

**Francis City Council Meeting**  
**Thursday, November 9th, 2023, 6:00p.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](mailto:comments@francisutah.org)**

**Council:** Councilmembers Fryer, Hunter, Querry, and Summers

**Excused:** Mayor Forman

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

**Others Attending Council Meeting:** Brad Murdock, Thea Atkinson, Riley Atkinson, and Delores Mansell

**Welcome, Call to Order, and Pledge of Allegiance---**Councilmember Hunter called the meeting to order. He explained that the Mayor could not make it tonight. Councilmember Summers lead in the Pledge of Allegiance.

**1. Consent Agenda**

**A. Approval of Check Register Dated November 9<sup>th</sup>, 2023, and Approval of the Minutes of October 12<sup>th</sup> and 26<sup>th</sup>, 2023—***Councilmember Fryer made a motion to approve the check register and the minutes of October 12th, and 26<sup>th</sup>, 2023. Councilmember Summers seconded the motion. All present voted in favor.*

**2. Public Comment---**Councilmember Hunter explained how the public comment period worked.

Brad Murdock resides at 443 St. Road 35. He thanked the Council for hearing him. He would propose some business be done on the speeding in our neighborhoods. He feels they need to investigate the legality of speeding. He thanked the Council.

Riley Atkinson resides at 517 West Atkinson Lane. He agrees with Brad and informs Council that he walks his dog and he and his wife have almost been hit more than one time. He agrees something needs to be done.

Councilmember Fryer said she understands the concern. She feels they cannot really do anything, but they can reach out to the County. She explained it is always on top of their mind.

### **3. Public Hearing**

**A. Atkinson Acres Minor Subdivision---**Planner Henneuse reviewed her staff report. She explained that Delores Mansell owns the property, and her nephew would like to purchase some of the property. She displayed a map on the screen. She explained everything that needs to be done. (see attached staff report)

She explained that they could go through both rounds of planning at the same time, and she recommends that.

Councilmember Hunter opened the Public Comment Period.

Riley Atkinson resides at 575 West Lambert Lane. He explained that he and his wife really want to live here. His family has owned that land for seven generations and he hopes they will allow them to live there on the family farm.

He asked a couple of questions. Are they willing to accept Beaver Shingle Creek water shares and then the bond? They would like to get this done as soon as possible and certainly by the end of the year.

Councilmember Fryer asked about subdividing everything now instead of waiting.

Planner Henneuse said they could do that, but every time you do that they need to put in the infrastructure.

Councilmember Hunter closed the Public Hearing.

Councilmember Hunter asked Engineer Kettle did they not talk about that a month or so back?" He was told they had a conversation on the Beaver Shingle Creek Water. Engineer Kettle explained that right now that is not approved. In the past they have made a water agreement for those shares and if that does not work out then they need to get other shares.

Councilmember Summers felt that if we approved this tonight there are a couple of caveats we would need to still work out.

Councilmember Query is good at passing it on to the people that have grown up here, and he is willing to work things out with the water.

Engineer Kettle explained they would not be able to get anything recorded until they had the water or some sort of agreement.

Attorney Christopherson said we do have other shares, but they would need to work that out.

***Councilmember Query made a motion to accept the preliminary plat for the Atkinson Acres Subdivision with getting the water issue all figured out. Councilmember Fryer seconded the motion. All Councilmembers voted in favor; motion passed.***

**B. Code Text Amendment Ordinance No. 2023-07---**Planner Henneuse read her staff report (see attached) She explained that this was sent to the Planning Commission and now it is coming back to City Council. She went through all the changes that had been made.

She explained that the Planning Commission is sending it to the City Council with a positive recommendation.

Staff recommends three different options. (see attached staff report) She reviewed all the definitions and options with Council. She explained that she does not like the definition of height now because she must figure out the midpoint and things like that. So, she proposes simplifying it. She explained it is like how Kamas does it and she explained how and why. She reviewed each definition and exception they were making in the code.

Public hearing was opened. There was no public comment, so the public hearing was closed.

Councilmember Query said so far from the look of it unless it is not worded quite the same then we are the highest on height. Planner Henneuse reviewed the chart of the cities she had. He asked if this would affect the property on the corner here and Planner Henneuse explained that. He wants to know if we are doing this because of the hotel. Planner Henneuse said yes partially and explained her thought process.

Councilmember Query does not see anything in the valley that is 40' or 50'. There are no provisions or anything.

Councilmember Summers said he is on the same side as Councilmember Query.

Councilmember Fryer and Query discussed the heights back and forth and what they wanted to see and not see.

