

Minutes

Francis City Council Meeting Thursday, July 14th, 2022, 6:00 p.m. 2319 So. Spring Hollow Rd. Francis Utah

Francis City is inviting you to attend by following the link below or by calling: 1-301-715-8592
<https://us02web.zoom.us/j/87811573128?pwd=VWl3OGFTMFBTeXg2T2E4NDkwblVjZz09>

Meeting ID: 878 1157 3128 Password: 715816

You can also comment by email to comments@francisutah.org

Council: Mayor Jan Brussel, Councilmembers Matt Crittenden, Jeremie Forman, Clayton Querry, Shana Fryer

Staff: Engineer Scott Kettle, City Recorder Suzanne Gillett, City Planner Katie Henneuse

Others Attending: Melody Casias, Rex Campbell, Louise & Steve Brown, Colette Madsen, Bill Crystal, Bob Wheaton, Andrea McNeil, Brian Andrew, David Ure, Gracia Eisman

1. Welcome, Call to Order, and Pledge of Allegiance---The Mayor welcomed everyone to the July 14, 2022, Council Meeting. He asked Councilmember Crittenden to lead in the Pledge of Allegiance.

2. Consent Agenda

A. Approval of Check Register Dated July 14th, 2022---Councilmember Crittenden asked whose birthday it was and about the truck check with the lease company.

Councilmember Forman moved to approve the check register. Councilmember Fryer seconded the motion. All voted in favor: motion passed. Councilmember Forman was not yet present.

B. Approval of Minutes from April 28th, & June 9th, 2022---Mayor Brussel motioned to approve the minutes of the April 28th, 2022, joint work session. Councilmember Querry seconded the motion. The Mayor and Councilmembers Crittenden, Querry and Fryer all voted in favor. Councilmember Forman was not yet present.

Councilmember Crittenden motion to approve the minutes of June 16th, 2022. Councilmember Querry seconded the motion. The Mayor and Councilmembers Crittenden, Querry and Fryer all voted in favor; motion passed. Councilmember Forman was not yet present.

3. Public Comment

The Mayor opened the meeting for public comment.

Steve Brown had some questions for the Council. He asked about a generator and fencing at the sewer plant. He also wanted to know about the garbage developers were leaving around. The Mayor explained that Planner Henneuse was taking notes and would get on it.

The Mayor closed the public comment period.

Louise Brown thanked the Council for listening to them and their concerns. The Council thanked her for the comments.

4. Public Hearings

A. Born to Run Subdivision/John & Lois Kirkham---Planner Henneuse reviewed her staff report with all in attendance. She pulled up a map for all to see the layout of everything and she explained what needed to be done.

Planner Henneuse explained what modifications have been made. (See attached staff report). She also explained that the Preliminary Plat will be used as the final plat.

Engineer Kettle explained that a couple of other ditches need to be on the preliminary plat.

Mayor Brussel opened the public hearing.

Brad Murdock 44 East St. Rd. 35 wanted to make sure he was clear on one house and one barn. He was told yes. He wanted to know if there was a crossroad, and the crossroad was pointed out to him.

Mayor Brussel closed the public hearing.

The Mayor feels this is good, it does not change what is there right now. It gives the City a little more commercial on the road. He loves the 31 acres open space.

Councilmember Fryer is really glad that Johnny got part of his property back.

Councilmember Crittenden asked about lot 2 being all commercial. He was told yes it would all be commercial. He likes the 31 acres being left alone.

The Mayor motioned to approve the plat of Born to Run with conditions to add the additional ditches Scott pointed out and also to approve the amendment of the annexation agreement. Councilmember Querry seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.

B. Code Text Amendment Facilities Zone 18.50---Planner Henneuse and Engineer Kettle are proposing a code text amendment for the new City Building which will allow for parking in the front.

Planning Commission passed this on with a positive recommendation.

Planner Henneuse reviewed all of the changes that were made in the code and why the changes were made.

The Mayor thanked the Planner and opened up the public hearing.

Andrea McNeil asked how close the building will be to the irrigation ditch out front. She explained that the ditch company is concerned about the trees and the water that they take from the ditch company.

The Mayor said they were all great points that will be addressed when they have a site plan approved and he would encourage Andrea to keep up on the progress and we can have further discussions.

The Mayor closed the public hearing.

Councilmember Fryer motioned to pass Ordinance 2022-07. Councilmember Crittenden seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.

5. Discussion, Updates and Approval on Potential Action Items

A. Stewart Ranches Phase 11 Final Plat/Rex Campbell---Planner Henneuse shared the screen so those on zoom could see as well. She reviewed her staff report with all in attendance. The developer is requesting Final Plat approval for Phase 11.

They have met all requirements except finalizing the address table. This is being forwarded with a positive recommendation.

