

The Mayor shared his thoughts. He is 100% in on this annexation because he knows he can save at least 60% open space. Councilmember Summers said he is 100% against it. Councilmember Hunter said he understands Summers thoughts. He explained why he feels the way he does, but they need to look for the Cities best interest in the long run. He is not willing to throw the dice. Councilmember Querry said he has a strong reputation of being the no guy and he lives right there. The reason he is here is because he didn't like Hart Crossing coming in. He shared why he is for the AG-2 zone. The sewer pond visit helped to open his eyes. He feels that control of the open space and getting the road figured out then he is willing to make that compromise with 50 homes. The more he thinks about it he thinks those two things are worth it.

The Mayor feels safety wise for the protection of the City with AG-2 zone it provides more open space. If you zone it AG-1 then you may get 70%, but it's a give and take.

Councilmember Querry motioned to approve the Burton Ranch Annexation as an AG-2 conservation subdivision zone with the recommendations of the Planning Commission which are: Widen the collector right-of-way to 70 feet, Update the concept plan so there is no direct access to lots from Lambert Lane, Update the concept plan so there is not direct access on the collector street, Perform an intersection study to determine if turn lanes on Lambert Lane should be required, Get approval from the Fire District for the alleys, Complete a wetlands study prior to plat approval, Write in the CCR's that at least 50% of all homes allocated within this development must have owner-occupied units, along with the staff report recommendations which are: The applicant and City execute a mutually acceptable annexation agreement before the annexation is recorded, All the development lots meet the Francis City Code requirements, Widen the collector right of way to 70 feet, Perform an intersections study to determine if turn lanes on Lambert lane should be required, If narrow country lanes remain, get approval from the Fire District, Complete a wetlands study of the development area prior to plat approval, Write in the CCR's that at least 50% of all home located within this development must have owner-occupied units. Councilmember Hunter seconded the motion. The Mayor and Councilmember Fryer, Hunter and Querry all voted aye. Councilmember Summers voted nay. Motion passed 4-1.

6. Council Business

A. Council Reports---None

B. Planner Reports---Planner Henneuse informed Council that she applied for a RAP grant today for the Wild Willow park. She has everything out to bid.

C. Engineer Reports---None

D. Mayor Reports---*Mayor Forman motioned enter into executive session for a discussion on real property. Councilmember Hunter seconded the motion. The Mayor and Councilmembers Fryer, Hunter, Querry and Summers all voted in favor; motion passed.*

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.

Councilmember Forman motioned to adjourn from closed session and return to regular session. Councilmember Querry seconded the motion. All voted in favor; motion passed.

8. Adjourn---*Councilmember Hunter motioned to adjourn. Councilmember Querry seconded the motion. All voted in favor; meeting adjourned.*

Mayor Jeremie Forman

City Recorder Suzanne Gillett

Executive Session September 30th, 2024

Engineer Kettle presented the Council with a map. He explained that it is the area around the east side of the sewer pond. The dark green is already owned by the City. The blue is Kitner's parcel next to the sewer ponds. The pink is the Lambert family's property.

He explained that they made an offer on the Kitner property before the Kitner's purchased it and they wanted more money than it was worth. Kitner's then purchased the property for more money.

Lamberts signed a purchase agreement to purchase the property, but it has never been finalized. Lambert is still interested in selling the City the property. Attorney Christopherson said there was a lot to resolve the issue.

Kitner property is down to \$600,000 so there is a place we could start and talk with them about purchasing it. They have had people look at the property and then get out of it. All they have is a perpetual easement, so they don't have legal right of way. Kamas did have a subdivision approved they were hoping to get access to, but nothing has happened.

One of the reasons he thought this would be good is because it goes right through our property. This would replace that acreage. The County at one time had access to preserve right of way going through out property.

The reason he is bringing this up tonight is because they are really hounding him. Engineer Kettle wants to know if this is something they think they should pursue.

The Mayor is for making those deals work that are for a good purpose of the City.

It would give the City more property to sprinkle on. The City needs more ground to sprinkle on.

For the Mayor, the only question is funding.

There was discussion on the sewer plant expansion when they did the lagoons, but Engineer Kettle really doesn't see them doing that, are there other treatments they may have to do? Yes.

The Mayor Feels that they need to look into this.

Council motioned to go back to regular session and make the motion to resume regular session there.