

**Francis City Council Meeting Thursday,  
September 6th, 2018 7:00 p.m. Francis  
City Community Center  
2319 So. Spring Hollow Rd.  
Francis, Utah 84036**

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

**Excused:** Councilmember Matt Crittenden

**Others Attending:** Bill Crystal, Chad & Tracy Forman, Renee Atkinson, Jane Wilford, Nicki & Justin Jones, Carole & Dennis Lazenby, Brad & Mary Holbrook, Dena Housel, Dusty Housel, Chad & Marilyn Mitchell, Nick Berry, Mike Berry, Tana & Joe Forman, Pete Gillwald and Stacy Lundgreen

**1. Welcome, Call to Order, Pledge of Allegiance & Thought**—The Mayor asked Councilmember Cox to lead in the pledge of allegiance. He then expressed that the reason people are sitting at this table is that they have a desire to serve. He is happy to see all that are in attendance tonight and their interest in what is going on. It is meaningful to him. He thanked the council for all their help with the Frontier Days Celebration.

Tonight, the Mayor wants to honor the Forman family for dedicating the last 17 years to taking care of the snack shack (concessions) for Frontier Days. He informed everyone of how many good comments that he has received on the food. He knows it is a thankless job. He informed everyone that this year was their last year. He wanted to publicly thank Chad & Tracy and their family for all the hard work that they have done.

He informed everyone that someone else has stepped up to take over the concessions and he hopes that they will be there for the next 17 years as well.

The Mayor said the hardest thing to get is help and time. So, as a small token he would like to present the Forman's with a clock and gift certificates for their family.

**2. Public Comment**—The Mayor explained how the public comment period worked and opened the meeting for public comment.

Dena Housel stated that she was here to follow up on the storage unit lighting concerns. She read from the minutes of November 2015, on the lighting situation.

The Mayor informed Dena that he has talked with Mr. Berry regarding this. He explained they have talked with them about the lighting concerns. He stated that the most offending light has been turned off. This is phase one of a multi-phase project. He explained that they are making sure that everything is being followed correctly. Her concerns are not falling on deaf ears the Mayor re-assured her.

The Mayor asked Nick if he had anything to say. Nick explained what he is in the process of doing.

Dusty Housel has some additional concerns and we will see a follow up and email on this. Her concern is that if they are raising the grade of the ground the fence needs to be raised as well.

Bill Crystal thanked the board and council and he hopes that they are on it for the right reasons. He wants the town to re-instate the multi-family housing code he feels that we previously had.

The Mayor closed the public comment period.

### **3. Public Hearings**

**A. City Center Zone---**The Mayor turned the time over to Planner Robinson who then read the staff report to all in attendance. He then explained what the Planning Commission had discussed and what the staff recommendation was.

The Mayor commented on the top of page two on the staff report and made some clarifications on what was meant.

Councilmember Forman asked if this would allow for mixed use and he was told yes.

Councilmember Cox said since you couldn't get a comprehensive list of everything would you go the conditional use route if it was something not listed. She was told no the table would have to be amended.

The Mayor read down the list of what could be allowed in the zone.

Councilmember Forman asked about the red outline on the map. He was told it was an old line from the county. The blue line would be the city center zone.

The Mayor opened the meeting to the public.

Bill Crystal wanted to know how much land the city owned in that zone. The Mayor stated that the city owns none of the land in that zone, on top of that a concern is that every time we do anything, we affect someone else's property, we have a public meeting, and this is that process we are doing right now?

The Mayor explained the purpose of the zone is not to say this is the only place these things can happen, but the thought was if people drive into Francis from any direction then maybe people will stop. So, attracting commercial is important. What he doesn't want to happen is to have the wrong kind of commercial.

Renee Atkinson said that she doesn't understand how you start this with all the different property owners. How do you start building? Councilmember Fryer explained that the city did not do the building, the property owner would be the one building. This is just a guideline for them to follow.

Jane Wilford wanted to know if there is an existing house there then can you sell it, she was told if it is the same existing use it could continue in that capacity.

Carole Lazenby said she understood that you could have houses in the commercial zone, she wanted to know when that changed. No one knew when that had changed, just that it had. Her thought is if no business is going to come here then no one is selling.

Councilmember Forman said it may affect it, but it may also be a benefit and increase their values.

Chad Mitchell asked if there would have to be some architectural look, he was told yes. The Mayor told him that we were not setting a standard tonight on what the design standard would be, there would need to be more discussion on that. The actual architectural guidelines have not even been discussed yet.

