

Francis City Council Meeting
Thursday, January 24th, 2019 7:00 p.m.
Francis City Community Center
2319 So. Spring Hollow Rd.
Francis, Utah 84036

Attending: Mayor Byron Ames, Councilmembers Jeremie Forman, Matt Crittenden, Shana Fryer, Trilby Cox. City Engineer Scott Kettle, City Recorder Suzanne Gillett, and City Planner Ryan Robinson

Others Attending: Jill Leonard, Cathie Hart, Leslie Canfield (Hart), Carole Lazenby, Dennis Lazenby, Maureen LaPray, Leon Moon, Elaine Robb, Bill Cooper, Kacey Cooper, Pete Gillwald, Joanne Aplanalp, Mike Johnston, Collette Madsen, Jane Wilford, Suzanne Butterfield, Rex Campbell, Trent Martinez, Mac Cox, Morgan Cox, Bill Crystal, Jill Gawreluk, Cheyenne Gawreluk, Cindy Selmer, Eldon Gines, Bob Wheaton, Stacy Lundgren, Mont Lundgren, Tom Lazenby, Rusty Webster, Chad Mitchell, Renee Atkinson

1. Welcome, Call to Order, Pledge of Allegiance & Thought—The Mayor welcomed all in attendance and thanked them for coming tonight. The Mayor asked Councilmember Cox to lead the pledge of allegiance and Councilmember Fryer to give her thought.

Councilmember Fryer stated this was a little off topic, but she had a close friend and relative pass away this past week and she wanted to thank everyone for their support.

2. Public Comment—None

3. Public Hearings

A. Stewart Ranch Annexation---The Mayor turned the time over to Planner Ryan Robinson. Ryan read the staff report and explained that Stewart Ranch had submitted two concept plans and he reviewed the items that he had in his staff report and what Pete was looking for. (See attachments).

Ryan explained where in the General Plan it talked about annexations. The Planning Commission is favorable to the AG-2 zone. They feel that 146 home is too high of density for the area. Ryan explained that this was discussed in the last City Council Meeting.

Staff recommends discussing the Zoning and General Plan. Ryan explained what options could be taken tonight.

The Mayor said if the council does table it tonight there needs to be time frames set. The Mayor asked council if they had any questions.

The Mayor turned the time over to the applicant.

Pete Gillwald explained that he is over seeing the Stewart Ranch Project. He presented his thoughts on what had been presented in the past and his feelings on everything. He stated they are offering to donate land for a future water tank and well structure.

Pete feels they have presented a specific amount of open space to be preserved. He feels that the city has the capacity to handle growth. He feels that they have met the transportation requirements of the city. One

of the other goals is to encourage rural themes. Within the Annexation Policy itself it talks about ensuring orderly growth and environmental quality and he feels that they are doing that.

He feels that the General Plan is just a guide and council can change that if they want. He said the General Plan was adopted during the Annexation Policy process. He feels that his project fits all these goals, and they have worked hard to create a project to blend with the community.

The Mayor asked Pete if he had any plans to show everyone, he said yes and presented his plans to all in attendance and explained the things that he would like to do. He feels that one of the benefits of the ordinance is that it allows town homes in the city.

The Mayor explained to sum up between the different proposals, the part on the hill doesn't change either way and that is 7 lots on the hill. Then there is more density on the flat. Pete feels that through the annexation process they will be giving 1.2 million dollars to the city with the ground they are donating for the well and annexation fees.

The Mayor opened the meeting for public comment and asked them to come to the lectern and state their name. He also explained they only had 2 minutes to talk.

Cheyenne Gawreluk stated that she is a senior at the high school, and have any of you been to the school? She can barely walk down the halls at school, are they going to build a new school? Have you considered the growth and what it's doing to the community, roads and water supply?

