

Francis City Council Meeting
Thursday, July 11th, 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 and City Recorder Suzanne Gillett

Others Attending: Rex Campbell, Duane Lambert, Don Loftus, Antini Henderson, Rick Rapp, Tom Flinders, Paul Mitchell, Bart Lambert, and Paul Crawford

1. Welcome, Call to Order and Pledge of Allegiance---The Mayor welcomed all in attendance at 6:00 p.m. The Mayor asked Councilmember Fryer to lead in the Pledge of Allegiance.

2. Consent Agenda---Approval of invoice register dated July 11th, 2024, and minutes from June 13th, 2024---Council discussed the check register. The Mayor reviewed some of the high items on the register.

Councilmember Hunter motioned to approve the check register and the minutes of 6-13-2024. Councilmember Fryer seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.

3. Public Comment---The Mayor opened the Public Comment period.

Don Loftus stated where he lived, and he wants to apologize to the City because of the grievance with his neighbors. He thinks that we have a town in need of a little bit of a cleanup. He would like to propose doing dumpsters like Kamas City. He would like to pay \$5.00 more on his water bill and make everyone else do the same as well. He wants to be a little bit of a solution. He knows there are some complaints about his situation. Second idea is, there is a City Ordinance that says if someone is complaining about someone else then you shouldn't be able to complain if you have the same code violation. He stated he wants to be a solution, not a problem.

The public comment period was closed.

4. Public Hearings

A. Burton Ranch Annexation---The Mayor turned the time over to Planner Henneuse. She reviewed with all in attendance where the property is located. She explained that in March an annexation petition was filed for these three parcels. They would like to develop 25 acres and the rest they propose to be left as open space in an agricultural perpetual easement so that it can never be developed on.

Planner Henneuse explained all the steps that have been taken in this process. They are at the point of the last public hearing with the City Council. She explained all of the items that they look at in an annexation. She explained there are goals in the General Plan that encourage the conservation subdivisions, open spaces etc.

She explained this open space is next to the City sewer ponds and this would make a buffer around the ponds. She is recommending that the developers complete a wetland study. She informed them they wanted to prioritize development in existing City boundaries.

Looking at the need for housing in Francis, the County feels the growth rate is about 1000 people. The developer would have to turn in suitable water shares.

Summarizing, there are several benefits that are included in the General Plan. Also, the City would be able to decide what happens here and not the West Hills Corporation or the County. She reviewed the map of how everything would be laid out. She explained everything that the City looks at.

The area does not create any islands or peninsulas. She stated that they asked applicants to provide traffic surveys and they have done that. She recommends they do an additional study to see if they could do a turn lane or not. She then explained that the County has been planning to do a connector road through that property wide enough to handle more traffic. What is on the plat is not quite wide enough, she explained. She reviewed the ally backed single family homes and they should think about that layout. She explained they talked with the County about the connector road, and she explained that they came to the City a year ago with a different layout. She reviewed everything that had gone on. She stated the developers did not want to build the road. So, she has talked with the County, and they would not want to pay for the collector road. But it would be a huge expense for the City down the road. They are considering the AG-1 zoning.

Planner Henneuse said moving on to the recommendation the Planning Commission is forwarding to the City Council with a 2-1 vote. She explained that the two that were positive felt that it fit with the General Plan and there was a lot of open space. Her recommendation is to take all of that into consideration and approving with the recommendations of the Planning Commission and maybe another one that they added and that was that 50% of the units had to be owner occupied. This is a legislative action and a public hearing. Her three options would be approve with all the conditions discussed. The annexation agreement should be done with the conditions. They can also table or they can deny.

The Mayor asked the applicants if there was anything they would like to add. They asked if they could wait until after public comment.

Councilmember Fryer would like to see Lambert Lane widened all the way down.

The Mayor opened the public hearing.

Paul Mitchell has a few questions. He wanted to know how far the annexation declaration area went.

The Mayor explained. He then asked what water shares they are using. Tom told him that they were Beaver Shingle Creek shares. Paul asked when is enough? He is concerned about the water, and he doesn't want to have to pay for another well.

The Mayor closed the public hearing on Burton Ranch. He brought the meeting back to the Council.

Councilmember Hunter wanted to know if we had to expand the sewer ponds are we limiting ourselves? Will we have the access? What will happen if we need to build a treatment plant? By annexing this in, that land that is going to be deeded the easement area, will we be able to take some of that ground?

The Mayor informed the Council that they owned 8 acres to the north and 40 acres to the west. He said this could leave some agricultural land for effluent. Would this land be able to be used for expansion, probably not.

Councilmember Hunter just wants to make sure we have options.

Councilmember Summers is concerned that we already have 500 homes that are not built, and he doesn't feel it is responsible without knowing how our infrastructure is going to hold up to that. He would be interested to hear what other Councilmembers feel about that.