Dusty Housel stated that she is not against commercial building and she thinks it's a good idea to have some guidelines in place. She feels that we do need a city center and a tax base. But, the point is that we really need a plan and have the ideas and aesthetics of we want in place before we do anything.

The Mayor read Marion Wheaton's comments as she was not able to be in attendance. Marion does not feel that this is the best spot for the city center zone. The Mayor responded that there really is not another spot to dedicate as a city center zone.

Marilyn Mitchell wanted to know what other areas were commercial. The Mayor explained it to her with a map that was present.

Dena asked on St. Rd. 32 where all the construction is, was that zoned commercial. Chad Mitchell explained it to her. The Mayor informed everyone that he doesn't know where things were set originally.

Chad Mitchell feels in his opinion, is that if you want this to really work out, you need to have a restaurant and have everything else around that meet the same design standards. The Mayor said that is exactly what they want is to create the right environment and then find people to fulfill those needs.

The Mayor brought the meeting back to the council and closed the public portion. He then discussed and showed the pictures that were with the staff report to try and get a feel of what type of feel that people want.

Councilmember Forman stated that this is where we want this to happen, and then come up with the design standards latter. There is no differentiation between Kamas and Francis. We need to have our own identity and that's what he feels they are trying to accomplish with the zone.

The Mayor feels that if we don't act now we might miss out.

Councilmember Cox feels that through all the meetings that we have had, you need to set the environment to have the right type of business come in. In her mind this is a good first step to lay the ground work for something to come in. The foundation and environment are set.

Councilmember Fryer echoed everyone's thoughts and she is all for it.

The Mayor wanted to know if there were any thoughts on the size of this. There was a brief discussion. The Mayor asked Engineer Kettle if he had any thoughts. Engineer Kettle was good with it, but he stated that there probably needed to be a line adjustment made.

Councilmember Cox had some questions on the property lines matching up.

The Mayor explained this would be an Ordinance to create a city center zone. This will be just to create the zone and then they can work things out.

Bill Crystal said if you go outside the box and listen to Marion Wheaton's comments then maybe they should think of some other areas.

Councilmember Cox said Marion's thoughts did give her some things to think about, but she also feels that she kind of contradicted herself when she talked about following the general plan in her letter. She said they have spent a lot of time updating the general plan and trying to get the plan right ahead of time. Which she still maintains that this is the right place for this. The Mayor said she covered most of his thoughts as well.

Councilmember Forman said he didn't even consider what Bill brought up, but isn't that property in the county, he was told yes. He then reviewed some of the comments that had been made and brought up that there were no property owners at the public hearing and he feels that this is probably the best place to have this zone.

The Mayor asked if everyone was ok with allowing mixed use in this zone. Councilmember Forman's concern with that is that in Park City they have restaurants below and living areas above these places and they have a lot of complaints of the delivery trucks etc...

*Councilmember Cox made a motion to create an Ordinance to establish a city center zone as located with the boundaries on the map, except for the southeast quadrant being moved to the west property line, as recommended. Councilmember Fryer seconded the motion. The Mayor and Councilmembers Forman, Fryer and Cox all voted in favor, motion passed.*

**B. Conservation Subdivisions**---The Mayor asked the council to review the draft of the subdivision in their reports. He then turned the time over to Planner Robinson.

Planner Robinson read the staff report to all in attendance. He explained all the work that the Planning Commission has done on this, and the conditions that they would like to see put in place. He explained that this is a public hearing and open for discussion.

The Mayor asked about the staggering of the homes and Planner Robinson explained what the Planning Commission had discussed. Engineer Kettle explained in a little more detail how the setbacks would work and that the staggering was not mandatory.

What is meant by flexibility with the open space? Planner Robinson explained what was discussed in the planning meeting. Councilmember Forman asked if they had a trail what would the width be. Engineer Kettle explained how it would work. The Mayor feels that trails should count as open space.

The Mayor asked about the density, Planner Robinson explained it. There was a brief discussion on all the conditions that were listed. The Mayor asked about the development options and the numbering of the standards.

There was some discussion on what open space was and what encroachment was and what you can and can't count as open space. There was discussion on deed restrictions and making sure that things don't change when it's a conservation subdivision.

The Mayor opened the meeting for public comment.

Pete Gillwald believes that the items that came out of the planning commission were just things for them to consider not a recommendation. The 100-foot open space is a concern to him and he explained why. He doesn't feel that you need to put an exact number on it. One of the things that came up was the option of selling open space to a third party, could that be an option and he said no he would not even consider that as an option. The minimum lot size he was fine with the 7000 feet. He feels that the density bonuses that were proposed the first time were better than now. He doesn't care about the staggered setbacks. With respect to open space on lots he feels that you have building envelopes and then the open space is on the plat and all you get to use is in the envelope. He feels that you could restrict fences in the building envelopes. He says he can make things work either way, it's strictly up to the council. The other thing he has a beef with is he is working off past staff reports until he comes to the meeting tonight and things have changed. He feels the staff reports need to be on the website.