The Mayor said he appreciated her coming as a senior in high school and thanked her for that. The Mayor explained to her that there is enough water, but we don't have the ability to get to it. Even if no more homes are built in Francis, we still need another tank no matter what. Water is an issue and what they are proposing would be to give us the land and a tank to do the well. School crowding is a serious issue and problem. There is also overwhelming discussion throughout the valley of people looking for someplace to rent. Snowplowing is an issue and a challenge; the city needs money to be able to afford the equipment to take care of the roads.

Leon Moon wanted to know what the difference between AG-1 and AG-2 was, he doesn't understand what those terms mean, and what consists of a buffer.

Scott Kettle explained that AG-2 means 1 unit per every two acres and AG-1 means one unit per acre.

Maureen LaPray explained they have land adjacent on the east side and they run cattle there and how are they going to maintain the fencing. She asked the developer what his plans were. Pete didn't know, but at a minimum they would fence just the lot not everything. Maureen explained that if they don't want cows on their property then they need to fence out.

The Mayor said he doesn't know an answer to the questions. She wanted to know who they address these issues to. She feels if this gets approved, they have cattle coming in the spring and it needs to be done now not two or three years down the road.

Rusty Webster said that would have to go through the subdivision process and the development agreement.

The Mayor said that since the beginning of civilization this has been an issue.

Tom Lazenby said this is something the council really needs to think of.

Jill Leonard said she currently lives in the county on the east end of Gines Lane. She stated that she has sent a letter to all councilmembers and hopes that they consider it as she put a lot of time into it. She mentioned the wildlife report and it only covers the east end of the property. She feels that the Wildlife report is incomplete. She doesn't feel that two of the General Plan requirements were considered or even met.

Jill said she has read through past minutes and a Councilmember, in a set of minutes from last year, said once annexed you've got to let it go through. She doesn't feel that the people's issues have been addressed.

The Mayor thanked her for sending her letter.

Collette Madsen lives on Gines Lane and she doesn't feel that the annexation should take place at this time. She completely agrees with Jill Leonard and her letter. She is also concerned about the ditches. She feels that the agricultural user still needs to be able to use their water. She feels the water tank they are donating, and the land should be done anyway. Traffic is a major concern and she wants to maintain the air quality. She thinks there is a lot to consider and the scope of the project is way to big. This is not a rural development. She feels the annexation should not take place at this time.

Leon Moon said his sister mentioned concerns about the fencing, and he wanted to explain some things that have happened on their property. He is concerned because people encroach their land so much, he is afraid that someone sitting at their house see a deer on their property and shoot it, then they are going to want to go on their property to get it.

Carol Lazenby said she is neighbors on two sides of their development, and she wants to know about the fences and how are all the cars coming out of there. She said one of the driveways out of the home looks like a cul de sac and is that safe for fires? Who pays for the well and structure, and when we do run out of water who pays for that? Shouldn't we be conserving.

Bob Wheaton would like to thank the developers for the time they have spent on the plan. He would also like to thank the council for letting people speak. He explained that he owns property across the street, and he was only allowed 38 homes on their property and they have much more ground than this. For four times the density right across the street seems ridiculous. Open space should be for the benefit of the public, and so far, the plan only has open space on the project. For the developer to say he has been working with the city for the past three years is not true, this has been going on for years and years and years. They have been bouncing back and forth for years and years. He would like the council to deny and for the applicant to come back with a reasonable plan.

Elaine Robb lives on Gines Lane and her neighborhood is going to be especially impacted by all of this. She says there is no parking space on the roads and barely room to pass in spots. The 12 new homes on Gines Lane is already a huge impact. She wanted to know how the traffic issue will be addressed by Gines and Willow. Who is going to be paying for the costs? She wants to know how that is going to be handled. Why not do a bond and pay for the tank and well we need. Let the people that live here take care of things. The proposed development is not consistent with the current lifestyle that we enjoy.

Arlena Hansen has lived in their home for 43 years, and they love the area, the people and the home feel. She does not want a subdivision like this next door to her. She doesn't see ruining their neighborhood for these many homes when you have big developments already.

