

Francis City Council Meeting
Thursday, March 10th, 2021, 6:00 p.m.
2319 So. Spring Hollow Rd. Francis Utah

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Meeting ID: 878 1157 3128 Password: 715816

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

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

Others Attending: Wes Harwood, Bob Murphy, Mark Stevens, Russ Witt, Rusty Webster, Lola, Sam, Gracia Eisman, Jack Walkenhorst, Justin Harding

1. Welcome, Call to Order, and Pledge of Allegiance---The Mayor welcomed all in attendance at 6:00 p.m. March 10th, 2022 . He then asked Councilmember Crittenden to lead in the pledge.

2. Consent Agenda

A. Approval of Invoice Register Dated March 10th, 2022---*Councilmember Forman motioned to approve the check register of March 10th, 2022. Councilmember Fryer seconded the motion. All present voted in favor; motion passed.*

B. Approval of Minutes from February 10th, 2022—*Councilmember Forman motioned to approve the minutes of February 10th, 2022. Councilmember Querry seconded the motion. All present voted in favor; motion passed.*

3. Public Comment---The Mayor explained how the public comment period would work and opened the meeting for public comment. There were none.

4. Public Hearings

A. Resolution 2022-02 Regarding Raises---The Mayor explained that he had spoken with the Council in regard to raises for the employees. He explained that with the rate of inflation and feeling like the employees are not making enough , he would like to give them all raises.

Council was in favor. The Mayor explained that Resolution 2022-02 was the Resolution that would need to be passed.

Councilmember Forman moved to pass Resolution 2022-02, A Resolution Setting Compensation For Francis City Employees. Councilmember Crittenden seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed unanimously.

B. Ordinance 2022-01/Code Text Amendment---The Mayor turned the time over to Planner Henneuse. Planner Henneuse explained the purpose of this amendment is to make updates, revisions, and clarifications to the City's codes. She read and reviewed her staff report explaining the following sections with changes: 2.20.080 #2, 2.20.080 #4, 12.10, 17.25.070,18.15.030,18.35.040, 18.40.040,18.45.60,18.50.050,18.55.050,18.100.060, 17.60.025, 18.15.140, 18.15.200, 18.40.020,18.40.60, 18.58.060,18.40.060,18.59.020, 18.65.030, 18.100.100 (See attached staff report).

Council discussed how it was now and what changes could be made. Councilmember Fryer asked the developers in the audience how they felt. There was discussion amongst Rusty Webster and the Mayor. Councilmember Forman asked the Mayor to explain what he had said again. The Mayor again explained his thoughts and that when they put something in black and white that's what it needs to be is black and white.

There was some discussion on the townhome's vs the single family homes and what the tradeoff is.

Planner Henneuse feels that everything needs to be very clear and black and white.

The Mayor explained a lot of different things that could happen if we don't have things done and established.

They discussed clarifying conditions for townhomes in conservation subdivisions. Councilmember Query said they would all need to be deed restricted then. He was told yes.

The Mayor said that they need to figure things out somehow. Councilmember Crittenden said he didn't really care he just likes having more open space.

18.15.140 Planner Henneuse explained why this change was being made and what brought it to her attention.

Planner Henneuse explained that the Planning Commission reviewed this code text amendment at their February meeting. They recommended some changes (which have been implemented) and are forwarding this to the City Council with a unanimous positive recommendation.

Staff recommendation is to review the amended code, suggest changes if needed, and approve Ordinance 2022-01 if amendments are agreeable to the City Council.

Councilmember Crittenden is on the fence about the 17.60.25 with the density part. The reason is he likes a smaller footprint all the way around and he doesn't know if this spells that out or not.

The Mayor explained his thoughts on how it worked. Do they change from concept plan to maximum allowable density? There was discussion on that.

Councilmember Crittenden feels there are people around the valley that don't like the townhomes, but he does. He explained they don't have big backyards and don't use as much water. He wants to preserve as much ground as possible. He feels it gives someone more of a chance to still live here. He wants to preserve the rural agricultural area.

Planner Henneuse explained Hidden Meadows was annexed in as AG-2 and she explained how that worked. Councilmember Forman asked if there was a density bonus though and he was told yes.

Councilmember Forman feels either way they will have a lot of discussions on how things are going to look and how things are phased. All it does is change when you start planning.

The Mayor explained the way this is written as it is proposed it does present the issue of more hog trading, you need to have more discussions before you get to concept plan.

The Mayor asked if Council had any other questions and there were none. He asked if there was an Ordinance for all the changes and he was told yes. He said they may want to carve out 17.60.25 and do a separate ordinance after more discussion.

