

Francis City Council Meeting
Thursday, August 27, 2020 7:00 p.m.

This meeting will be held as an electronic meeting without allowing the public to enter the Community Center or another anchor location to participate, pursuant to Governor Herbert's Executive Order 2020-5.

Francis City is inviting you to attend by following the link below or by calling: 1-301-715-8592

<https://us02web.zoom.us/j/88106980858?pwd=UTCxNitVWHB3NFdzL3N1NEN3V3hQdz09>

Meeting ID: 881 0698 0858 Password: 356692

You can also comment by email to comments@francisutah.org

Attending: Mayor Byron Ames, Councilmembers Trilby Cox, Matt Crittenden, and Shana Fryer. City Engineer Scott Kettle, City Recorder Suzanne Gillett, and City Planner Rob Holcomb.

Not Attending: Councilmember Forman

Others Attending: Justin H., Nick Berry

1. Welcome, Call to Order, Thought & Pledge of Allegiance—The Mayor welcomed all of those in attendance and asked everyone to mute their machines so there is not any interference. He then asked Councilmember Crittenden to lead in the Pledge of Allegiance.

The Mayor's thought tonight comes from Pablo Picasso, "There is only one way to see things until someone shows us how to look at them with different eyes." He shared his thoughts about things going on in the nation right now. He would like everyone to think about looking at things differently.

2. Public Comment—The Mayor explained the ground rules and how the public comment period would work. The Mayor explained that the code change on accessory dwellings will be going back to the Planning Commission, so they will not be discussing that tonight.

There were no public comments.

3. Public Hearings

A. Zone Change Premier Storage/Nick Berry---Ordinance 2020-12---The Mayor publicly welcomed the new Planner Rob Holcomb and explained that Mandy took Susan's position as Treasurer as she has retired. He turned the time over to Planner Holcomb.

Planner Holcomb reviewed the staff report with all in attendance. He stated that the staff recommended the zone change and why. He also stated this would be a public hearing.

The Mayor explained that there was also a table with the staff report for their review, a landscape plan, a lighting plan, and a xeriscape plan. There is also a photograph of an entrance.

The Mayor asked if staff had any questions. Engineer Kettle pointed out that they would have to follow the current codes with lighting and landscaping and everything. The Mayor asked about xeriscape scaping and the engineer did not think that it would be an issue.

Councilmember Crittenden liked the idea of xeriscape scaping.

Councilmember Fryer wanted to know where the property was at and how big it was, and Nick Berry explained where it was at and that it was in the city and county.

Nick explained this was for the front 10-acre parcel and they are trying to make it AG zoning instead of R/H. Part of the 10-acre parcel is already AG and part is R/H and he is just wanting everything AG. Then there is more ground behind that, and it is already AG zoned.

The Mayor opened the meeting to the public.

Since Justin was the only other public in attendance the Mayor asked if he had any public comment, he said no public, the Mayor said private come see me. Justin said he just thought they were all doing a good job.

The Mayor asked Nick if he wanted it all zoned AG 2 or AG 1. He said he spoke with Engineer Kettle about that and Engineer Kettle explained that he had talked with Attorney Christopherson and they felt AG 2 would be a better way to go. Nick said he did not really care either way.

Councilmember Crittenden asked about the fees and how we charge the storage units, and should we be charging a fee on this as well. He just wanted people to be thinking about it. He is all for an AG 2 zone overall, but he feels it will help the water situation some. It will not burden the city anyway.

The Mayor stated for Rob that it would be helpful who had made certain comments when they state that a neighbor commented.

Councilmember Cox stated that an address is great, and a map of the parcel is good, but this parcel completely highlighted on the map would be helpful.

Councilmember Crittenden motioned for Ordinance 2020-12; An Ordinance of the Francis City Council Rezoning certain property located at approx. 752 E. 2200 So. From RH to AG-2. Councilmember Fryer seconded the motion. The Mayor informed that we had a motion and a second, but the Mayor clarified that it was from RH & AG-1 to all AG-2. Councilmember Crittenden said correct. The Mayor and Councilmembers Cox, Crittenden, and Fryer vote aye. Councilmember Forman not present. Motion passed.