Attorney Christopherson explained you are trying to balance the interest of keeping the rural feel and offset the increasing of property taxes. He feels Planner Henneuse has done a good job with that. A lot of it is just cleaning things up. He shared some things that have been done with other projects and how they have been positive in the community. He is trying to weigh short term vs long term.

Councilmember Fryer explained that she was the no girl for years, but she understands that if we keep not allowing things, we will just keep raising property taxes.

Councilmember Query explained his thoughts on the whole process.

Planner Henneuse explained that the Planning Commission has been working on the General Plan for quite some time and they would like to see more commercial growth than residential. Her other thought is that if you want to change the commercial height, they do not have to do that in this meeting.

Councilmember Querry does not want to compromise for the way he feels. He is thinking about it. The grade thing does not bother him, but it is the height.

Councilmember Summers would like to dictate the commercial that comes into the valley. Planner Henneuse said they can control that. Councilmember Summers just does not feel that a hotel should be on the list.

Engineer Kettle said he agrees you don't need to sell out, but do you want to get some commercial here?

Planner Henneuse said this would not approve a hotel anyway. In her opinion it clears up the code.

Attorney Christopherson said it limits it too commercial only.

Councilmember Hunter explained that he was concerned about the business on the corner as well. He does not feel they should bend over backwards to meet the hotels plan. Now all they are doing is to add the parapet wall. His concern is if the hotel comes in and they could build it and their roof line would be forty feet. The elevator doesn't necessarily need to be above the roof. What is better for the City people? Or do we allow the code change to put up a decorative wall? He explained his thought process.

Councilmember Querry does not want the tallest building 50 feet in the valley. His main concern is the 10-foot parapet wall. This is just a line in the sand for him.

Councilmember Hunter said they are now tasked with one of the three options. He asked if they were all comfortable with one of the three options. Approve in the best interest of the City, deny in the best interest of the City or table.

Councilmember Querry asked if they could chop this up. He was told yes.

Attorney Christopherson felt this code and text amendment is not raising any issues with the public as you can see, they are not here. But if you are raising taxes then everyone would be here.

Councilmember Summers agrees with Councilmember Querry. Councilmember Hunter feels that it is a moot point right now.

***Councilmember Hunter motioned to table this item until we have a full council present. Councilmember Fryer seconded the motion. All present voted in favor; motion passed.***

**A. Ordinance No. 2023-08 Water Conservation & Landscaping---**Councilmember Hunter explained that this was tabled in the last Council meeting.

Planner Henneuse said yes this was tabled in the last Council meeting and she reviewed the discussions from that meeting and that we just did not have the Ordinance that night, so we just need to approve Ordinance No. 2023-08.

***Councilmember Summers motioned to approve Ordinance No. 2023-08. Councilmember Fryer seconded the motion. All Councilmembers voted in favor; motion passed.***

**B. Fleet Lease Resolution.** ----Attorney Christopherson explained this is a change with the vehicle lease. The leasing company has changed banks, and this Resolution is just approving this. They just need Councils consent.

***Councilmember Query motioned to pass Resolution 2020-09. Councilmember Fryer seconded the motion. All Councilmembers voted in favor; motion passed.***

**C. Moderate Income Housing---**Attorney Christopherson explained that they had discussed this a couple of weeks ago. Starting with Stewart Ranch. The approval would be a good starting point. He was able to negotiate up the number. He explained how that all worked.

The initial starting price entered in agreement with a 6% price to increase annually. This is workforce housing, they are required to go to teachers, military etc. and it must be advertised for 90 days for this group.

Councilmember Query wanted to understand the 6% a little better. Attorney Christopherson explained to him how it worked. Councilmember Query wanted to know when that would kick in. He was told right away. They only have one year at the initial sales price and then it goes up every year after that.

Councilmember Summers explained that they talked briefly about the fee and raising it yearly, for expired subdivisions.

Planner Henneuse explained that they are going to do a big code update and part of that is extending the expiration from one year to two years and then that is a good time to look at the fee and rate ordinance and raise that.

***Councilmember Query motioned to authorize the Mayor into entering this contract subject to getting an agreeable initial price and adjusting from 8% to 6 %. Councilmember Hunter seconded the motion. All Councilmembers voted in favor; motion passed.***

Attorney Christopherson explained that with Hart Crossing there are two options, and they want the Councils opinion. We either let Rusty do what he proposed or come back and say 10% of your units need to be deed restricted. Attorney Christopherson and Planner Henneuse feel the deed restriction is the better way to go.