Councilmember Forman moves to pass Ordinance 2022-01 with the correction that the code text amendment for section 17.60.025 be tabled until next meeting. Councilmember Crittenden seconded the motion. The Mayor voted aye, and Councilmembers Crittenden, Forman, Fryer and Querry all voted aye; motion passed unanimously.

C. Hart Crossing/Plat Amendment---Planner Henneuse explained that Hart Crossing Plat A was recorded in July 2021. Per the development agreement, a 1-acre building envelope was designated for Farm Lot 1. An ADU was illegally constructed outside of the building envelope in the conservation easement area. Rusty Webster and Gary Webster are requesting to amend Plat A to change the location of the building envelope for Farm Lot 1 so that the ADU is within the building envelope and so that they can apply for a building permit for the ADU. The building envelope will remain 1-acre.

She then reviewed City Code 17.05.080 Vacation, alteration, or amendment of subdivision plats.

Staff recommends that Council review the letter submitted by applicant and the amended plat. If no concerns arise, approve the plat amendment.

The Mayor opened the public hearing. There were no comments, and the public hearing was closed. The Mayor brought it back to Council.

Councilmember Forman moved to approve the plat amendment for Hart Crossing Plat A. Mayor Brussel seconded the motion. All voted in favor; motion passed unanimously.

5. Discussion, Updates and Approval on Potential Action Items

A. Francis Commons Final Plat Phase 1---Pulled from the agenda.

B. Town Center Project/Concept Plan---Planner Henneuse explained that Russ Witt and his Architect are both present at the meeting tonight. She explained that Russ Witt, is the owner of parcels FT-92 and FT-99, submitted a concept plan application for a mixed-use development. The parcels are located on the southeast corner of the SR 32 and SR 35 intersection. They are zoned CC (City Center) and are 2.48 acres combined. Architectural renderings and two site plan concepts were submitted with the application. (See attached staff report).

Planner Henneuse reviewed Sections 18.57.020, 18.57.060, 18.57.070, 18.57.050, 18.100.070, 18.100. She went through each code and talked about how it affected this property.

Planner Henneuse displayed a couple of maps of the parking areas. One was more retail parking; one was more regular parking. She reviewed what was in code regarding the parking and went into some lengthy detail on some of the options that had been discussed. She really wanted to discuss this with the Council.

Engineer Kettle explained that he is not for the street parking.

Planner Henneuse shared that the Planning Commission reviewed this application with the no street parking site plan at their February 17th, 2022, meeting. They are forwarding it to the City Council with a unanimous positive recommendation. The Planning Commission said it would consider a code text

amendment to reduce the number of required parking spaces for some smaller apartments and was open to the idea of the City sharing parking with this development.

Staff recommendation is to discuss the project with the applicant and review the architectural renderings and site plans. Discuss the advantages and disadvantages of each site plan, specifically in regard to parking. Answer any questions that the applicant may have. Approve the architectural renderings and a site plan concept if they are satisfactory to the City Council.

The Mayor asked if Russ Witt and his Architect Mark Stevens would like to speak.

Mark Stevens explained what they were thinking, and they don't want to be short with parking either.

Councilmember Fryer wanted to know if all the retail spots are were filled or not. She was told they were speck.

Russ Witt felt it is important to point out that there is a bus stop here so people may be using that and not need as much parking. He said they have gone back and forth and showed Planner Henneuse about ten designs. They really only have one shot, and he doesn't feel the best use for that is parking. He explained that he had buildings in Heber and where they were.

The Mayor asked if they were going to be rental units and Mr. Witt told him yes.

Councilmember Forman asked if there was any differentiation between parking anywhere in the city vs parking in the city center other than the section she discussed on mixed use.

Engineer Kettle said they need to look at reciprocal parking and maybe that would help. He explained what reciprocal parking would do. The parking on the street he is concerned with that because of the ditch.

The Mayor said they need to work with them to make it as appealing as possible.

Councilmember Forman feels they need to have more of a discussion on the parking and how it could connect with the City.

The Mayor said if we did some modifications with parking then they should do an Ordinance for the City Center Zoning.

Councilmember Forman feels it makes sense what they are saying about the parking code in the city center only. He doesn't love varying from the code to make it work, but if it doesn't make sense then why not. This makes him extremely excited because we really do need this. He is willing to make something here work.

Mr. Witt expressed that the residential might be all it is at first, but it will bring the commercial.

Councilmember Crittenden asked if the residential would enter from the back. He was told yes.

Councilmember Crittenden said he would like to see it more of a western look.

