

## Minutes

### Francis City Council Meeting Thursday, October 13<sup>th</sup>, 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](mailto:comments@francisutah.org)

**Council:** Mayor Jan Brussel, Councilmember Crittenden, Forman, Fryer, and Querry

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

**Others Attending:** Julie Keyes, Paul Watson, Rick Rapp, AJ Dixon, Wes Harwood, Maximus, Barry, and Terry Richins, Lupita McClenning. Zoom: GalaxyS10, Patti Williams, Tom, and Jake

**1. Welcome, Call to Order, and Pledge of Allegiance---**The Mayor welcomed all in attendance to the October 13, 2022, meeting. Councilmember Crittenden lead in the pledge of allegiance.

#### **2. Consent Agenda**

**A. Approval of Check Register Dated October 13<sup>th</sup>, 2022---***Councilmember Fryer asked about the amounts to Zions Bank and Recorder Gillett explained it. Councilmember Forman moved to approve the check register. Councilmember Querry seconded the motion. All voted in favor, motion passed.*

**B. Approval of Minutes from September 8<sup>th</sup>, 2022---***Councilmember Querry motioned to approve the minutes of September 8<sup>th</sup>, 2022. Councilmember Fryer seconded the motion. All voted in favor, motion passed.*

**3. Public Comment---**The Mayor opened the meeting to public comments for items that were not on the agenda. There were no public comments, so he closed the public hearing.

#### **4. Public Hearings**

**A. Hidden Meadows---**Planner Henneuse reviewed her staff report with all in attendance. She explained the Planning Commission approved the preliminary master plan earlier this year with 3 conditions. (See staff report). Also see letter from CMT Services and So. Summit Fire District. She explained they are planning to complete this project in five phases.

This is final master plan and preliminary plan as well. They have met all requirements and they are expecting to phase it. They have showed they can complete in multiple phases.

A couple discussion topics are on the slope regulations and should smaller building pads be required on smaller lots. She compared with lots on the foothills. The other topic is the trails. The developer is going to put in 4 miles of trails. The City would be responsible for trail maintenance.

Planning Commission is forwarding with a positive recommendation. They had three conditions. (See staff report).

Public hearing is required and was noticed properly.

The Mayor opened the public hearing. There was no public comment. The Mayor turned things back over to the Council.

Paul Watson explained he was here just to answer any other questions as the Planner covered everything.

Councilmember Forman was asking for a correct understanding on the Tifton lots of vs these lots. Planner Henneuse explained the differences to him.

The Mayor and Councilmember Forman wanted to know which lots were the affected lots.

Paul said the whole purpose of the project was to consolidate things down in the bottom areas.

Councilmember Forman feels that they need to be consistent on the lot sizes and when they require Area of Disturbance (AOD). He is also a little concerned about the trails. How are they going to be maintained? There was a brief discussion.

The Mayor said they would need to put money in the budget each year for maintenance.

Councilmember Crittenden didn't see that there would be a lot of costs there.

The Mayor loved the no street lighting, and he would also like to restrict eve lighting. Planner Henneuse said that we do have a lighting code.

Councilmember Forman likes that they want to protect the night sky. Councilmember Crittenden would like them to not have lights in the eves. The Mayor said they would like to restrict the lighting as much as possible.

Paul said they are not quite sure what level they are at there. Paul also explained that they would provide more parking for horse trailers and vehicles.

***The Mayor motioned to approve the Master Plan and the Preliminary Plan with the one stipulation of no streetlights and work to restrict eve lights and much as possible and the trailhead will improve parking for horse trailers. Councilmember Crittenden seconded the motion. All voted in favor, motion passed.***

**B. Francis Cove---**Planner Henneuse reviewed the staff report with all present. She explained that the Planning Commission has had three meetings on this. She showed a map that was revised since the Planning Commission meeting. She explained and pointed out different items on the map that was shown on the screen.

She explained what the code currently required and what was presented. She reviewed the staff report again with Council. She then reviewed the variance request and what the four conditions would be and what would be required.

She reviewed the first variance (frontage) and reviewed what the cottage code said and what was presented. Second variance is an alley width, and they would like to do a 20-foot alley. She then explained what city code said.

Planning Commission forwarded with a positive recommendation of 4-1 and she explained their thoughts. She then showed Council the maps that Planning Commission received and then showed Council the changes in the maps that Council received.