Jill Gawreluk said she is the mom on Cheyenne, and she is with her daughter and the rest of the community on the comments that have been made. She feels this is urban sprawl coming here. What if

there is an emergency and they all need to get out, how are they going to do that when they have problems with the roads already. She appreciates all that have spoken and what they have said. She feels they need to protect what they have.

Suzanne Butterfield lives on Gines Lane and she wants to reiterate everything that has been said and this is all above and beyond. We are running on a volunteer fire department and this is a huge concern.

The Mayor said that he is anxious for the 2020 census to know where we are really at.

Jill Leonard spent a lot of time going through last year's minutes, and a year ago 250 new building lots were approved and 216 in annex applications. The Mayor said Francis could double in size overnight.

Elaine Robb said either way we are going to have a huge tax burden if we allow these homes. This is all going to fall back on us. And for a while they won't have the services they really need. The Mayor said the building fees are not charged to the people already living here and those fees are what help with the new requirements. Elaine said the roads are going to change and she doesn't want that.

Matt Cox lives in Sullivan Acres and he does not feel that this subdivision should go through. They need to follow their General Plan. How are you going to deal with the sewer? He doesn't feel it is right and it should not go in.

Cheyenne said she lived in Park City and they had to move because of all the noise. She doesn't feel that this will benefit the youth that already live here.

Stacy Lundgreen stated that her parents barn is on the property line. She has watched them work hard there her whole life. This is very emotional for her. This is people's livelihood and they are trying to survive. People are not going to be able to irrigate and do the things they have done for their livelihood, like the farmers and ranchers.

Carole said Stewarts have owned their property for several years.

Bob Wheaton asked if he could use his lifeline as he neglected to make one point that he forgot. As far as impact fees against the developer, those fees are supposed to be used to help everyone not just the development, those fees will also go against everyone. As for plowing internal roads for ten years, he would bet that 1.2 million would not go very far with the roads. He feels development needs to pay for all that upfront.

Jill Leonard is using her life line. Hwy 35 into Francis is not what she would consider an entry corridor. Is the Circle T Subdivision the type of corridor that you want to see coming into Francis. She applauds the Planning Commission for trying to slow things down.

Morgan Cox is a resident in Sullivan Subdivision, and he said that 20 years ago when Wild Willow came in it did change things. People buying the homes are not going to be from here. He feels that the fate of the city lies in the vote they make tonight, and this will change the way the other end of the city looks.

Mont Lundgreen wanted to know as far as affordable housing, no one that lives here could afford any of those lots or homes. He is not against growth and feels that you should be able to do what they want with their land within the General Plan. If it's a bigger lot, he will still make the money and it would still work out for everybody.

Andrea Crittenden says this evening has been amazing and that's why she is here. She has thought about the word inevitability all day and she can't say they should pass this plan, but she wants this council to make the best decisions and work with them. She lives on Willow Way and people already speed down the road and that scares her as she has a three-year-old and doesn't want any harm to come to her.

Chad Mitchell said he can tell the idea of doing this is very painful. He said there is a lot of people who come and then want the door closed. He feels that they must allow the growth to take place, you just can't stop it. He feels it is important to allow the people to use their land. He is for the project. Personally, he doesn't not like the idea of bigger lots. He thinks smaller homes, and lots are a good thing.

Colleen wanted to use her life line and she said "Chad she is not opposed to development" she would like to see the clustered development closer to the city. She would like to see larger lots with people on greenbelt. She is not opposed to development, but it needs to fit.

Jane Wilford does not live in a location particularly impacted by this development. She feels that as she listens to the people that live around it and the impact it has on them that the people are not for it.

Casey Cooper said she is new to the area and she has been through this in other places and it is inevitable, but she thinks this is just to big of a project for the area. She doesn't see how you could widen a couple of the roads and she wants to know are they going to make the road bigger or pull eminent domain. She also wanted to know how big the buffer zone is. She also agrees with Bob Wheaton on the open space issue. She feels that this is just to much for the area.

