

**Francis City Council Meeting**  
**Thursday, January 11, 2018**  
**Francis City Community Center 7:00 p.m.**  
2319 So. Spring Hollow Rd. Francis, Utah

**Attending:** Mayor Byron Ames, Councilmembers, Jeremie Forman, Matt Crittenden, Shana Fryer and Trilby Cox. City Engineer Scott Kettle, City Recorder Suzanne Gillett and City Planner Marcy Burrell.

**Others Attending:** Renee Atkinson, Evelyn Ames, Walter Ames, Kyle Housel, Robert Kirkham, Jaren Housel, Trina Vidrine, Jeff McNeil, Judy McNeil, Leif Cox, Carla Cox, Lynette Gines, Katie Stellflug, Casey Firth, Hollie Firth, Steve Williams, Patti Williams, Rick & Lynette Gines, Steve & Louise Brown, Kenny & Kerri Jackson,

**1. Welcome, Call to Order & Pledge of Allegiance**—The Mayor welcomed everyone in attendance and thanked them for all being there to support the new Mayor and Councilmembers. He explained how the meeting would proceed and again thanked everyone for their support. He then asked Councilmember Crittenden to lead them in the pledge of allegiance. The City Recorder then swore in each Councilmember separately. Brief recess.

**2. Public Comment**--- The Mayor opened the meeting for public comment and there was none so the public comment section was closed.

**3. Public Hearings**

**A. Jeff McNeil Annexation**—The Mayor asked Planner Burrell to review the staff report with everyone. She read through the report and passed around a map showing where the parcel was located and explained how things were zoned currently. She explained that a wetland study would need to be re- done as it is over 5 years.

Planner Burrell read what the motion was during the planning commission meeting and explained why they denied the annexation. She stated that there are also storm drain issues and explained the conditions as to why or why not they should approve or deny the application.

She stated that this was a public hearing and that public comment may be made at the proper time.

The applicant is present tonight and the Mayor asked Mr. McNeil to step up and give his presentation.

Mr. McNeil stated the he feels that we have some miss information. He also wanted to congratulate everyone that was new on the council. He wanted to take the issues of the staff report in reverse order. (See attachment)

He feels that the overwhelming benefit is not really defined in the code and he would like to go over that. He feels this follows the annexation and the general plan. This is in the annexation area and he feels that this is implementing both of those plans.

The Mayor said he understands Jeff is stating that this supports, promotes and implements the vision. He would like to know how this does support those areas.

Mr. McNeil said that he doesn't like the primary corridor and he has been fighting that, but he explained how in the plan it shows the road is part of our vision and general plan and he feels that is one of those

biggest benefits. Additionally as he goes through the other items it means a 60 foot right of way to the standards of the city and that goes along with the master road plans.

He explained some of the things that have gone on in the past and he would like to be able to give some of his lots to his children. He said he is trying to preserve a legacy. He feels that primary corridor is a big part of the plan. He feels that there are some things that have gone away from the corridor like Forman's.

The Mayor wanted to point something out and he appreciates that he is well prepared today, but he feels that we can dispense with what is going on in other areas. Mr. McNeil stated three other areas, Woodard Annexation, Village at Lambert Lane, and Circle T has been discussed. These areas have had some consideration and he would like that same thing too.

He brought up that commercial development has been brought up a lot and he feels that this project would help with the roof tops. He brought up the monetary benefit that he thought it would be for the city. The next issue would be the sewer flow on foothill. He feels that would help the city.

The Mayor asked the council if they had any question. There were none. He asked Engineer Kettle about the sewer flow and the sewer issues. Engineer Kettle explained the problems and issues that they have had with the sewer flow, and the lift station issues. Councilmember Forman asked about some of the other properties and issues they could have. He also asked about the easements and the county property. Engineer Kettle explained how the master roads laid out. He also wanted to know how many feet of road it would put in and Mr. McNeil said 1200 feet.

Mr. McNeil said two more items and he will be finished. He explained about the sewer system at Lambert Lane and how each house would have their own pump station. In theory there is no difference in the sewer system he would do.

There was some explanation on how the flow system worked. Councilmember Forman wanted to know about the maintenance cost and expense on the sewer line. Engineer Kettle explained how thing worked.

Mr. McNeil said the last thing he wanted to address was the high density zoning and he feels that it would just give them a little more latitude and it won't be any different than an eight lot subdivision. He reviewed the items in the staff report and explained his thoughts on it. He stated that the blind corner is not a blind corner anymore and he feels he has given them evidence of an overwhelming benefit. He stated that he has a petition with 30 signatures on it from citizens that voted them in.

The Mayor stated one of the concerns raised from one of the citizens that sent in a letter stating their concerns in opposition to the proposed annexation, and one of the statements from Marion and Bob Wheaton was "I would encourage the council to consider who would actually benefit from this property being annexed into the city". The Mayor told Mr. McNeil you have explained quit a few reasons why you feel it benefits the city approving this annexation. So is there anything else you feel that benefits the city? Mr. McNeil felt that not right off and the benefits stand for themselves.

