

**Francis City Council Meeting**  
**Thursday, November 14<sup>th</sup>, 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 Mandy Crittenden

**Others Attending:** Lisa Romney, Jill Leonard, Renee Atkinson, Jane Wilford, Colette Madsen, Patricia Standing, Craig Standing, Cathie Hart, Emily Broadhead, Tera Ames, Wayne (last name unreadable), Leslie Canfield, Anna Limmer, Lisa Yoder, Jeff Bousson, Mike Leavitt, Betsy Leavitt

**1. Welcome, Call to Order, Pledge of Allegiance & Thought**—The Mayor welcomed all in attendance to the meeting. He asked Councilmember Forman to lead in the pledge and Councilmember Crittenden to give a thought. The Mayor thanked them both.

**2. Public Comment**—The Mayor explained how the public hearings and the public comment sections worked. He also asked everyone to make sure they signed in.

Patricia Standing from West Jordan Utah is here to talk about the storage yard. It was explained to her it would be better to discuss that during the public hearing portion of the public hearing on the storage yard.

The Mayor took the time to read some thank you notes from the Summit County Fair and the Children's Justice Center.

**3. Public Hearings**

**A. Contractor Storage Yard CUP---Betsy Leavitt**---The Mayor turned the time over to Planner Crittenden to review her staff report.

Planner Crittenden read and reviewed her staff report with all in attendance.

The Mayor asked about the city code references in the application and the lighting and he wanted to make sure we were talking about the lighting ordinance that we were adopting tonight. This will be subject to the commercial code lighting they will adopt.

The contractor storage yard is an allowed use in that zone. They will just need a conditional use permit.

The Mayor opened the meeting for public comment.

Patricia Standing is from West Jordan Utah and she read a statement that she had prepared. (see attached). Her and her brother object to this permit. She strongly objects to the conditional use permit as it will affect their lots.

The Mayor asked if the applicant was hear and he was told yes.

Mike Leavitt explained that they are going to try and clean the place up and make it look better. He explained that it was going to be there company storage yard.

Colette Madsen wanted to know what they were proposing. Mike explained what it was they were planning on doing.

The Mayor closed the public hearing portion of the meeting.

The Mayor explained that the city does regulate certain things and not others. We don't have a code that says these three fence options. They just want the fence to make an improvement. He appreciates that Leavitt's are here applying for a conditional use permit before they even own the property. He feels the land has already gotten worse. The Mayor stated this is an allowed use in this zone, so all they really need to do is set the conditions.

Councilmember Crittenden wanted to know what the hours of operation would be. He really doesn't ever see it being an issue. He just wants to prevent one.

Planner Crittenden explained that she talked with the city attorney and he said they should follow the noise ordinance not hours of operation.

Councilmember Forman said they could be starting and moving equipment at 3:00 in the morning and still not be violating that noise ordinance either.

Council does not see any issue with this.

Councilmember Forman expressed that in the code it talks about the standards for approving the storage yard, he doesn't feel that it makes a lot of sense. He explained why he felt that way.

Councilmember Cox explained that obscure is not the same as hidden.

Planner Crittenden explained that they will be meeting with UDOT on their access due to ownership and use.

***Councilmember Forman moved to approve the conditional use permit for MC Contractors at 2054 SR 32 property with the recommendations as set by the planning commission and UDOT. Councilmember Crittenden seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.***

**B. Multi Family Zone Discussion---Ordinance 2019-10---**The Mayor asked Planner Crittenden to review her staff report.

Planner Crittenden read the staff report to all in attendance and explained what the planning commission recommendations were. A public hearing was held, and the following changes were made to the rough draft of the Ordinance. Maximum density is 6 units per acre, 12-foot set back from main dwelling for accessory buildings and for dwellings over 6 units 1,000 sq. ft. of open space is required per individual dwelling unit.

Councilmember Forman asked if this addressed accessory dwellings as well and he was told no.

Planner Crittenden shared her and the attorney's feeling on some of the conditions the planning commission discussed.

The Mayor opened the meeting for public comment. There was no public comment, the Mayor closed the public comment portion of the meeting.

The Mayor read the chapter of the proposed zone to all in attendance. Again, during discussion, the Mayor said this is just proposed, they can make changes.

Council threw out different thoughts and ideas of how they were looking at things.

The Mayor said another consideration is if you leave it as is, does that by definition limit the spots in the city that aren't currently developed.

Councilmember Forman would like it as a floating zone if need be, but also that the code fits what they need it to do.

The Mayor continued reading the presented code. There were some sections where things need to be reworded.

Re-word number nine and before rewording that they need to come up with the number of units per acre.

Planner Crittenden explained that other cities don't do it per acre, they do it by square footage. They are considering less density than Kamas.

Councilmember Forman feels there are several things they need work with on this before they do anything. He feels this is necessary, but let's try to keep the density smaller if they can. Councilmember Crittenden doesn't feel this is ready for any decision tonight.

The Mayor wanted to finish reading the code and make a list of the changes that they would like to see made. The Mayor agrees with the concept of where the accessory dwellings are allowed and work on number nine. Councilmember Cox would like to possibly see some pinning down more specific standards for parking.