Engineer Kettle explained that there was a water line constructed for a couple of the lots, but they still need to do the sewer for lots 104,105,106,107. The cull de sac will be public, and the driveways will be public.

Councilmember Crittenden asked about the public trail and the access point between lot 104 and 105. He wondered if it would be an issue with people accessing the public trail. Rex said he did not think it would be a problem. Planner Henneuse explained and showed on the map where the trail access was, and it will not be a problem.

Councilmember Querry motioned to approve Stewart Ranches Phase 11 Final Plat. Councilmember Fryer seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.

B. So. Kamas & New Washington Proposal for Secondary Water System & Water Smart Grant--Planner Henneuse explained she did not have all of the Microsoft Office on the computer, but there is a PDF file she will show.

Collett introduced their Engineer and explained he is spear heading this project and he is from Hansen Allen and Loose. Their engineer explained their system of ditches and how they ran. They are looking at doing a pressurized irrigation system and he explained that it would be gravity generated. He reviewed the preliminary analysis of the hydraulics.

Water Smart is a grant program funded by the US Bureau of Reclamation. He explained the process and how much they were looking at doing.

Benefits of secondary to municipality is obviously you have a partner. The benefit to the City would be they would supply water to the City. You would have storage and not need as many tanks or drill more wells. Another benefit is installation costs are high, but your maintenance costs are less. That is roughly what the irrigation company is looking for.

Dave Ure feels that we will be surprised about how much they can save us in water, and he does not see how you can lose on it on either side of things.

The eligibility is if they can show they can save water just by piping the canal. He feels it gives the public a better use of water. The Engineer explained he has done several of these and he can provide information on the ones that they have installed.

Councilmember Forman wanted to know how much money would have to come from the City. He is interested, but it would depend on that.

The Engineer explained how things would work.

Councilmember Forman's concern is the biggest problem that there will be is Francis producing the money.

It is not a pie in the sky idea, and it's been done in other places.

Engineer Kettle said right now the 6 million is just to pipe the irrigation ditch. There would be more on top of that.

Councilmember Crittenden said when you pipe a ditch you do not lose the carrier water and he was told yes that was right.

A circle is the most efficient cross section.

The Mayor asked so this would serve ag and residential, and he wanted to know what this would cost per home, he was told this was way to preliminary. He then asked about the water rate that would be charged.

So, he understands there is a main ditch, but do all the ditches need to be piped and he wanted to know how that would all work.

The Mayor said on Gines lane all the ag and pumps are behind the houses, and he wanted to know how all that would tie in. The Engineer explained to him how it would work. The Mayor said the ditch serves City and County and how does that work.

He was told the County would be shareholders. The Engineer explained to him that it was a private company.

Collett explained that when people turn shares into the City you put them into B shares and into the well. For this you would not want people to do change applications on all of the water. It reduces the amount that needs to be converted.

Councilmember Crittenden feels it is a great idea, but he does not want people to have to pay for their water twice.

The Mayor said in the areas that are already developed it could be pretty pricey.

Collett feels that every development that comes in should have to pay to help with this.

Councilmember Fryer said ten years ago she really wanted this kind of water system, so she did some research. So, when we do this how much water do we turn over to the State and she was told that they did not need to turn over any of that. They are not converting to a ground water source.

Councilmember Crittenden wondered why it has taken the State so long to do something like this.

Water flows toward money not downhill.

Dave said with the condition and growth going on in the City there is going to be increased pressure on the water in this area. He does not feel there is any way with this municipality that we cannot work things out to be beneficial to everyone. He feels the quicker the irrigation companies and the City comes together to show everyone the water needs to be here. He does know the State water engineer has a sympathetic ear to this area. He feels the quicker we show we are working together the better things will be.

He feels the this is best for both parties to work together. He feels they can each save each other in a lot of ways.

Councilmember Fryer said she is willing to sit down and try to work things out.

Councilmember Crittenden explained the biggest concern is always the costs.

The Engineer said they are asking for a letter of support.

Councilmember Forman asked what they needed from the City. The Engineer explained what would need to be done. He asked again what they really need from the City. The engineer said he would send a draft example.

The Mayor asked if they had a timeline on any of this. He said you are always wrong, but if you do not have one you do not go anywhere, so he asked if they had a timeline.

There was a brief discussion. The Mayor explained that he always started with the end timeline. He would like to see something like that.

Dave said the City was the biggest obstacle and if the City is interested in this they will get going on things.

The Mayor asked if there were other grants available and he was told yes.

The Mayor is hearing from the Council there is support for moving forward. He asked for a letter from them. He feels this is inevitable.

Collette said right now there is money available, and we still have a lot of open space, and we need to put this to work for all of us.

The Engineer asked who the point of contact should be. He was told Katie Henneuse and to copy Scott on everything.

