

**Francis City Council Meeting**  
**Thursday, January 14, 2016 7:00 pm**  
**Francis City Community Center**  
2319 South Spring Hollow Rd.  
Francis, Utah 84036

**Attending:** Councilmembers Byron Ames, Matt Crittenden, Jeremie Forman,

**Excused:** Mayor Snelgrove, Councilmember Shana Fryer

**Others Attending:** Rex L. Campbell, Paul Watson, Rick Christensen

**1. Welcome, Introductions, & Pledge of Allegiance**—Councilmember Ames informed Council that Mayor Snelgrove had an emergency and had called and asked him to conduct. While preparing to start the meeting Councilmember Ames received a call that he had a water leak at his home and he asked to be excused for a few minutes. Councilmember Fryer was called to come in, she has been sick and would try and get ready. Councilmember Ames made it back first and met Councilmember Fryer outside and sent her back home.

The Meeting started about 7:30pm with Councilmember Ames asking Councilmember Crittenden to lead in the Pledge of Allegiance.

**2. Public Comment**—Councilmember Ames opened the meeting for public comment. There was no public comment.

**3. Public Hearings—Uinta Shadows II Annexation**---Councilmember Ames read an email that the city had received in regards to this annexation. The email stated that they did not want this annexation approved. (See attached email)

Councilmember Ames turned the time over to Planner Burrell to review the staff report with all in attendance. She informed council that the Planning Commission meeting had a lot of people attending the meeting, and they discussed many issues that are included in the staff report. (See attached).

Planner Burrell explained that the original plan was 21 lots and that has been reduced to 20. Also, three homes were excluded, but it still meets the requirements, those three lots will be non-conforming in the county.

Councilmember Forman asked where the county was on their decision making with the zoning and map changes. He was informed that they are still working on things.

Attorney Powell said he felt that the county would have liked those three properties included in the annexation. Engineer Kettle said that until the other side of the road is annexed they will have to work with the county because they maintain the roads.

The other concern is that the well is currently located on the ground that would be annexed into the city. They would have to drill another well on the property in the county and abandon the well on the property that would be annexed into the city. Rex Campbell is willing to move that well into the county and will give the city a letter stated that. Also, there is another lift station that the annexation could

help pay for. Engineer Kettle explained how everything was laid out the first time the annexation was presented a few years back.

Staff recommends that we further consider some of these issues and that maybe some trails could be added. Councilmember Ames asked how they felt on the sewer and water. Engineer Kettle explained what issues some people had in regards to the sewer system. He feels that a lot of people don't really understand how everything works and that the costs are being covered.

Attorney Powel stated that we haven't had very many annexations as big as this one. He stated that we would need to have an annexation agreement written up and then the Council can decided on what they would like to see put in the agreement. The well would be moved from its current location to one of the existing lots not in the city limits before final construction of the first phase. Next, the lift station will need new pumps and generators because this will directly affect the system. Council discussed whether or not they wanted to add another fee for the lift station repairs or use the \$8,000 annexation fees.

Councilmember Ames wanted to know how much all of the repairs would cost. Engineer Kettle informed him that the generator itself would approximately be around \$25,000 and the pumps would be around \$15,000 for a total that would be somewhere around \$40,000.

Engineer Kettle explained the two ways to get a subdivision going. Councilmember Crittenden said that you would have enough time before the houses were built to get things up and going, the generator needs to be replaced the sooner the better.

Engineer Kettle explained the road crossing sections and what had gone on in the past. Attorney Powell brought up the water rights and asked if that had been discussed. He was told that it is one acre foot per half acre lot.

Paul Watson asked if the city had water to sell. Attorney Powell informed Paul that the City Ordinance states that they have to provide the water and that the city does not sell it. There was a very lengthy discussion on the water rights and how everything worked.

**B. Approve the yearly meeting schedule—*Councilmember Forman made a motion to approve the yearly meeting schedule. Councilmember Crittenden seconded the motion. Councilmembers Ames, Crittenden and Forman all voted in favor, motion passed.***

**C. Annexation Petition Butler/Christensen possibly accept for further consideration—**Planner Burrell explained everything that has gone on with the applicant and that they are proposing some commercial use. She explained everything that they are proposing to the Council and explained that some options might be nightly rentals and others may be owner occupied units. Rick Christensen said that they would have an HOA and maintain and care for everything.

The Council and Mr. Christensen discussed how all the twin homes would be set up and how much square footage would be available. There would be 128 homes and a hotel.

Planner Burrell said that this would be a PUD and that we don't have this in city code, so we would have to add it to city code. We are currently working on the codification and how this would all apply.

Planner Burrell stated that this is very crucial for the city tonight. Attorney Powell interrupted to explain to Councilmembers Forman and Ames that at the last council meeting that they both missed that they passed a sixth month hold on approving some things due to codification changes.

Planner Burrell explained all of the properties that Mr. Christensen is looking at.

Councilmember Forman said that he really liked the idea of adding the commercial. Engineer Kettle and Attorney Powell explained that it would bring in more sales tax and transient room tax.

Attorney Powell said that we will want to write up something to make this better and more binding because of some of the issues that the city has had.

Mr. Christensen said that you have to understand the commercial mentality and that if it doesn't meet expectations then the people won't come.