Pete said as far as the design of the project, part of the issues is that the city requires that they connect in three different areas. But there are a lot of nuances in the plan that people don't see.

The Mayor said if it gets approved it doesn't mean this is exactly what they are going to do.

Elaine said if denied they will have to reconfigure. If not, this is what you are going to see.

Mont asked if approved does this mean exactly how many lots they will get. The Mayor tried to explain how things would work.

The Mayor closed the public hearing and wanted to know counsels' feelings. The Mayor likes hard things, so he really likes this.

Councilmember Forman originally kind of liked some aspects. He said that he really liked the input from the residents. He sees some benefit as if they built in the county, they have no say. However, based on the public comment tonight he would not be comfortable approving it as it is. There are benefits to the annexation itself, but he thinks the process has been at work and the people have spoken.

The Mayor asked if his comments lead him to want fewer number of homes or lots. He said he has taken notes on everything that has been said, he really doesn't know how he feels it should look. Everyone tonight is not comfortable with this. He may be in favor of the annexation itself, but he would want a lot less units. The density would have to be way, way smaller. He likes the idea that the city would have more say on the property than if it was in the county. Bringing the raw ground in is ok, but the density would need to be much, much less.

Councilmember Cox said in the General Plan the Annexation Policy has two bullet points. She read the Annexation Policy. The annexation should only be approved based on the community as a whole.

She also has verbatim minutes and she has been on the other side of the table very recently and she knows how they feel. You have 127.71 acres and if you put 146 dwellings on it you get approx. 600 people with the AG-1 zoning. If you go to AG-2 zoning you figure you have approx. 250 people, because although its 127 units everybody has at least two cars in their family and they drive on Gines Lane, Willow Way and 35 and the roads are not able to handle it. She struggles as she feels like they are trying to do things backwards.

Being a City Councilmember now changes how she looks at the world, she notices a lot of things and what she thinks we are getting backwards is the infrastructure. So, she struggles as this is so hard for this council, they inherited a zone that they couldn't design. They get something that is already hugely flawed. She struggles with this annexation because right now the infrastructure is not there to support any more people. We have a great sewer system, but we paid for it. We have adequate water if people will behave themselves first. She feels there are fundamental problems the city needs to look at first.

Councilmember Crittenden feels we are all part of the problem because we have all moved here. When people sell their ground, they want the most out of it. He feels those that farm can't afford to, so they must sell out. He hates to see this valley grow anymore. So, the fact is in his opinion is that he thinks what they have done with the subdivision is a good thing. He asked Pete about the public access. Pete said WELL. Councilmember Crittenden said he used to lease this ground and farm it, but people can't afford to any more. He struggles with it as he knows the ground. He does believe in peoples property rights. Its unfortunate if you don't like what's going on around you, then you need to buy the property or move. He feels that this is good plan.

Councilmember Fryer said she thinks right now the city has way to many projects open and working on right now. She is against another big development right now.

The Mayor tried to explain the benefits to being in the city vs the county.

The Mayor feels that when he ran for Mayor, and he doesn't know who voted for him or not it doesn't matter as he represents them all. He said he makes his decisions as if he were a one term Mayor, and to make decisions that he feels is best for Francis. So, having said that a question he asks a lot is as Mayor and council they are asked to look at a whole lot of things. The question he asked him self is what if we do nothing. If doing nothing is the right answer, but if doing nothing raises issues then they must figure that out. The proposal of the developer is they have worked hard and presented a bunch of different proposals. So, they have worked hard for that. He knows the Planning Commission has struggled with it a lot. The Planning Commission approved it at AG-2 zoning and that was their recommendation.

He is heavily affected by a couple of other thoughts. It bothers him that the kids here must leave. If people get older and can't take care of their property, then they must leave. He is excited and maybe this will upset some people, but he likes the idea of having housing that younger people may be able to live here, so town homes excite him, and he feels that parts of it could. He likes the conservation subdivision idea. Also, Chad made a comment about there is nowhere for the younger people to live. He doesn't just give up and he thinks they need to try to do the right thing and make this a place where families can stay forever. Water is on his mind and Francis needs more water.