Then on Hidden Meadows they could amend the code instead of all town homes deed restricted only 10%. Or keep deed restriction in place.

Councilmember Querry wanted to know what price that would make things. Planner Henneuse told him what things would be for 3-bedroom and 4-bedroom homes.

Council discussed setting the number of deed-restricted units at 10% but decided 20% is better.

In Hart Crossing 4 units would be deed restricted.

Planner Henneuse said we need to change the code to deed restricted and then let Rusty decide what he is going to do for Hidden Meadows. He might choose to take out the townhomes.

The agreement is already in place for Hart Crossing. But they could make changes with Hidden Meadows.

Attorney Christopherson explained we would prepare an amendment to the code to put 20% of those townhome units would be deed restricted. Then prepare drafts of modifications for Hart and Hidden Meadows and present them both to Rusty at the same time.

**D. Ennis Gibb/Wreaths Across America---**Ennis explained there had been significant progress so he wanted to report back to Council. He again explained the mission of Wreaths Across America and retold his experience on his trip. He again explained that this usually takes place the 3<sup>rd</sup> Saturday in December. He feels that it has received great support from everyone. He reviewed once again what he was asking for and what would happen. There will be two ceremonies, one at Francis Cemetery at 11:00 am and one at 1:00 pm in another cemetery. He explained what would happen and who would be doing what. He said they will not have enough wreaths for all the veterans. But anyone who takes a wreath can find a veteran and put one on their grave. The whole program should only take 30 minutes.

Ennis would like to ask the City Council to do some things (see attached list). He would like to ask them to purchase some wreaths and sponsor a wreath themselves. He would like someone to function as a dignitary.

Councilmember Summers is willing to be the City dignitary and will work with Ennis.

Councilmember Fryer thinks this is a great idea. Her uncle and her father were both veterans.

Councilmember Hunter explained what they discussed after the last meeting. Ennis said orders needed to be in by November 28<sup>th</sup>. Check goes to Wreaths Across America.

**E. Fee & Rate Ordinance Discussion---**Recorder Gillett explained she had provided them with the Fee and Rate Ordinance for them to review the costs on the building and water shut offs and reconnections. There was a brief discussion on Francis rates compared to Kamas rates.

Councilmember Hunter clarified this was up for discussion and he was told yes.

*Councilmember Hunter made a motion to table for tonight and bring it back next month for further discussion. Councilmember Query seconded the motion. All Councilmembers voted in favor; motion passed.*

**F. Frontier Days Discussion---**Councilmember Hunter was not sure what they needed to discuss. Recorder Gillett explained that the Mayor wanted to discuss this item. He would like to try and have things ready to go for Frontier Days done in advance.

The council decided that they should hold off on this item until the Mayor was present.

Councilmember Fryer explained that in Kamas they still have a meeting every month on Fiesta Days until things are all figured out. She also said Jessica Crystal wants to do a hike for Frontier Days as well as the one she does for Fiesta days. She feels that they should have committees and meet once a month.

Councilmember Hunter's concern is with that many people involved we end up with more than two Councilmembers then that is considered a Council meeting.

Recorder Gillett explained how they did things in Oakley and that they have committees and then one Councilmember collaborates with each committee.

*Councilmember Fryer motioned to table until next council meeting when the Mayor could be there. Councilmember Summers seconded the motion. All Councilmembers voted in favor; motion passed.*

## **6. Council Business**

**A. Council Reports---**There were none.

**B. Planner Reports---**Planner Henneuse informed Council that the Nov. 28<sup>th</sup> meeting will be to talk about the Ure property. They will meet at 5:30 pm at Kamas City Hall. She also explained we will get \$108,000 for the Recreation Parks Grant. She then explained that Recorder Gillett has sent them several emails on training opportunities and would encourage them to all sign up.

**C. Engineer Reports---**Engineer Kettle said 1000 East water line is installed and ready to connect. They are going to do the paving next year due to the weather. Tank has been filled and getting ready to do a leak test. CDBG public hearing will be next month.

Councilmember Query asked about a pump blowing up. Engineer Kettle explained what had happened.

**D. Mayor Reports---**None

Planner Henneuse brought up the Christmas Party and Councilmember Hunter explained what he has done and the cost of things. There was a brief discussion, but nothing was decided.

**6. (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.

**7. Meeting Adjourned---***Councilmember Querry motioned to adjourn. Councilmember Hunter seconded the motion. All Councilmembers voted in favor, meeting adjourned.*

---

Mayor Jeremie Forman

---

City Recorder Suzanne Gillett