Planner Henneuse stated that she has three public comments that would be read in.

Engineer Kettle reviewed his letter to the Council and discussed the snow storage, Udot approval, and water on site. The biggest concern is the road width and the shoulders.

The Mayor opened the public hearing.

Julie Keyes stated that her property is the most impacted by this. She explained why there was a ten-to-fifteen-foot berm between the properties as the property was flooded when the church owned the property. She said if her property is flooded then they will be responsible for the damages. This is very irresponsible of the City.

Planner Henneuse read three more comments. She read letters from Susan Cann, Lee Snelgrove, and Brian Henneuse Chair. (See attached letters) They were all in opposition to this proposal.

The Mayor turned the time over to Lupita. Lupita asked Planner Henneuse to pull up her slide presentation. She thought this would be good information for a small town. She explained that she can see that they do need to make a few changes. She also explained that she had been a little distracted as her family lives in Florida and with everything going on she was a little distracted. She went through her slide presentation and explained each slide to the Council.

The Mayor asked her to limit her presentation to Francis Cove as he didn't feel like they needed to go through the whole presentation. She explained what some of the goals were and why she felt that they met all of those goals. She reviewed the zoning and why she thought that this applied to the City as well.

Lupita introduced a few people who would be interested to live in Francis, and they would like this, and she feels this would be good for the City. She explained what she thought the benefits would be. She then reviewed the codes that had been discussed and what ones might need to be changed. She then reviewed the technical issues that she felt needed to be addressed. She reviewed the zone, number of homes, impervious surfaces, and open space. She feels they are pluses for the City. She reviewed a timeline of the development and explained they had met with the Planning Commission.

Barry doesn't see there is any reason they can't have the PUD she said. She asked the Council if she could address some of the items that had been discussed so they can address them in their concept plan. She thanked the Council for their attention.

The Mayor asked the Council for any questions or comment.

Councilmember Forman asked what fit the current code. Planner Henneuse explained they had been approved once already for four homes. He said the way this is proposed the City doesn't take on the road so there is maybe a benefit there. But they are adding eight and that will add another 32 cars or more. He would love it a lot more if it were three or four homes.

The Mayor asked how big the homes were. Planner Henneuse explained what sizes the homes were.

Lupita explained to Barry that she was talking about the size of the homes. The Mayor said he brought it up because his understanding was the codes were to make some affordability. Something that was more

workforce type housing. He explained his thoughts. The purpose of the PUD was to provide some work force service housing and he does not fill this does that. He also does not like the roads and the way they are set up.

Lupita asked the owner if the footprints could be smaller. He said yes. The Mayor shared his thoughts once again. He feels there needs to be a lot of issues addressed.

Councilmember Crittenden feels they need to decrease the sizes of the house and the lots. He would be in favor of something like that. The Mayor agreed he is not opposed to the concept, but he would like to see more careful well thought out planning.

Councilmember Query feels there needs to be a little more planning and to meet with the cottage zone. Councilmember Fryer did not like a lot about it, and she explained her thoughts about it.

The Mayor said it was zoned for cottage and they could do five lots. He then asked Engineer Kettle for his input. Engineer Kettle explained his thoughts on things. Councilmember Forman does not like varying from the code and he doesn't like to make exceptions. You have a piece of property you wish to develop and if you do what the code allows then things are good. He does not like to see something you have to argue about.

Planner Henneuse explained what the variances were and that they didn't meet their standards.

Councilmember Crittenden agrees with Councilmember Forman, and he doesn't feel they need to make all of these variances. They should just leave it Cottage Zone.

Planner Henneuse explained her thoughts on everything and how things laid out.

Lupita asked if they met the eight-foot requirement, and two other conditions is there any reason they couldn't meet the overlay.

Councilmember Forman explained his thoughts on what he thought might work. He can wrap his mind around one variance, but not two or three.

Lupita asked if we would do an alley code. The Mayor told her no they would not do an alley code. The Mayor is quite sure the Council is not going to approve this.

Councilmember Forman asked if it was a zone change and he was told yes. Engineer Kettle explained how everything happened. This is a zone change applied for, but it has to fit what the code says and what it allows.

Councilmember Forman is not going to make any promises tonight.

The Mayor said the best she will get tonight is to table which is better than denial.