The Mayor said he is not taking any of this lightly. Its not for him to say what somebody can or can't do on their property, but they are asking for changes and if this is going to work for Francis then this needs to be a lot smaller. He feels like the right thing to do is to say have the developer come back with a much smaller scale, but we must allow the growth to happen. He would considerate it with fewer homes.

Councilmember Cox said Andreas comments really hit her. Who do you want to help manage the growth that is coming? Do we want to let the County Council decide? She has been on that side of the table and felt like the City Council absolutely didn't listen to her. So, because of that she has vowed to listen, and this room has spoken, and they don't want this type of density in this space. Can we table, given that they are operating under the assumption that they come back with something as AG-2.

The Mayor asked Pete, since the Planning Commission mentioned AG-2 have you had some notion of that in your head. Do you have any idea if you would move forward or not.

Pete said that with AG-2 no one ever even brought that up to them. He would like to table and work with staff and the council. He wants an opportunity to compromise.

Councilmember Forman said ultimately at this point with this plan tonight if he had his way, he would annex the entire property and then worry about the development later. He is just not comfortable with it.

The Mayor asked for a motion.

Having them come back with an AG-2 type plan is at least constructive.

Councilmember Forman made a motion to deny annexation. Councilmember Fryer seconded the motion. The Mayor and Councilmembers Cox, and Crittenden voted against the motion, motion died.

Councilmember Cox made a motion to table and the developer to come back with an AG 2 zone with considerably less density. Councilmember Crittenden said his concern is they are not where they can make a solid decision tonight. No one seconded, motion died.

Councilmember Crittenden motioned to leave as is on a smaller scale. There was no second, motion died.

The Mayor motioned to give the developer time to digest and come back to the council with another proposal. He wants to Table for 30 days and have the developer come back to the city with a different smaller sized plan. Councilmember Crittenden seconded the motion. The Mayor and Councilmembers Cox and Crittenden voted aye, Councilmembers Forman and Fryer voted nay. Motion passed 3-2.

4. Discussion, Updates and Approval of Potential Action Items

A. Hart Ranch Annexation---Mike Johnston said he is the Civil Engineer on the project, and he lives in Heber City and he feels your pain. Mike says he understand this is difficult. He explained that the Hart Sisters were here, and they own some property on Hallam Rd. and Lambert Lane.

Mike explained why the Bates 20 acres was included in the annexation petition. He informed council that Summit County would have to agree if you took them out of the annexation.

Mike said that no growth is bad for a city. Mike feels he can't afford to buy his house for himself anymore. He feels that growth brings a lot of things. He feels that Heber is much better now. So, growth is tough. You must deal with it, you can't just put your blinders on. Heber is annexing everything they can, because they know that they will have not control. They would like to annex with the conservation plan. He feels that everything eventually is going to get changed.

Mike has a concept plan that he presented to the council. Mike says they feel that the open space should be visible and up front.

Councilmember Forman asked how the sewer would work, would they need a lift station?

Rusty Webster explained one of the reasons he thought of doing this project is that the county is going to put in a master planned road, and this plan should with help that.

Councilmember Cox said where she drives this road every day you need a stop light today. How are we as a city going to address that.

Rusty said his goal on this whole deal has never been done, his whole purpose is to have a mix and blend, not all the expensive at one end and the least expensive at the other end. He does not want to stereo type people. He said all they are asking is for them to consider it right now.

The Mayor asked for the Planner to give his staff report and then they can discuss further.

The Planner explained they want to annex 80 acres and develop 60. This is AG-2 and they are asking for AG-1.

Staff recommendation is to approve, to begin the process and go through the annexation process. This is not a public hearing tonight.

Rusty said he would want input from the city.

Councilmember Cox said she had a pie in the sky idea that she heard from Bill Crystal. She hates driving past the Ure's place, but it is the shortest distance and the quickest way out. She feels the roads connect the subdivision traffic. Bill said that sometimes you must think outside the box.