Councilmember Querry is a big fat no on this. There is no way Lambert Lane is going to handle all of this. He feels it is short cited. They need to have that collector road. Future use, we have it as AG-2, and he explained the last annexation that came in wanted to do the same thing and the City wouldn't change the zoning. He said like Kimberly Lawson said in the Planning Commission they need to slow down. For him everything in the General Plan is to preserve Francis and he doesn't feel this is going to help that. He feels if other people were here, they would not want this either. He is not even for tabling it he is an outright no.

Councilmember Fryer said she appreciates them coming back a year later and she has been thinking about this for a couple of months. She wonders about the 62 acres and what is going to be done with it. In her opinion she feels that we need to wait for the road to come through there before they do anything. She explained she has been talking with people and the feeling from all of them is no, no, but her answer is no.

Tom Flinders has thought about the 62 acres, and he says he is putting that in the City's hands to deal with it. He feels getting it now, that it is a real plus for a lot of different ways for the town. He said they have had to sharpen their pencils a lot for this. He said this offers an easement across the property. How are you going to get that easement? He feels that they are offering a lot. He said they have not had a single reply or response from the people. He said there are 92 acres and giving all of these things to the town. They are in the annexation boundaries and meet all of the codes.

Rick Rapp commented on that as to home affordability, it is an issue that we have to deal with. These are small lots.

The Mayor thought a couple of things should be considered. A couple of concerns he has are that if this were to go through, they would need a little bit more understanding on the collector road and make it more of a straight shot, so the collector doesn't turn into a side street. He discussed addressing some of the drive way issues. From his point of view, he hates the point of adding homes on any portion of that, but he can take almost 70 of the 90 acres and keep it as open space. Without an annexation they could annex into West Hills City, and we are still dealing with the exact same impact on the streets. Just saying no doesn't mean this won't happen. A neighboring City in Wasatch County is dealing with a disaster with a project that is backed up by a sewer facility and the City is getting sued. The one thing that concerns him is by annexing he is signing up for the City to build that road and not the County. That is a big concern for him. There are some things that are serious considerations. He is sensitive to the concerns and considerations of the Council. But this way he can guarantee that 70 acres remain open space, but if they don't annex you don't know what will happen.

Tom said thinking of this process a little bit does not mean the City is accepting any plans thing could change. He said they had to put something here so there is something to discuss. They just put something in front of them to discuss. He feels that they are offering so much to the City. He wants to know what's next so why would they want to be in the City annexation boundary, then you have no control. But what other choice would they have? He said this is not a threat, but where else do they go after two denials. He feels down the road the City will regret it. He feels they keep coming down and they will meet all of the codes.

Councilmember Query said that is way to many houses 100 no 50 maybe. He is looking at AG-2 zoning and not changing the zone. If they want to come in at AG-2 then he would be for it. The County is AG-10. He explained his thoughts on everything. He said the Mayor brought up a lot of positive things and there are, but he wants the AG-2 to zone. He will not approve 100 homes.

The Mayor felt that even if they wanted to come in at AG-10 they couldn't because we don't have that zone. He said they could bring it in as AG-2. Like he says every time they are looking at these annexations, they are looking at concepts. The Mayor wants to be careful to approve something and it becoming a detriment or not approving and then it becomes a detriment. He said the 100 homes is not set in stone.

Tom said this is not the concept on which they are stuck. He said this is what they have, how many homes could they do.

Tom asked how the conservation easement worked with AG-2. Planner Henneuse explained how it would work. One thing she wanted to make clear is that from what she has seen in the past is that right now they are making a decision they have leverage. She explained that they need to negotiate that now. The Annexation agreement needs to be clear. After that we have no leverage.

Tom would request that they don't vote it down because they haven't even had a chance to look at a plan in AG-2.

Councilmember Hunter didn't really want to annex it in at AG-1 like Councilmember Query. He is also concerned about the road. He is worried about the burden on the infrastructure. He would be willing to

table it. He feels if they table it, they can look at other options. Tom said he would rather than a denial.

The Mayor moved that they table for further discussion. Councilmember Querry seconded the motion. The Mayor and Councilmember Fryer, Hunter and Querry voted in favor, Councilmember Summers voted against. Motion passed 4-1.

5. Discussion, Updates and Approval on Potential Action Items

A. Stewart Ranch Annexation Extension Phases 5-7 & 11---Planner Henneuse explained what the City Code said and that plats after a year needed to request an extension. She reviewed her staff report. (See attached). She explained that she talked with Engineer Kettle and there has been significant infrastructure improvement. In the development agreement we need to approve as platted, and she doesn't feel that they need to go through that again and she explained why.

Her recommendation is to go ahead and extend it.

Councilmember Summers said that in the past they had talked about charging a fee and he wondered about that. Planner Henneuse explained that we charge \$100. She would like to review the subdivision fees.

Councilmember Summers made a motion to approve Stewart Ranches second extension. Councilmember Hunter seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.

B. Hidden Meadows Development Agreement---The Mayor explained when Engineer Kettle and the City Attorney reviewed this, they had a couple of things that need to be changed in Section 3 A it talks about what and how much water is required. It is not clear so the condition of approval would need to be the amount of water turned in needed to be specific. The next concern was the shares and the waters rights being transferred and that needed to be changed.