B. Code Change on Decks Ordinance No. 2020-09---The Mayor recognized that going through the code there were certain things that did not make sense regarding decks, so they reviewed the process and they are trying to make things clearer. The Mayor turned the time over to Planner Holcomb.

Planner Holcomb reviewed the staff report and explained what the changes should be.

Councilmember Cox wanted to know about decks in the front yard and she explained what she was talking about.

The Mayor also gave another example of something similar.

Councilmember Fryer wanted to know why they could not have special permission to do one in the front yard.

Engineer Kettle tried to explain what the Planning Commission was thinking when they were working on this.

Councilmember Cox hates to use her house as an example, but her house has a door not the front door, but to get into their main entrance you must go upstairs. She explained what she was thinking. She also wanted to know if porch was defined anywhere. Is it a deck or porch?

Councilmember Crittenden feels they need to think about it a little more. The Mayor agreed and explained why he felt that way. He does not want any confusion.

Councilmember Cox wanted to know what is defined as the front of her lot. Engineer Kettle said it would be considered like a corner lot because she almost has two front yards. Councilmember Cox asked so you would not be able to do two decks then?

Engineer Kettle explained what the Planning Commission was looking at, but he feels they need to define it a little better.

Councilmember Cox feels that they need to define what a deck really is.

Council discussed decks, porches and definitions of what things could be called. They also talked about grades and railings. The Mayor thought this was going to be an easy one, but there has been a lot of conversation.

The Mayor opened the meeting for public comment and there was none. The Mayor closed the public hearing.

The Mayor motioned to send Ordinance 2020-09 amending the city code related to permitting and inspection of decks in Francis back to the Planning Commission for further review on the issues of first whether or not the changes would apply to potential decks in commercial and residential or just residential so some clarity on that and also to add some clarity on this proposed code text amendment to define the word decks and the context in which this code would apply or not apply. So as to not cause confusion between decks and front porches and also to include if any of the existing wording in 18.15.200 is used that for example in number 2 and number 3 where it says the minimum side yard and minimum rear yard for all decks needs to have the yard setbacks needs to have the word setbacks is in there if any of that verbiage is still used so it is clear whether we are discussing side yard or rear yard setbacks so it's clear we are not just discussing the size of the yard. And that the code also makes clear that inspection is required by our building inspector if a permit is required. So, something along the lines of all decks require a building permit and inspection. Councilmember Cox seconded the motion. The Mayor and all Councilmembers vote aye. They are sending this back to the Planning Commission.

C. Code Change Accessory Dwellings Ordinance No. 2020-10---The Mayor explained that this item will be going back to Planning Commission for further review.

4. Discussion, Updates and Approval on Potential Action Items

A. Clarification on Ordinances 2020-06 & 2020-11, they are the exact same Ordinance---The Mayor explained there was a difference in the numbering of Ordinances, and they are just the exact same Ordinance. There is no action required.

For the record, the Mayor is not having secret conversations with another Councilmember. The Councilmember was just wondering if we needed to clarify why a staff member was not in attendance. He was told no we did not need to clarify that and just wanted to make everyone aware of the conversation.

B. Celebration Ideas---The Mayor said he was harassing a certain Councilmember for not being here because he was strongly opinionated on this. He stated that if there was something, we could do in the community in place of Frontier Days, he would like to do something.

Councilmember Cox asked about number limits on people outside.

The Mayor informed Council that he and Luke had talked a little bit about how many people they could fit in the stands safely.

Councilmember Cox feels that Francis is popular on October 31 in Wild Willow and maybe we should do something on the city grounds like a trunk or treat or something. Maybe that would help with the number of people and not have everyone in Wild Willow all at once. It potentially takes the pressure off Wild Willow and could make it more of a community event.

The Mayor says he is hearing two very valid voices speaking to him right now on what they would say about things and he is not sure how he feels.

Councilmember Cox wanted to know what their thoughts and responsibilities are regarding Halloween. She feels that there should be some type of public service announcement about not bugging people with their lights out. She feels with the nice entrances the city has at the city grounds we could maybe do a ticketing system to monitor things.

The Mayor said there will be another council meeting in a couple of weeks so be thinking about it.

Councilmember Fryer explained they went out to Tabiona over the Fourth of July and they had a night ride and lite up their 4-wheelers, jeeps, or whatever and took a ride around the valley. They were social distanced and in their own vehicles and they had a lot of fun.