Jill Leonard asked if they could diagram out everything, so they had some alternatives to visually look at.

The Mayor said they would make some visual representations so they can discuss and look at things in the next meeting. They will make changes on the parking as well.

*Councilmember Forman moved to table the multifamily housing ordinance to make adjustments required and bring it back to the council in thirty days. Councilmember Crittenden seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.*

#### **4. Discussion, Updates and Approval of Potential Action Items**

**A. Kamas Valley Youth Council**---The Mayor turned the time over to the Kamas City Youth Council.

Anna is the Mayor of the Youth City Council and Emily who is a member were both present. Anna explained all the events that they had helped all three cities with throughout the summer and all the events that are coming up with the cities the remainder of the year.

Emily wondered if the council wanted them to help with the bonfire as in the past, and do they want help with the gift bags again.

The Mayor explained he didn't know the specific timing of things yet, but yes, they would love their help with the bonfire and gift bags. There was some discussion about Santa arriving in a helicopter.

Commented [SG1]:

**B. Census 2020 Effort---Jeffrey Jones Summit County---**Jeff Jones from Summit County was present and wanted to compliment council on having the youth council here and engaged.

He told the council that we had 430 households in Francis. He explained how they got their counts and how the money flowed and impacted things. It is estimated every person in Utah who responds or doesn't affects \$1870 per person. He explained what that cost was for Summit County.

He reviewed the Census Respondents. He explained that we lost \$894,000 because of the lack of participation. Also, this year they are not going to use PO Boxes so we will have a harder time getting response.

Jeff said they would like to find a representative from Francis to sit on the committee. They need some help with their outreach. He also stated the Census is looking to hire some people as well.

The Mayor would like to challenge the Councilmembers to find people to help Francis with this.

**C. Utah Clean Energy---Jeff Bousson---Resolution 2019-06---**Jeff thanked the council for providing him the opportunity to come and speak with them. He said that more communities were becoming involved. What is the Community Renewable Energy Act? It authorizes a pathway for communities served by Rocky Mountain Power to achieve a net 100% renewable electricity by 2030. All participating communities will benefit with the financial costs. It is an alternative program. The three key participants will be, Community, Municipality and Rocky Mountain Power are the three main components.

The Mayor asked if this was a statewide program. How far out statewide does the program go?

Lisa Romney from Rocky Mountain Power informed council that it is the entire Rocky Mountain Power service territory within the state.

Jeff said he would go through the steps. Step one is that you would have to adopt a Resolution no later than this year clearly stating that your goal is achieving the net goal of 100% by 2030. You are not legally bound by this Resolution at all.

The Mayor said this just allows you to continue in the process. Jeff said yes, and he named off some of the cities that have done Resolutions.

Step two next year is when a collective of these communities will begin a negotiation process with Rocky Mountain Power. Essentially, they will be paying for a consultant, so some cities will pay more than others. Jeff said this allows you to be in the negotiation process, but you are not legally bound.

Step three is when Rocky Mountain Power would submit a filing with the Utah Public Service Commission and that filing would identify the total population of communities involved, the number of renewables that will need to be built at well as the costs.

Step four after several months through the stakeholder process the projected rates would be defined and you would a sense of what the rate impacts would look like. How will this compare to standard rates.

Councilmember Forman asked if there will be an increase in rates then. Councilmember Cox said no the goal is less or why would you participate in the program.

Lisa Yoder explained that this will just give customers more of a choice.

Lisa from Rocky Mountain Power wanted to re-iterate that customers do have a choice now so there are programs that do exist. And she explained how things worked.

The Mayor asked what happens if you opt out and how long does that last? Lisa Romney explained she didn't know how long that was specifically defined.

The Mayor said the point of asking the cities to adopt a Resolution is to see how many players there are going to be. The Mayor asked Lisa the long-term plans of Rocky Mountain Power.

Lisa Romney is Rocky Mountain Power Regional Business Manager. She explained that the Integrated Resource Plan was just filed on October 18<sup>th</sup> of this year and it is updated regularly. This is the first time that renewable energy becomes competitive and more affordable than the fossil fuel bases they have typically gone after. So, regardless of adopting a 100% net renewable goal there is going to be large amounts of renewables added to there system with the general ratio re-structure and there is a considerable amount of energy that will be de commissioned. So, of 24 existing coal units 16 will be closed by 2030 and 20 by 2038 and at least one of those will be converted to natural gas as they still need to maintain a reliable system. By 2025 they should have more mega watts of wind and solar. So, whether or not you commit the community to the 100% renewable net goal and move forward and have an opt out program, renewables are going to be added to Rocky Mountain Powers system.

Councilmember Forman asked if we opt in where are the renewables built.

Lisa said generally not built by Rocky Mountain Power they have the option within the state to take ownership of them or leave them in the hands of the private developer. She explained a couple of things they have worked on with other communities. They want to do things in the most cost-effective way as possible.