Councilmember Crittenden is glad there is money out there that can help.

C. Sewer MWPP---Engineer Kettle explained that every year we submit the Municipal Wastewater Planning paperwork, and we just need to make a motion

Councilmember Forman motioned to approve the Municipal Wastewater Planning paperwork. The Mayor seconded the motion. The Mayor and all Councilmembers voted in favor: motion passed. And Brussel unanimously approved.

D. Discussion on Development in Graded & Sloped Areas---Planner Henneuse explained that Engineer Kettle and herself have been talking about this and they have received some preliminary plans and a lot of it is in sensitive land areas. They would like to know what the Council thinks and how they can manage things.

She explained a developer purchased 3 lots from Prescott's and they would like to change the access point and they are asking for a little bit steeper road.

Hidden Meadows biggest issue they are seeing is there is a section of road that crosses a slope greater than 30% for more than 100 feet. She explained what the current code said. So, the Engineer of Hidden Meadows has looked at other options, but they said the road as it is planned has the least impact. It is in their best interest.

Engineer Kettle explained that if we go around it then it takes away from the open space and it will make it a longer road. He explained what they were thinking when the code was originally done. He explained they wanted to bring things up to the Council and see if they would be interested in them making any changes.

The Mayor said at Planning Commission one of the things that was hammered on and talked about was Rusty came in and said everything will be in the flats and everything will be down low, and it will not impact the hill. Now he see's him cutting up into the mountains and that is not what he sold and not what he promised.

The Mayor said he sold it as everything would be in the meadow so this should not even be an issue. The Mayor feels this is a land planning problem and not a slope problem.

Councilmember Forman does not feel they should change things for one man. He would like to know what actually was approved so they know how far they can go.

The Mayor said this is approved as long as it fits into our code. Planner Henneuse said they were scheduled to go to Planning Commission and they took themselves off the agenda.

The Mayor said if he had something to offer that would benefit the City long term and he could convince them it was good for the City.

Planner Henneuse said this was extremely helpful.

Councilmember Forman explained his thoughts on the roads and everything he has seen and dealt with, and he feels they need to be very conservative.

Engineer Kettle asked what they wanted on the slopes, He explained why he wanted to know that.

The Mayor said there has to be some give and take.

Councilmember Forman wanted to know what a reasonable maximum slope should be. Engineer Kettle explained his thoughts on things. He does not think they want to go anything over 12%. They should say 8% is what we accept and if you want to go higher then there needs to be certain benefits.

Steeper grades more than 8% needs to be brought before the Council.

Planner Henneuse and Engineer Kettle were good with that.

Planner Henneuse explained there were a couple of other issues. There is a cul-de-sac and sixteen town homes around it and our code says you can have a max of 12 with one ingress/egress and they brought it up and wanted them to do emergency access. Engineer Kettle explained his thoughts on this.

They need less townhomes or full width road.

Planner Henneuse explained that some of the homes on the upper part are in the sensitive lands overlay but there are a couple of things that have not been done yet that are optional. She asked if the Council wanted to require any of those.

Councilmember Forman feels that they need to be required to live up to the codes. The Mayor completely agrees.

Planner Henneuse explained that Foothills at Francis Gates is trying to change things in their Development Agreement and she and Engineer Kettle are trying to work on those things.

Councilmember Forman explained he would never buy in an HOA and his question is the Development Agreement. The Mayor explained how things worked with CCR; s and codifications and how he felt we should do things.

6. Council Business

A. Council Reports---None

B. Planner Reports—Planner Henneuse explained Francis Commons reached out and wants to know what they want to see in the City Center Zone. They want to be the first in the City Center to set the tone. She shared many different pictures and Council let her know which ideas they liked.

The Mayor feels their architect should come to a meeting and talk with everyone and get their feel and then they can produce something.

Planner Henneuse is hearing that everyone, but Councilmember Query likes the slopped roofs.

Councilmember Crittenden said he likes the buildings in Panguitch. Council all agreed they liked the style of buildings in Panguitch. Planner Henneuse said she would let them know that.

C. Engineer Reports—Lambert Lane has been paved. Temporary well and tank in place and running. Working with the State on the other tank.

D. Mayor Reports---Frontier Days. He explained the food shack will be amazing. Chop Shop has really taken over and things are going well. The menu looks good. Everything should be on budget.

The Mayor is looking for music for Saturday and Monday. He is going to ask Sam to check things out in the ticket booth.

Councilman Forman explained that they are signing people up for the clinic now.

Planner Henneuse shared that she has gone through the sponsors and sent out letters for sponsorships

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. Meeting Adjourned---Everyone agreed it was time to be done. Meeting was adjourned.

Minutes accepted as to form the 14th day of July 2022.

Mayor Jan Brussel

City Recorder Suzanne Gillett

City Seal