

MINUTES OF FRANCIS TOWN COUNCIL MEETING

MEETING HELD AT FRANCIS TOWN RECREATION BUILDING JANUARY 18, 2010

The Francis Town Council convened in regular session on Tuesday, January 18, 2010 in the Francis Town Recreation Building. Mayor John Bergen called the meeting to order at 7:01 P.M.

First order of business was swearing in of new Mayor and council members. The oath of office was conducted by Kraig Powell, notary public.

Mayor: Lee Snelgrove

Council: Tal Adair

Lorin Prescott

Gio Melendez

APPOINTMENT TO FILL COUNCIL VACANCY: Mayor Snelgrove presented the names of those who submitted application to fill the vacancy of his council seat. Kristi Major, Mark Littleford and John Barclay were presented for consideration of the council to fill this seat.

Mayor Snelgrove requested a motion. Lorin Prescott made a motion that Mark Littleford be appointed as a new council member, seconded by Mayor Snelgrove. Roll call vote: Tal Adair voted nay, Lorin Prescott aye, Gio Melendez nay and Mayor Snelgrove aye. Mayor Snelgrove questioned the council if they adjourned to executive session could issues be resolved. At that time Mark Littleford chose to withdraw his candidacy. Mayor Snelgrove requested another motion. Gio Melendez made the motion that Kristi Major be selected to fill the vacancy on the town council. Motion seconded by Tal Adair. Roll call vote: Tal Adair Lorin Prescott no, Gio Melendez aye, Mayor Snelgrove, aye. Kristi Major was then asked to come forward and was sworn in by Kraig Powell.

Mayor Snelgrove stated he would like to recommend Susan Cann as Town Clerk. Motion requested. Motion was made by Tal Adair to appoint Susan Cann as the Town Clerk/Recorder. Motion seconded by Gio Melendez. Roll call vote: Tal Adair aye, Gio Melendez aye, Lorin Prescott aye, Kristi Major aye, Mayor Lee Snelgrove aye. Susan Cann was then asked to come forward and take the oath of office. Susan Cann then took her place at the council table. Mayor Snelgrove stated that appointment of the town Treasurer is also his responsibility and he wished to reappoint Susan Moses as town Treasurer. Motion made by Tal Adair that Susan Moses remains as town Treasurer. Motion seconded by Lorin Prescott. Roll call vote: Lorin Prescott aye, Tal Adair aye, Gio Melendez aye, Kristi Major aye, Mayor Snelgrove aye. Susan Moses then took the oath of office.

APPROVAL OF MINUTES FOR DECEMBER: Mayor Snelgrove informed the council that according to the town attorney Kraig Powell by law the new council, except for Kristi, was in authority as of the first Monday of January. The opportunity was given for council to review the minutes. Kraig Powell stated that according to new ordinance and state statute the minutes would be approved automatically and approval could not be waived until the next council meeting. Gio Melendez made motion that unless

there are any discrepancies in the numbers at the very last portion concerning the budget the minutes be approved as they are written. Tal Adair seconded the motion. Voting unanimous for approval of minutes with the exception of changes to be made Lee Snelgrove as Mayor and Susan Cann Town Clerk.

Mayor Snelgrove stated we have a great opportunity to continue to move our community forward. His expectations of the council are to be proactive between departments. As we work together and cooperate together as a council then we will succeed. Mayor Snelgrove stated he does not want to prevent the council access to the attorney or planner but please be prudent and consider the expenses incurred. Mayor would like to be kept informed if council members plan on contacting the attorney and the planner. Mayor Snelgrove stated that Scott by necessity will have more contact with those members on the council who are assigned the water and the sewer issues. Luke and the office staff will be accessible to the council as we work together to accomplish good things.