Jill Leonard wanted to know if members of the community could still reach out to a private installer, she wanted to know if that would still be available. She was told yes that option would still exist.

The Mayor explained why he asked Lisa Romney from Rocky Mountain Power to speak.

Jeff finished explaining the steps. He said you would need to adopt an ordinance 90 days after everything passes. There will be two dedicated ways to opt out of the program. Jeff explained why the program exists and why several communities are going forward with the program.

Councilmember Forman wanted to know what the fees were going to be. Jeff did not know.

Councilmember Cox wanted to know if the third-party fees were passed on to just the city or to all the residents. Participating communities will have to pay.

Lisa wanted to make clear on the costs. She stated they will have to hire a consultant and there are other fees on the notification process the municipalities will pay for.

Councilmember Crittenden asked if there is a renewable rate and conventional rate. If somebody not worried about the rate itself but wanted renewable, they can't be guaranteed that though. Jeff said yes that is true. Lisa addressed Councilmember Crittenden's concerns and explained why and how things worked.

The Mayor would like a motion to pass Resolution 2019-06, he read the Resolution to all present.

*Mayor Ames moved to adopt Resolution 2019-06. Councilmember Fryer seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.*

**D. Lighting Ordinance---2019-11---**The Mayor explained that he had discussed this with the Planner and the City Attorney. He explained what had been discussed and he explained that they fixed the wording, but it is still in two sections.

Planner Crittenden reviewed the staff report with all present and explained staff recommendations.

The Mayor started with the commercial lighting code. Councilmember Forman stated number seven had not been decided. Neon lighting and some LED lighting was discussed. Neon lighting will be taken out and under 18.115.025 the exemptions will be re-numbered from 6-10 to 1-5.

*Councilmember Forman moved that they approve the commercial lighting ordinance under chapter 18.115. Motion died.*

*Councilmember Forman made a motion to approve ordinance 2019-11 with the removal of residential lighting or any reference to residential lighting which is under section 17.65 with the correction. Councilmember Cox seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.*

#### **5. Council Business**

**A. Council Reports---**Councilmember Cox asked the Mayor if they could meet again to discuss the water. The Mayor said that Engineer Kettle needed to be involved in the next discussion.

Councilmember Cox informed council that she and Suzanne had some communication with Archive Social Services an online social media company. She explained how the reflection on social media may or may not be saved. Keven from the social media company explained that they can provide all of the data.

The Mayor asked about costs and he was told that it was expensive.

Councilmember Forman feels that they should consult with Brad about this.

Councilmember Cox feels that we should get a couple of quotes on pricing.

It was decided to hold off on doing anything and we will work on getting other quotes.

**B. Planner Reports---**None. The Mayor asked if the planner had found out whose responsibility it was to do the paved trails in River Bluffs. Planner Crittenden explained that she would work on that.

Councilmember Cox stated that some of the city trail property needs to be cleaned up and ditches cleaned out. She was told that they were working on that.

**C. Engineering Reports---**Engineer Kettle explained that Geneva is finishing up the water line project. Culvert at Gines and 1000 East will be replaced next week, and they will allow the school buses through. They are also working on the bridge out front of the city building.

He then went over the Jurisdiction Self-Assessment and Summary of Capital Improvement Projects that was due to Mountainlands. Engineer Kettle reviewed the forms that were being presented to them. He went over all of the numbers with the council and reviewed all forms.

**D. Mayor Reports**---The Mayor updated council on the soccer field and that he and Scott had met with the contractor and gave him an alternative that when the snow melts by May 1<sup>st</sup> the field will be done. His job needs to be completely done. In exchange for us giving him the winter and no more money he said he would sign any document we give to him to secure our interest in this. He said he would sign a confession of judgement. The Mayor explained how all of that would work. The contractor completely agreed with this.

Councilmember Crittenden wanted to know if the whether played any factor. He was told unless they mutually agreed on another date.

The Mayor informed council that he had a resident email him something from her dad's city and thought it would be nice if we did this in our city.

**E. Report and Approval of Bills Paid**---*Councilmember Forman made a motion to approve the check register. Councilmember Cox seconded the motion. The Mayor and all Councilmembers all voted in favor; motion passed.*

**F. Approval of Minutes from October 10th, 2019**---*Councilmember Cox made a motion to approve the minute of October 10<sup>th</sup>, 2019. Councilmember Crittenden seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.*

*The Mayor moved that council go into Closed Executive Session for one of the authorized purposes in Utah Code Section 52-4-205. Councilmember Crittenden seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.*

**6. Closed Executive Session for one of the authorized purposes in Utah Code Section 52-4-205**

*The Mayor moved that we go out of closed executive session and go back into regular session. Councilmember Forman seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.*

*The Mayor moved that we remove Colette Madsen as a member of the Planning Commission. Councilmember Crittenden seconded the motion. The Mayor and all Councilmembers voted in favor; motion passed.*

*Councilmember Forman motioned to adjourn. Councilmember Cox seconded. All in favor; meeting adjourned.*

**7. 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 12<sup>th</sup> day of December 2019.

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Mayor Byron Ames

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City Recorder Suzanne