The Mayor thanked Mr. McNeil and opened the meeting up to the public to come up and voice their concerns.

John Nuffer said he is neither for nor against the project, but this is a potential benefit for those looking for properties within the city.

Trina Vidrine lives right next door and she feels that it is still a blind corner. Others will plant trees and she would like to see it stay rural.

Bob Kirkham wondered about the field south of this place, how are they going to deal with the irrigation from the other farmers. Mr. McNeil said if you notice on that same right of way, that ditch will not be violated and it will remain in place and there is not a plan or anything that will take that ditch away.

The Mayor asked Planner Burrell about the water issues and has this been discussed. She stated that is the next item on the agenda, not this one.

Councilmember Crittenden feels that he doesn't necessarily feel concerned with bringing this into the city, but he is concerned that a wet land study has not been done and he would like to see that done first. He feels that would be beneficial to everyone.

Councilmember Forman is trying to figure the benefits vs the issues that may arise. He asked Engineer Kettle if this is really a benefit. Engineer Kettle said it is a benefit for the developer to put in the road, but right now it is not a benefit.

Councilmember Cox said then you end up with a short term not benefit, because if he develops as he has it is a quarter section. She explained her thinking on how the road worked and feels that puts a lot of traffic on the road now.

Councilmember Forman said he agrees with the wetlands study. What if there is no study done and then they do one and they can only develop half the property. He said his feeling is a couple of benefits and he sees some questions and problems.

Councilmember Fryer wanted to know if they were changing the zoning. It was explained that if it comes into the city it comes in at the RC zoning that he is asking for. Council did not like that.

The Mayor is struggling and trying to see both sides of the issue, but the city is not laid out on a grid system and it's hard to plan for that. As far as the primary corridor goes you see higher density. He sees pros and cons on the project. He understands the concerns of the planner and the planning commission, but this entire thing ties into the wetlands issue.

Councilmember Crittenden asked Engineer Kettle how long a wetland study takes. He was told eight months to ten years. If you don't delineate then maybe six months to a year. He said he has zero problems with it being part of the city, but he really feels that the wetland study needs to be done first. There was a brief discussion on the wetland study.

Bob asked about the road continuing over a swamp wetland area and shouldn't there be a study done on that. Engineer Kettle explained how it would work, you have to exchange a wetland for wetland.

Councilmember Cox stated her opinion is that she would like a wetland study done. As a professional scientist when I am not a city councilor I value research and knowing what you're dealing with before you start dealing with it. My hesitation to name a zone if you annex, are you able to deal with that exact zone. I am fairly against rezoning in this town. I think that some of these out of the box ideas that have been done in the past could also be interpreted as willy nilly type developments. I would like to see a more managed type growth. My recommendation would be to have a wetlands study done first and then come back and see what they are dealing with so they can get a proper zone.

Councilmember Forman said if we require a wetlands study done before moving on and the council is still saying no then what's the point?

The Mayor wanted to know if you could do a zone change and then latter change the zone again?

Councilmember Crittenden said the amount of water on your property doesn't mean its wetlands. It has to do with a lot of other things.

Councilmember Forman is torn in a lot of ways. He wants to make sure we are making good and prudent decisions and at the same time being fair and impartial to people.

The Mayor would entertain a motion.

Engineer Kettle said you don't have to accept or deny it tonight.

Councilmember Crittenden does not want to annex it at the RC zone.

Councilmember Cox feels that getting it right the first time is what they should do. Councilmember Crittenden said he can see both sides.

There was some discussion by councilmembers. The Mayor wanted to know how much more time is there before you even start working on this property. How far out are you going to be?

Engineer Kettle stated if you annex you don't want to break up things if something changes.

*Councilmember Crittenden made a motion to table and have a wet land study done. Councilmember Fryer seconded the motion. There was some discussion among the council. The Mayor commented that ideally for Mr. McNeil he could know the answer on the wetlands study soon and it would not lead to any real delay. The Mayor and Councilmembers Crittenden, Fryer and Cox voted Aye. Councilmember Forman voted Nay. Motion passed four to one to table for wetland study.*

#### **4. Discussion, Updates and Approval of Potential Action Items**

**A. Falling Waters Landscaping Commercial Review---**The Mayor stated that we would start with the staff report on Falling Waters. Planner Burrell read the staff reports and explained which parcel John Nuffer purchased and that it is in front of the storage units going in. She stated it is something allowed in the commercial zone. She read the staff report and explained what he would like to do. She then reviewed with the council what the code stated needed to be done on this project.

After planning commission review, they would require the parking area be all the way paved through with parking stalls with one ADA compliant, the fencing changed from chain link to stockade fencing, the lighting would have 4 lights on the outside of the building. The facility is to house the landscaping materials. She explained how and where their needed to be a wainscot.