Think different places, where else can you put things and one idea that has stuck with her is where Hallam and Lambert come together. There is open space for whatever development is there, and that intersection has always intrigued her. So, because if you already have this cluster of homes here and we square all that off and keep your traditional cluster developments. Then just off the cuff she feels that this fits in a spot where there is something good for the city.

Mike said there will be collector roads someday. Rusty said he see's the same thing that Councilmember Cox sees.

The Mayor said the whole purpose behind the conservation subdivision is those open spaces are permanent.

Councilmember Cox said with talk of building another school in Francis she feels they need to tie in so that kids can travel there. As much as she hates inconsistencies, she feels this is a good plan and she would like to keep things in one spot.

Councilmember Crittenden liked the compromise with the conservation subdivision.

Councilmember Crittenden made the motion to accept the petition for annexation for Hart Ranch. Councilmember Cox seconded the motion. The Mayor and all Councilmembers voted in favor, motion passed.

B. Appoint New Planning Commissioner---The Mayor explained to council that Bryan Henneuse applied for a Planning Commission position, and that he and Ryan had interviewed with him and felt that

he would be a good addition to the Planning Commission, and they would like to accept him for one of the positions open.

Councilmember Forman felt that he was too new to the area and that we needed someone more familiar with the area. Therefore, he was against putting him in.

The Mayor asked what everyone else thought.

Councilmember Cox motioned to appoint Bryan Henneuse to the Planning Commission. Councilmember Crittenden seconded the motion. The Mayor and Councilmembers Cox, Crittenden and Fryer voted aye. Councilmember Forman voted nay. Motion passed 4-1.

5. Council Business

A. Council Reports---Councilmember Cox wants to talk about water. Engineer Kettle explained that they have most of the water meters done so they can start reading year-round.

There is no incentive to conserve right now. If you give me a certain allocation, then you might as well use the water.

Councilmember Crittenden asked about the Woodland Hills meeting. It will be Feb. 11, 2019.

Councilmember Forman's biggest concern is that everyone says we have the most expensive water. But, we don't. Councilmember Crittenden feels that you need to look at sewer and water every year.

B. Mayor Reports---The Mayor explained that he had some complaints about snow removal in Wild Willow and the county is the one who maintains that. Francis roads are plowed last. He did ask our guys to come in and plow since the county couldn't. He is just putting this on the radar. The capacity to get the roads done are just not there. So, this needs to be on the radar.

Engineer Kettle informed council that some cities are dividing out areas on who gets plowed out first.

Councilmember Forman stated that for awhile the county was telling us if we drop our plow on that road then they are done doing our plowing.

The Mayor informed council that the ski trails in Wild Willow Park are being groomed and then being destroyed by four wheelers, so he has spoken with Brad about enforcement. Brad is working on an enforcement ordinance.

C. Engineering Reports---Engineer Kettle and the Mayor are supposed to meet with the Keyes tomorrow on the property. The Mayor informed Scott he had another appointment as this one did not make it to his calendar. Scott will be there.

D. Planner Reports---They meet last month to appoint a new Planning Commission Chair and Vice Chair. Trent Handsaker is the new Chair and Morgan Cox is the Vice Chair. In February they will be looking at the lighting.

E. Report and Approval of Bills Paid—*Councilmember Forman made a motion to approve the bills. Councilmember Cox seconded the motion. The Mayor and all Councilmembers voted in favor, motion passed.*

F. Approval of Minutes---Councilmember Forman made a motion to approve the minutes of December 13th, 2018. Councilmember Crittenden seconded the motion. The Mayor and Councilmembers Crittenden, Forman and Fryer all voted in favor. Councilmember Cox abstained from voting. Motion passed.

6. Meeting Adjourned---The Mayor and Councilmember Crittenden motioned to adjourn. Everyone was 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 this 13th, day of January 2019.

Mayor Byron Ames

City Recorder Suzanne Gillett