***The Mayor motioned to table until the next meeting or whenever the applicant has met with staff and discuss with staff what was discussed tonight. Councilmember Forman and Councilmember Crittenden seconded. The applicant needs to meet with Engineer Kettle and Planner Henneuse and figure out how to modify the concept plan.***

## **5. Discussion, Updates and Approval on Potential Action Items**

**A. Route 32 Site Plan**---Planner Henneuse read her staff report to all present and explained what had been going on with the project.

The Mayor asked what they needed to do. Planner Henneuse explained what they needed to talk about. Follow Scotts recommendation on the site plan. She explained Wes is going for more of an agriculture theme. She explained the parking code and that they need 202 stalls which they have. As far as phasing they would like to start building lot 7. Along with that some improvements on Paige Lane, a hammer head turn around and landscaping.

Planning Commission is forwarding with a positive recommendation. Planner Henneuse explained their conditions. There are four different items that needed to be approved.(See attached staff report).

Engineer Kettle explained they needed to submit their construction plans and he explained what needed to be done with the water and sewer. He also stated we needed a copy of the wetland study.

Councilmember Fryer asked why he picked lot 7 to go with first. Wes explained it to her. Everyone likes style number two.

***The Mayor motioned to approve the concept site plan, architectural 2, lighting plan and the parking access and that they approve all four of those tonight along with staff recommendations. Councilmember Forman second the motion. The Mayor and all Councilmembers voted in favor; motion passed.***

**B. Johnson/Excavating/Commercial Concept Plan**---Planner Henneuse explained this is the first step, the concept plan. She reviewed her staff report with everyone. (See attached staff report). They are proposing a pole barn structure and she explained where their access points would be. Looking at City Code this is an allowed use. Everything has to be contained inside the warehouse.

The applicant would like to only pave 50 feet of the driveway and the code requires more. The Planning Commission is forwarding with a positive recommendation with the following conditions.

1. Perform a wetlands study that shows wetlands will not be disturbed.
2. Machinery and equipment must be parked inside warehouse (this is already required by 18.45.020).
3. If entire driveway is not asphalt or cement, it must be hard-packed.
4. Consider covered parking as additional parking spaces.

Johson's just want to see if this is feasible.

Engineer Kettle explained water and sewer were installed in 2008 when they built that entrance. One of the things discussed was the paved driveways and should the access from 32 be paved. There are also wetlands, so they need a wet land study. Danny said that the wetlands study was in process now.

Danny explained they don't want people pulling down in there and that is their reasoning on the road. The rest of the property will be open space.

Councilmember Crittenden asked if they were going to gravel the driveway, Danny would rather stay away from the asphalt.

Engineer Kettle explained it is a commercial subdivision and they have asked that commercial lots be asphalted so that could cause some issues with other commercial properties. Just the required parking needs to be paved. Three spaces are required.

Councilmember Forman asked what the width had to be. He was told there wasn't one.

***Councilmember Forman moved to approve the concept plan for Johnsons X with the requirements of the staff's recommendations. Councilmember Crittenden seconded. The Mayor and all Councilmembers voted in favor; motion passed.***

**C. Summit County EMS---**The Mayor explained that all the municipalities need to create a fund for EMS. Nobody knows the cost. There is a study going on right now. They have finally convinced three of the County Council members to wait until May for this. Down the road somewhere there will need to be a line in our budget for EMS.

## **6. Council Business**

**A. Council Reports---**Councilmember Fryer has receipts for Queen Contest.

City Recorder Gillett brought up that Carl Miller from the County wanted to come discuss and Interlocal Agreement to establish a rural plan organization. She also asked about a Halloween Parade and if they were going to do one.

Councilmember Fryer will organize the Halloween Light Parade on Oct. 28<sup>th</sup> meet at 7:00 p.m.

Christmas party, the Mayor will come talk with office staff.

**B. Planner Reports---**Planner Henneuse explained they have an RFP out for the park and what they were looking for. They also have an RFP out for our new City Hall, and last there is a grant out that is due October 31<sup>st</sup>, 2022, and she wondered if there was anything Council wanted to apply for.

**C. Engineer Reports---**Engineer Kettle explained they pulverized 1000 East and he explained why they started at the south end instead of the north end. He explained all of that. The tank will be out to bid next week.

**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.

## **8. Meeting Adjourned**

Minutes accepted as to form the 10th, day of November 2022.

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Mayor Jan Brussel

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City Recorder Suzanne Gillett

City Seal