Planner Henneuse said that one of the changes is the secondary water system. The Mayor explained it was part of the development agreement originally and maybe that doesn't make sense now.

Planner Henneuse explained that now they are going to start metering the water systems. So, they have talked about putting it into a culinary system instead then in the development agreement they want to break that up into three phases. In phases 2, 3, and 4 and they will pay \$300,000 in each phase.

Councilmember Hunter said they have done something with Hidden Meadows already. He explained what he thought had been done. The Mayor reviewed with him what had been done.

Planner Henneuse said one thing they talked about with the Attorney is when the infrastructure needed to be done.

The Mayor explained they are dedicating the ground and that we can't put the entire cost on them because it will service the whole City. Councilmember Hunter doesn't feel this is a high enough number.

Councilmember Fryer said the water was one of the selling points for her, but now they want to change that. It was explained to her what they wanted to do.

The Mayor also said they added the condition of the being 50% built out before the City maintained the roads.

Planner Henneuse explained what was going on with the trails and would like the placement of it moved to a different area in the agreement.

The Mayor is comfortable with a motion if Planner Henneuse and Engineer Kettle approve the changes.

Planner Henneuse explained there has been a change of ownership of the property. She explained that Rusty wants to make sure that the City is protected.

Councilmember Query made a motion to table until the changes are made. Councilmember Summers seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.

C. Appoint New Planning Commissioner—The Mayor explained that as they know we had a Planning Commissioner resign. He explained that they would like to appoint Scott Buchanan and he was on the Planning Commissioner years back and he has been involved with City government. That is his proposal.

Councilmember Hutner motioned to appoint Scott Buchanan to the Planning Commission. Councilmember Summers seconded the motion. Councilmember Fryer asked if there were other candidates and the Mayor explained there were three candidates. He again explained why he picked the candidate he did. Planner Henneuse explained that all of the Commissioners live in Wild Willow, and we didn't have anyone on the Eastern Side and Scott lives on the Eastern side. Councilmember Query trusts the Mayor. Planner Henneuse explained that Cynthia Howard is a long-time resident of Kamas. Trevor Beck lives in Francis Cottages, and he didn't have any experience with City government or land use, which was the only drawback. ***The Mayor asked for a roll call vote. The Mayor and all Councilmembers voted aye. Motion passed.***

D. Fraud Risk Assessment—The Mayor reviewed the Fraud Risk Assessment.

Councilmember Hunter made a motion to give the Mayor the authority to sign the Fraud Risk Assessment. Councilmember Summers seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.

E. Resolution 2024-06 Adopting Final Tax Rates—***Councilmember Query made a motion to adopt Resolution 2024-06 Adopting the Final Tax Rate. Councilmember Fryer seconded the motion. The Mayor and all Councilmembers voted in favor; the motion passed unanimously.***

F. Frontier Days---The Mayor explained they have taken care of the grant for some prize money. They were able to add \$1,000 per event plus the buckles. The concessions are lined up and taken care of.

Movie options are Sea Beast, Wonka, and Playing with Fire. The Council decided that they would show the movie Wonka.

Councilmember Hunter asked how are we looking at food this year. Are we going to pre-cook things?

Councilmember Fryer said to let Joe run it as he has done it for years.

Councilmember Hunter is asking because they have used outside Barbecue's. He can show Joe the receipts for everything he bought last year. He said so far outside food trucks are only for Saturday. Councilmember Summers wanted to know if we are good with the schedule. Planner Henneuse asked about the shoot. Councilmember Summers said they are going to do a money shoot and he will get a flyer. Sat. 10:00 a.m. to 6:00 p.m. and Sunday 9:00 a.m. to 1:00 p.m...

The Council discussed the flyers and mailers and what they should do. Then they discussed the Fiesta Days Parade. It is on Friday the 26th, 2024. 5:00 p.m.

Councilmember Summers---Mountain Town Band \$3,500, Cagney is working on Rodeo presentation. He is meeting with Ted, getting flyer from Shane, and posting flyers.

The Mayor is looking into shirts. Sound for Friday concert and microphone for talent show. Kids scrambles will be moved to the park. Zach told the Mayor last year that he could have a portable speaker set up for Kids Scrambles on the lawn area.

6. Council Business

A. Council Reports---Councilmember Summers asked about Don Loftus and the cleanup he was talking about. He asked about code enforcement and having that take care of clean up.

The Mayor explained what was going on and that it was a neighborhood dispute. They can't take action tonight but can explore options.

B. Planner Reports---None

C. Engineer Reports---None

D. Mayor Reports---None

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.

The Mayor moved to go into closed session to discuss purchase of real property. Councilmember Query seconded. The Mayor and all Councilmembers voted in favor.

Councilmember Hunter motioned to come out of closed session into normal meeting. Councilmember Summers seconded the motion. The Mayor and all Councilmembers voted in favor.

8. Adjourn---Councilmember Summers made a motion to adjourn Councilmember Hunter seconded the motion. All voted in favor, the meeting adjourned.

Mayor Jeremie Forman

City Recorder Suzanne Gillett