5. Council Business

A. Council Reports---The Mayor will follow up with Councilmember Cox on the holes on Lambert Lane. Engineer Kettle is working with the county on that as well.

Councilmember Fryer asked about the road signs and wanted to know if they were doing anything about them. The Mayor explained what had gone on and stated that he has received a lot of complaints on them. He has spoken with the City Attorney and he is looking into it, but it is a First Amendment issue and there is free speech. Most of the signs are gone.

B. Planner Reports—There were none.

C. Engineer Reports---Engineer Kettle informed Council that yesterday morning they finished doing the 24-hour test for pumping the well. They pumped it at 1250 gallons per minute for the 24 hours and they had to do some water samples and they don't know back on those yet, but everything is looking good and that is going to be our pumping rate.

The State will allow us to put that we are 80% of that so officially it will be 1000 gallons right now, but in the future, we can see how things go.

The Mayor asked on the gallons per minute can we put in a pump capable of full capacity and dial it back, so we are not under pumped like we are now. Engineer Kettle told him yes, they will put in a variable frequency drive so you can be full capacity or do it less. The Mayor asked if we could put in a 1250 pump and dial it back. He was told yes, but pumps do need to be replaced every few years.

Engineer Kettle explained there was a lot of sand, but the well driller is recommending that we spend at least another 120 hours to develop the well and try to get rid of the sand completely. Right now, we would have to

pump for an hour to get rid of the sand before we put it in the system. The Mayor asked that every time you fire it up, he was told yes.

The Mayor asked Engineer Kettle to explain what it meant to develop a well. Engineer Kettle explained the process and how things worked. The Mayor repeated back his understanding of how everything would work to make sure everyone understood it all.

Engineer Kettle explained when we awarded the project that it was around \$612,000 dollars, but because of the sand and the extra work that's been done it's around \$758,000 dollars so if we add the \$30,000 dollars if it takes the full 120 hours to do that we would be around \$780,000 to \$790,000 to finish drilling the well.

The Mayor asked if that would be a change order on existing contract. Engineer Kettle explained how it would work and that the driller is cutting his rate by \$50 an hour because they are already here.

Councilmember Cox said it is different from what we thought and what we budgeted. The Mayor explained that he discussed this with Scott and Suzanne earlier today and explained where the money was coming from and that we have given ourselves a loan and we have the annexation fees so it's not a budget crisis issue it is do we want to extend the loan to ourselves, so we would still be ok.

Engineer Kettle explained we will have amended the water budget in the end and adjust it when we are done.

The Mayor asked Council if they were all ok with extending the amount of money spent on the well and everyone was good with it.

D. Mayor Reports---None

E. Report and Approval of Bills Paid—Councilmember Cox asked how is it that we are paying \$800 for phones. Suzanne explained that it was for the phone, iPad, and cases that were purchased for the new building inspector.

Councilmember Crittenden asked about the \$2,550 cost. Engineer Kettle explained it was topsoil for the soccer field.

There was also a question on a description on a check and it was explained it was for Chemtech. We take samples several times a month and if you get 2 readings below the specs then we must do a boil order. One sample in early August came back with a sample a little higher than it should be, and they sent out a notice today in the mail. It is not a risk for an average person. If you have one risk, then you must re-sample and the second sample passed. A letter was sent out in the mail today.

The Mayor informed Council the tanks have been flushed and things are ok, and it was caused because of the low tank levels.

Councilmember Cox asked if all water went to all Francis City residents. Engineer Kettle explained where the water from certain tanks went.

Engineer Kettle informed Council that the notices that were sent out on water restrictions are really helping and people have quit watering on Sunday.

Councilmember Cox feels that mass mailings really help.

Councilmember Cox moved that they approve the check register from 8-14 to 8-27-2020. Councilmember Crittenden seconded the motion. All voted in favor. Motion passed.

F. Approval of Minutes from August 13th, 2020---Mayor Ames motioned to approve the Minutes of August 13, 2020. Councilmember Cox seconded the motion. All voted in favor. Motion passed.

6. Meeting Adjourned---Councilmember Fryer 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 this 10th, day of September 2020.

Mayor Byron Ames

City Recorder Suzanne Gillett