The Mayor felt they needed to see what they could work out with the parking.

Councilmember Forman feels he would like to see all three code text amendments for parking.

It was decided that this parking code text amendments will be on the Planning Commission Agenda next month.

C. Route 32 Subdivision Concept Plan---Planner Henneuse read and reviewed her staff report (See attached report). She explained that Wes Harwood is under contract to purchase parcels FT-28 and FT-28-1, located on the southeast corner of SR 32 and Page Lane. The combined parcel acreage is 6.61 acres and is zoned C-1 Commercial. The applicant's commercial development concept plan was approved by the City Council in August 2021. Now the applicant is considering subdividing the parcels into 8 commercial lots and has submitted a concept plan. The applicant is awaiting approval to permanently remove all designated wetlands from the property. The site plan may be slightly modified once approval is granted.

She reviewed code 18.45 (C-1 Commercial Zone) with the Council She explained that the required frontage would be 35 feet and that the applicant is planning a 60-foot private right-of-way through the center of the development.

Planning Commission is forwarding this to the City Council with a unanimous positive recommendation.

There was a little discussion on the parking, curb, and gutter etc.

Staff recommendation is to discuss the proposed subdivision plans with the applicant and address any concerns. Advise on whether curb, gutter, and sidewalk need to be added to the right-of-way. If the concept plan is satisfactory to the Council, approve the plan.

Councilmember Crittenden asked what the buffer was off of SR32. Planner Henneuse said that all of the setbacks have been met.

Councilmember Fryer asked if he had talked to Nick Berry about sharing the entrance. Mr. Harwood explained that UDOT had already approved that.

Councilmember Crittenden motioned that we approve the Route 32 project concept plan. Councilmember Fryer seconded the motion. All present voted in favor; motion passed.

D. General Plan---The Mayor explained that it was time to update the General Plan and he has read all of it. He explained he has highlighted areas that are worth discussing. He would like to introduce it to Council and have them read and review it. He explained that we would need public hearings on it. He feels some of the things that have come up could be handled with the General Plan. Eventually we will need a work session with the Planning Commission.

6. Council Business

A. Council Reports---Councilmember Fryer reported that she arranged a Barrel Race for Sunday during Frontier days. The lady is from Duchesne. Councilmember Fryer is wanting to get some buckles for the event. They would need one for each division, there are four divisions, and she would like to use the tractor.

Councilmember Forman wanted to know if they would need to have a contract and certificate of liability, he was told yes.

B. Planner Reports---Planner Henneuse explained that Stewart Ranches Phase 3 the townhome phase, she has been working on the moderate income housing agreement and it goes back to what we were

talking about earlier. Initially they said at how many units do they need to be moderate income and she said all of them and they told her that was ridiculous. Code isn't very clear on that on how many need to be moderate income. So, Brad worked on the agreement and decided that 14 out of 23 would be fair.

They came back and said ok we'll give you three options. She explained what those options were. She then explained that in the development agreement it says they will do 123 single family lots and 23 townhome lots.

Councilmember Forman wanted to know since when does the developer tell them what they are going to do in our city. Councilmember Crittenden completely agreed with Councilmember Forman.

Stewart Ranches is selling this Phase to Ivory. All Councilmembers said they can do what the development agreement says or nothing.

Councilmember Forman feels that company thinks they can throw their weight around and tell them what they can do, but as far as he and Councilmember Crittenden are concerned, they can deal with it or cram it. The council was all in agreement.

The Mayor and all Councilmembers feel that 14 is a good compromise and they can pound sand. They don't get to come and tell them how to do things. If there is a legal precedence that's one thing, but outside of that, no way.

The Mayor feels if they want to come to Franics and fight, they will fight.

Planner Henneuse said that they had talked about contingencies and approval, and they are not even interested in working that way, because of things they have already done.

Next month should be a lighter agenda than tonight. The main thing will be the code text amendment by Paul Weller. He is wanting to change code for a home that doesn't fit on the property.

C. Engineer Reports—Still working on the well. He gave the Mayor a schedule of what's going on. The well is out to bid the first of April, the tank he is hoping to have up the end of May for the summer season. The Mayor wanted to know if they figured out a location on the tank. He was told they are still working on it.

D. Mayor Reports---On the prospect of a new City Hall building the Mayor is getting some RFP templates so we can try to get things out to bid, so we can see if we can still afford to build a building.

7. Meeting Adjourned ---*Councilmember Forman motioned to adjourn. Councilmember Crittenden 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 the 10th day of March 2022.

Mayor Jan Brussel

City Recorder Suzanne Gillett