Bill Crystal informed council that you must have at least a 5-acre lot to stay in greenbelt. He feels if you make a conservation easement this should be made forever, but he feels they really need to do things right for everyone.

Pete Gillwald said the Ordinance does require that the easement be included, but you don't have to do that.

Carole Lazenby said she has never heard anything about this, so what about the property owners already here. The Mayor explained this is not something that anybody is forced to do, and he explained to her what the thinking behind it all was. It is just another option for people, you don't have to do it.

Marilyn Mitchell wanted to know who maintained the open space. The Mayor read what the draft Ordinance said.

Councilmember Cox read some of the other items regarding the maintenance of the open space.

The Mayor read from the development incentive chart to help explain the zones and things better.

Bill Crystal feels that this is going down the road to a bigger piece of ground. The Mayor said there is a likely hood of this incentive being for a larger piece of land, this isn't mandatory.

Engineer Kettle explained depending on the acreage how many lots you could have.

Chad Mitchell wanted to know if wetlands were considered part of the open space, he was told yes. This just creates one more option and is not mandatory.

Joe Forman said even if you decide on this tonight it doesn't mean things can't be changed later.

Stacy Lundgreen wanted to know if this would affect the land values for people.

Councilmember Forman said this does not affect anyone's property values because this is a development option and could happen anywhere or nowhere. This is just an incentive to a developer. The Mayor feels this would be better for the property values.

Councilmember Forman read the code on what the open space meant.

Chad Mitchell asked if there was going to be dedicated water for this open space. The plan was once again discussed. This is not mandatory!

The Mayor closed the public hearing.

Councilmember Forman is concerned with the permanence of the open space. If it goes in open space it is that way forever. He is also concerned with the terms used and what was included in here. Planner Robinson explained it all to him. Councilmember Forman is not comfortable with a developer saying what the percentage should be and he is concerned with the lot sizes.

Engineer Kettle went over the lots sizes and how the setbacks would work.

Councilmember Cox says just because you say a minimum doesn't mean you have to go with the minimum. She also likes the building envelope idea. Councilmember Forman said he had spoken with Jack Prescott about some of these ideas and he could not be at the meeting tonight and he explained what his concerns were.

The Mayor shares the concern with the building envelope, and he agrees there should be some flexibility on the trail open space. He is ok with the incentives as they are now, but he would not be opposed with them going lower either.

Councilmember Forman expressed as a concept he really likes this, but he feels like there are a handful of things that could be spelled out more clearly and more workable and directly spelled out in the code. He is not 100% in on this draft.

The Mayor asked for some more specific recommendations. Councilmember Forman said he would like to see the multipliers go down, spelling out the building envelope, he would like to know the permanence of the open space, and he is not comfortable with the round driveway being part of the open space. He thinks if those things were addressed he would be more comfortable.

Engineer Kettle asked for more information on exactly what Councilmember Forman was requesting.

Councilmember Forman feels that we should table this, it is a big deal and he wants to make it right before we pass it.

*Councilmember Fryer made a motion to table this and make the necessary changes. Councilmember Forman seconded the motion. The Mayor and Councilmembers Forman, Fryer and Cox voted in favor, motion passed.*

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

**A. Frontier Days Update---**The Mayor wanted to know when the council could meet to discuss what worked and what didn't this year for Frontier Days. The meeting will be September 25, 2018 7:00 p.m...

#### **5. Council Business    A. Council Reports---None**

**B. Mayor Reports---None**

**C. Engineering Reports---**Circle T Subdivision still moving along. McNeil Subdivision is waiting on paving.

**D. Planner Reports---**Planner Robinson gave an update from the planning commission on the new lots and subdivisions that will be coming up.

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

**F. Approval of Minutes from August 9<sup>th</sup> and 27<sup>th</sup>, 2018---***Councilmember Cox made a motion to approve the minutes of August 9<sup>th</sup> and 27<sup>th</sup>, 2018. Councilmember Fryer seconded the motion. The Mayor and Councilmembers Forman, Fryer and Cox all voted in favor, motion passed.*

**6. Meeting Adjourned---***Councilmember Cox motioned to adjourn. Mayor Ames seconded. All voted 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 11<sup>th</sup> day of October 2018.

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Mayor Byron Ames

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City Recorder Suzanne Gillett