UPDATE FOR CIB. Mayor Snelgrove mentioned the article in Summit County News about the town hall may not be a dead end. In December the council asked for citizens interested in being on a citizens committee to review this issue. We had a response of town citizens, Kristi Major and Gene Atkinson but because of the changes that were happening decision was made by the council not to move forward at that time but wait to see what direction the new council would like to move. Mayor Snelgrove has spoken with Keith Burnett a loan officer for CIB. Mayor Snelgrove will be meeting with Keith on February 1 and needs to let him know our plans regarding the building whether we are moving forward with it or not moving forward. The CIB is willing to hold the money until we have another vote in June if we are showing them that we are moving forward. If they feel that we are just not going forward with a plan then they will take the money off the table and use it somewhere else giving the money to someone that they feel is more interested. Mayor Snelgrove has contacted Mountain Lands to see if they had some resource that we could use to draw up some floor plans for a smaller building that would meet our needs he has a meeting with him on Friday. Mayor Snelgrove stated that he asked them to make drawings for two buildings, a low and a middle as we already have the larger building plan. Mayor Snelgrove asked Gio if he would chair a citizens committee so we can get some ideas for a building that would be acceptable. Gio requested that this information be posted on the web site and the water bill so they can contact him if they are interested. Due to time constraints please let him know within one week. Tal Adair questioned if this will give us enough time to report back to the CIB. Mayor Snelgrove is comfortable that if we are moving forward with some plans then the money will be available from the CIB and that when he talks with Keith Burnett he will be willing to work with us as long as we have a plan in motion. Realistically we will have to be ready to have something in place by April for a vote in June. Last contact with the bond attorney Eric Johnson has the influence to tell what council is doing right now. Mayor Snelgrove suggested Gio contact Tim Butikofer and Jeff Prescott to be on the committee because they had expressed interest. Mayor Snelgrove stated that by using Mountain Land this will reduce the cost of this project.

COUNCIL ASSIGNMENTS ARE AS FOLLOWS: Tal Adair: Sewer, Woodland Hills Water Board. Lorin Prescott: Water. Gio Melendez: Roads. Kristi Major: Parks, research grant monies that may be available for that area. John Keyes released from Woodland Hills Water Board. Mayor Snelgrove expressed his appreciation for the efforts shown and willingness to serve.

ORDINANCE TO SET TIME AND PLACE FOR REGULARLY HELD TOWN COUNCIL MEETINGS OF FRANCIS TOWN COUNCIL FOR THE CALENDAR YEAR 2010. It was proposed by Mayor Snelgrove that the meeting time be changed to the second Thursday of the month which gives more time between town council meeting and planning commission meeting. Discussion of this followed and a motion was made by Tal Adair to move the general council meeting to the second Thursday of the month for 2010 and to

pass ordinance #2010-01. Roll call vote called: Gio Melendez aye, Lorin Prescott aye, Mayor Lee Snelgrove aye, Tal Adair aye, and Kristi Major aye. Ordinance passed. Request by Mayor to get the notification posted as quickly as possible.

Mayor Snelgrove stated that the town web site is available for posting information. Mayor Snelgrove suggested a page linking council members email be available versus using personal emails for town business. Questions were raised about capacity of saving email.

DISCUSSION ITEM REVIEW OF PROPOSED SUBDIVISION VILLAGE AT LAMBERT LANE .UPDATE BY ALISON.

In 2007 the Francis Town Council approved residential plat for the Village at Lambert land for a 12 lot residential subdivision. When the property was annexed into the town 40 acres were annexed as mixed use project with one component being residential and the other component being commercial development. Because of extensive wetlands the original plan had to be redrawn and when the final residential plat was approved by the council it was with the stipulation that the applicant receive preliminary approvals on the commercial side before any building permits could be issued for the residential lots. They could record the residential plats but you could not get a building permit until they had preliminary approvals on the commercial development. Since that time the property the bank has actually taken it back and they are working to get those approvals. They have meet with UDOT and UDOT has asked that they get some conceptual approvals from Francis Town before they spend much time reviewing their drawings. What we are doing tonight is a very general conceptual approval that is not binding. The applicant will have to go back through all of the with the planning commission review and come to the council for preliminary approval but this just gives UDOT the notice that the town likes this. Alison explained to the council that once the developer turns in the required waters shares, signs the development agreement, obtains approval from the Army Corps of Engineers for the revised wetlands drawings that you can see on the plats then they could record the residential plat as is there will be no changes to that at all.

Because there are no proposed users for the commercial development at this time it is proposed that the applicant go ahead and they develop a building pad at the corner of Lambert Lane and SR 32. The building pad proposed is 230 x 220 feet. A large area that would be ready to go should we end up with a convenience store, gas station of something of that nature. The balance of the property will be left as raw lots until we have potential users and when we have potential users then the development code Chapter 7.3.5 allows more than one buildings per lot and would require a final master plan of that lot at that time so when we get real users we will go back in and we will spec out exactly how they would be laid out, what the parking requirements are. Alison believes there are several advantages to this proposal. First the applicant is going to fill in approximately ½ acre of wetlands along Lambert Lane that allows for a real entry into that parcel and you will be able to access all of lot 3 from that main road. There will be two entrances on SR 32 one is the extension of Village Drive which goes through the residential subdivision and is already installed. The second will be an access in and out at the northern edge at this development pad. Alison pointed out that lot 6 the open space in at the northern boundary of Francis Town and will become an entry feature for the Town of Francis. The 'Welcome to Francis' sign that currently is located at Atkinson Welding will be permanently moved to this location. The Army Corps of Engineers will be contacted to see what can be planted on this parcel in the way of trees, grasses and bushes. The new applicant has chosen to go back to the Army Corps of Engineers rather than requesting a modification of the previous approvals after the plat is recorded which is common. The applicant understands that if the Corps makes any changes to the residential plat, they will be required to go back through the approval process and meet the current development code. The

