

Francis City Planning Commission Meeting
Wednesday, November 10th, 2021
2317 So. Spring Hollow Rd.
Francis, Utah 84036

Planning Commission: Chairman Brian Henneuse, Commissioners Terry Perkins, Sam Hunter, and Bob Murphey

Staff: Planner Henneuse and City Recorder Suzanne Gillett

1. Call Meeting to Order---Chairman Henneuse stated it was November 10, 2021. He called the meeting to order to review the Hidden Meadow Ranches Utah, LLC. Annexation Agreement. It was decided that he would turn the time over to Planner Henneuse to read her staff report.

2. Review Hidden Meadows Annexation Agreement---Planner Henneuse read and reviewed her staff report with all present. (See the attached staff report) She explained that on October 28, 2021, the City Council approved an annexation known as Hidden Meadow Ranches. The conditions of approval are to be formalized by an annexation agreement. The annexation agreement must be reviewed by the Planning commission and approved by the City. Within 30 days of approving annexation, the City must file annexation documents with the Lieutenant Governor, who will then issue a certificate of annexation.

She then read the motion that was made in the October 28th, 2021, City Council Meeting. (See attached staff report). Staff recommendation was to review the annexation agreement and suggest revisions as needed. A public hearing is not required.

Chairman Henneuse explained that we have a couple of things here, we have the original agreement, some comments, and edits. So he feels they should look at the commentary and formatting.

Commissioner Murphey asked if they could go through the Development Agreement first. He had a few questions on section seven. In section seven of the annexation agreement he feels it is not continuous with the property of the City and it's not. The drainage ditch is US property and that is what is connected to Francis City. He also feels this creates an island and shouldn't be allowed.

Planner Henneuse explained to everyone how the property was connected and that the City Attorney felt that there is not a problem or any issues with an island or peninsula. She feels the Attorney's have resolved the issues.

Commissioner Murphey wanted to see the letter from the County. Recorder Gillett provided that for him. He shared his thoughts on why he still felt that it wasn't continuous. The discussion continued and he was shown that the property did touch Francis. Commissioner Murphey realizes he is the only one that voted against this and will continue to do so as he does not feel it is continuous.

Commissioner Murphey wanted to know why we were having this meeting and rushing things. Recorder Gillett explained the Legislature changes and that we were given the steps out of order and that is why we are having this special meeting. We have certain deadlines that need to be met. We need to have this to the Lieutenant Governor's office within 30 days of City Council approving it.

Commissioner Murphey wanted to know if we could change the annexation fees for each lot. Planner Henneuse explained that many cities don't even charge them, she feels that we should not be changing anything right now, and we couldn't make any changes on this annexation anyway.

Commissioner Perkins asked if changes could eventually be made. He is concerned with the wording on the annexation fees. He feels we are charging 50% up front and then 50% at plat recordation. The lawyer said he wanted a guaranteed that we are going to have a well in place and he is concerned with the City covering that cost.

Commissioner Hunter brought up his thoughts on the well and how things are going to be funded. He doesn't want to see the City get into a pinch.

Planner Henneuse explained how things worked with the well and tank with Tifton Hills and Stewart Ranch.

There was discussion on the well and tank site. Commissioners feel that they should not accept one of the comments from Rusty's Attorney. Planner Henneuse explained that the conditions set forth in the motion from City Council need to be met.

Commissioner Hunter does not like the way the trail system is worded in our documents. It says it will be managed by South Summit Trail System. Commissioner Hunter wanted to make sure there wouldn't be any extra grief on the City.

Chairman Henneuse felt they had a disagreement in acres in section 9.5 we say 475.83 so is that a typo? Planner Henneuse explained to them how they produced the numbers. 80% of the 477 acres. Commissioner Hunter said the 80% open space says we have control of that, and Rusty's Attorney wants to keep the LLC involved.

Chairman Henneuse wanted to know, do we want the City to own the open spaces or how will that be handled. Planner Henneuse explained her thoughts on that. Chairman Henneuse wanted to know why we would be opposed to the association owning it.

Chairman Henneuse wanted to know if they needed anything on succession. He wanted to know if they explicitly stated that. He was told yes, they did.

Commissioner Perkins wanted to know if they needed to put in the well and tank and what section should it be in?

Chairman Henneuse said as a concession they could put in the transferability of the well tank. Planner Henneuse didn't feel that they should do that.

Councilmember Perkins informed everyone that he was concerned about the peninsula, but it was addressed, so he is good with things.

Planner Henneuse explained that if they ever needed to do any amendments to this agreement, they could with City Council approval.

Planner Henneuse asked for their recommendations. The Planning Commission's recommendations are as follows:
Recommend accepting Attorney Bracken's comment on the trails, the city will approve them.
Reject Attorney's wording on the well, tank and reservoir as the City should not be obligated.
Commission ok with Hidden Meadows owning the conservation easement for grazing, trails foundation excluded from having to own the trails, City will have no obligation for well tank and reservoir, and they are ok with the formatting edits.

Planner Henneuse explained how things will proceed from here.

Meeting adjourned.