***Councilmember Forman made a motion to accept the proposal for further consideration of annexation. Councilmember Ames seconded the motion. Councilmembers Ames, Crittenden and Forman all voted in favor, motion passed.***

**D. Stewart Ranches Certification**—Recorder Gillett asked Attorney Powell to explain as she was doing the minutes and he had explained the last certification that the city had done. Attorney Powell turned it over to Planner Burrell to explain what had gone on with this project and that City Recorder Gillet had verified everything and then certified it. She explained everything that has gone on and that this is ready to go to the Planning Commission.

Attorney Powell explained what happens next and what the next step is.

**E. Sewer Update**---Engineer Kettle informed council that right before Christmas the contractor finished up what he could and that we are in a holding pattern until the weather clears up.

**F. Propose to right off 1/3 of Jacobsen water leak**---Jeff Jacobsen explained that Luke had talked with him because his bill was so high and he thought there might be a leak. Luke and Jeff then investigated. Luke could hear the leakage and they found that it was a faulty coupler. Jeff had everything repaired and taken care of in a timely manner.

Jeff had heard that if a leak was reported and taken care of in a timely manner then maybe the city would work with him and there may be some sort of relief.

Attorney Powell answered saying that normally you can go back to the historic average. One concern is there may be another party to make a claim from the contractor as well.

Councilmember Ames said that if this were a forty or fifty thousand dollar bill then he would segregate down. He asked if this would be refunding a 1/3 of the water bill and he was told yes.

Councilmember Crittenden said unforeseen problems come up and he is ok with writing it off.

***Councilmember Crittenden made a motion to write off 1/3 of the Jacobsen water leak bill. Councilmember Forman seconded the motion. Councilmembers Ames, Crittenden and Forman all voted in favor, motion passed.***

**G. Codification on Transportation**----Attorney Powell passed out Title 10 of Codification—Attorney Powell reviewed all of the changes that had been made.

Council and Attorney Powell discussed back and forth the road changes on Spring Hollow Road, the speed limits and weights of trucks. There was a short debate back and forth on some of the changes made and some of the changes that Council wanted made. (See attached Ordinance)

***Councilmember Forman made a motion to pass Ordinance 2016-01. Councilmember Crittenden seconded the motion. Councilmembers Ames, Forman and Crittenden all voted in favor, motion passed.***

#### **4. Discussion, Update, and Approval on Potential Actions Items**

**A. Swearing in of Councilmembers**—City Recorder Suzanne Gillett swore in the Councilmembers Matt Crittenden, Jeremie Forman and Byron Ames. Councilmembers Crittenden and Forman are four year terms, Councilmember Ames is a two year term.

#### **5. Council Business**

**A. Council Reports**---Councilmember Crittenden wanted to know if we had started on Frontier Days yet. He was told no.

Planner Burrell said that the pictures and thank you letters never went out, so we really need to get that done. She really wants those to go out. She also said she doesn't mind helping, but she isn't going to be in charge this year because it caused a lot of problems with the staff.

Councilmember Forman asked Planner Burrell if she knew of someone that would be a good leader. She said that was up to the Council.

Councilmember Forman asked if we asked Tracy to move the trailer or just not live there. He was told just not live there. Attorney Powell said that we can post a notice on the door again if necessary.

**B. Planner Reports**—Planner Burrell said that we have a storage unit application right now and it is allowable in a commercial zone and she stated that they had a lot of opposition in the Planning Commission Meeting. She explained everything that went on in the Planning Commission Meeting and explained that the neighbor behind him said they would sell to him.

She wanted to know if the Council would be interested in re-zoning. She explained that the old code would allow it and the new code would not allow it.

**C. Mayor Reports**—Attorney Powell handed out a letter that Mayor Snelgrove asked him to write. (See attached letter) There was a brief discussion.

Councilmember Ames informed Council that he got an earful from Trent Martinez at the gas station this morning.

Engineer Kettle explained again why there were the fees there were and how we come up with how much water needs to be turned in and that a lot of the water is state regulated. The fees required are required of every subdivision. Trent and the Spader Subdivision are not being treated any differently than anyone else. They may have different regulations than some of the older subdivisions because the rules changed, but we have to go by current state regulations.

**D. Financial Report**—Councilmember Forman said things looked good on the financial statements. Recorder Gillett informed both Councilmembers Forman and Ames that at the last meeting the single audit was discussed and we are over budget in audit fees due to the unsuspected single audit.

**E. Report and Approval of Bills Paid**---*Councilmember Forman made a motion to approve the check register. Councilmember Ames seconded. Councilmembers Ames, Crittenden and Forman all voted in favor, motion passed.*

**F. Approval of Minutes from December 10, 2016**—*Councilmember Crittenden made a motion to approve the minutes. Councilmember Forman seconded the motion. Byron Ames Councilmembers Ames, Crittenden and Forman all voted in favor, motion passed.*

*Councilmember Crittenden motioned to go into executive session. Councilmember Forman seconded the motion. All voted in favor, motion passed.*

#### 6. Closed Executive Session (Pending Potential & Litigation Update)

*Councilmember Forman motioned to go back into regular session and adjourn. Councilmember Crittenden seconded the motion. All voted in favor, motion passed.*

#### 7. Meeting Adjourned

Minutes accepted as to form this \_\_\_\_\_ day of February.

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Mayor R. Lee Snelgrove

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City Recorder Suzanne Gillett