planning commission meet in December and a unanimous vote of the people who were at the meeting. Tal had a question about minimizing the impact of the development on the homes that already exist on Lambert Lane. Alison stated that the corner of Lambert Land and 32 is commercial and suggested that landscaping may be a possibility and as we go forward with real users and real plans that would be the time to work with the residents and discuss these issues.

Gio asked if there is approval from the Army Corps to put the pad in what looks like a wetlands. Alison stated yes that permit has been submitted and is an impact permit and the lot would be enhanced wetlands on lot 6 and also the big open space lot that runs through the residential will be an enhanced wetlands lot. The current applicant is moving all the mitigation on site and they have already started planting last fall. All wetlands that are marked wetlands will be deed restricted in perpetuity.

Tal then asked about the road that is proposed to go in off of Lambert if that is front of a home where the lights would shine into the windows at night. Alison will look into the matter. Kristi questioned the time line of the project and Alison explained all the necessary steps that need to be taken with this project. Alison explained to the council how this is a much better plan than was previously proposed with better access all the way around. Mayor Snelgrove and the rest of the council gave approval for the conceptual plan.

PUBLIC WORKS COMMENTS AND DISCUSSION: Luke reported to the council. Update on the gas line installation back to the new public works building and the meter to be set. Scott and Luke meet with Rocky Mountain Power on the requirements for power to the building and Luke met with Probst Electric about the needs to get the power to the building. Luke will be burying the conduit to save the town the cost of someone else doing that work. Luke also wanted to make the council aware of the problem he is encountering at times regarding cul-de-sacs while plowing snow and they may receive call from residents with questions about where the snow is being put. Please remind them that the town does have a 15 foot right-of-way to use for snow piling and utility work. We need to keep cars parked off the roads where the plow needs to push the snow. Mayor Snelgrove stated that the problem within the cul-de-sac is sometimes people are planting on that 15 foot right-of-way and residents are concerned that the town is putting snow on their grass and sometimes there is no place else to put the snow. Another issue is people pushing snow across the road and not clearing so that when the plow comes along it is hitting that hard snow which is very hard on the equipment and the driver. Mayor Snelgrove has encouraged Luke to meet with council members individually as necessary when questions arise.

Francis was contacted in December about the census for 2010. Mayor Snelgrove would like us to consider getting citizens involved ahead of time so that we can get an accurate count with a higher percentage of participation. Mayor Snelgrove asked Kristi to be in charge of the census for Francis town. Funding for the next 10 years is based on this census. We need to encourage participation in our town.

No department reports for this month. Mayor Snelgrove encouraged new council members to meet with old council members if they have questions about particular budget items for assigned departments.

Mayor Snelgrove stated that budgets will be provided for the next council meeting. He would like all council members to review the budget so they are comfortable with them; budgeted for, what has been spent, what is yet to be spent and the direction that we can go with the budget. Mayor Snelgrove is comfortable with the budget that was set last year and is comfortable that we have the income coming in to meet the needs of the budget as was set. Our fiscal year ends on the last day of June and new

budgets will be set in April. Tal requested information on the revenues that are available. Mayor Snelgrove stated that this information will be made available.

Kraig Powell stated that the department reports work well for updating the council on items that have been discussed in past meetings but that if council members are seeking approval they need to remember to have that item placed on the agenda so it can be addressed properly. Mayor Snelgrove reminded the council that the department reports are for discussion of items only and we need to adhere to the rules of regulations.

Approve payment of bills.

Council members were given the opportunity to review the bills Motion by Tal Adair to pay the bills and adjourn. Second by Lorin Prescott.

The Francis Town Council meeting adjourned at 8:45 PM.

OTHERS IN ATTENDANCE:

Renee Atkinson Jody Snelgrove Julie Keyes Eileen Dunn Maureen Dunn

Kathleen Dunn Tiffany Snelgrove John Keyes Kit Burton Gene Atkinson

John & LouAnn Barclay Keith & Donna Cowan Desirae Adair Eric A. Averett

Randy Butters Tim Butikofer Greg Averett John Bergen

These minutes were approved at the February 11, 2010 meeting.

Lee Snelgrove, Mayor

Susan Cann, Town Clerk