Engineer Kettle wanted to know where the fence was going to be put. John explained to him how it was supposed to be. There was some discussion on where the sign was going to be.

Councilmember Cox wanted to know if anything they are doing now would be the same if this was a current nursery today. She just wants to make sure this is going to work now and with his future plans. John felt that it would and the issues were addressed in his design.

Councilmember Forman wanted to know why the city is in the business of deciding what kind of materials a business can use. There was a brief discussion. The Mayor said Marcy may have more to say on this, but the city does not yet have a formal business design standard so now they are relying on good

will to fit some standard that does not exist. Councilmember Forman has an issue with just making up an arbitrary standard that's not there.

Councilmember Cox feels that when you are a small town you can use this as a flagship and that is a nice thing to hear when you work on a project. It is a great credit to John Nuffer.

John said in the end it is more money, but he is eager to be a part of the community and he is willing to do whatever he can to make things look nice.

Planner Burrell explained the things that the planning commission had discussed with him and how they would like to see things designed.

The Mayor and Councilmember Cox both said that they liked the plan a lot.

Councilmember Forman asked Housel's how they felt and were they comfortable with how this looks.

Jaren Housel stated that he is next to this project and he has no complaint. He wanted to know if any of them are acquainted with drainage in the area. He explained how the water flows and he feels that they have made a potential damn. He wants to go on record stating how he is concerned with how we go from a to b now how are we going from b to c. The current ditch there is currently working really well, and he wants to know who is going to control the water getting out. Are they going to be flooded or what? Who is going to enforce this?

John stated that he has had the project thoroughly engineered and he has had someone come out and look at the drainage issue and he explained everything that has been done. He has a maintenance agreement dedeed.

***Councilmember Forman made a motion to approve the Falling Waters Commercial design review. Councilmember Cox seconded the motion. The Mayor and Councilmembers Crittenden, Forman, Fryer and Cox all voted Aye, motion passed.***

## **5. Council Business**

**A. Council Reports**—Councilmember Forman said historically they haven't read meters in the winter months and he wanted to know if they have been. He was told no. Engineer Kettle explained they are trying to get radio read. He said he wanted to know if we should keep reading as long as we can. Engineer Kettle said yes we should continue reading.

Engineer Kettle explained that in the future the state is going to start wanting better water usage readings. He explained that someone wanted a speed limit change and he explained how the study was done and how that all worked and he recommends they use the statutory and change it to 25 in the Francis City limits and he will talk with the county.

**C. Planner Reports**—Planner Burrell stated there are a couple of discrepancies in a couple of areas with the commercial and agricultural zones and they have some concerns.

We don't have a commercial application at all so there was no fee. Everyone else has had a conditional use and we are getting away from them which is a good thing and she feels there needs to be a commercial permit fee.

**D. Mayor Reports**—The Mayor wants thoughts on adding a Utah flag to our meetings and do we want to add a second Utah flag outside. Should the city create their own contest to design a city flag? Do we want a separate city logo or do we to keep the same one? Keep the same logo and take off frontier days.

He informed council that he asked Luke to take a look at the light pole, it needs to be fixed.

In the packets the Mayor added an article on escaping provocative self. He read and reviewed with council. He stated that he wants to start looking at the website and updating it. He also feels they need to change the Facebook presence. What's a Francis city Facebook presence?

Discussion on Water conservation plan.

The Mayors thoughts are were here and providing a service, so let's look at the cost of live streaming. He also feels skills get underutilized from the city.

He explained how the Open Meeting Training would be handled. He stated that the Impact Fees update is being worked on and should be ready for discussion in February.

He asked for thoughts on entering into an inter-local agreement with Kamas. He wants them to think about that from a logistical perspective. Councilmember Forman stated that it is difficult to staff. Brief discussion.

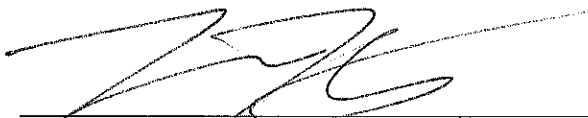
**E. Report and Approval of Bills Paid**—*Councilman Forman mad a motion to approve the bills. Councilmember Crittenden seconded the motion. The Mayor and all Councilmembers voted in favor.*

**F. Approval of Minutes from December 14, 2017**—*Councilmember Forman made a motion to approve the minutes of December 14, 2017. Councilmember Crittenden seconded the motion. The Mayor and Councilmembers Crittenden, Forman and Fryer voted Aye. Councilmember Cox abstained. Motion passed.*


**6. Meeting Adjourned**—*Councilmember Forman made a motion to adjourn and Mayor Ames seconded the motion. All in favor, meeting adjourned.*

*The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.*

Minutes accepted as to form this 8th, day of February 2018.



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Mayor Byron Ames



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City Recorder Suzanne Gillett