

CITY COUNCIL MEETING

Franklin City Building

March 13, 2024

7:00 P.M.

MAYOR AND COUNCIL IN ATTENDANCE

John D. Packer
Stuart Parkinson
Mark Dietrich
Kevin D. Beck
Bruce Baughman

STAFF

Tyona Atkinson, City Clerk

ATTORNEY

Aaron K. Bergman

The council meeting was called to order at 7:01 p.m. by Mayor John Packer.

Prayer: Councilmember Kevin Beck

Pledge: Councilmember Mark Dietrich

It was moved by Councilmember Stuart Parkinson and seconded by Councilmember Mark Dietrich to approve minutes of February 14, 2024, Council Meeting. Motion passed. Unanimous

It was moved by Councilmember Mark Dietrich and seconded by Councilmember Kevin Beck to accept and approve the bills for February 2024. Motion passed. Unanimous

It was moved by Councilmember Kevin Beck and seconded by Mark Dietrich to approve the regular monthly bills not yet received. Motion passed. Unanimous

The mayor explained that at the request of the state, the city paid KCA Construction for the dredging of the river in preparation of the new bridge on Parkinson Road. The state will reimburse the city.

Appointment and Oath of Office for Bruce Baughman as Councilmember (0:04:38)

Mayor John Packer administered the Oath of Office to the newly appointed councilmember, Bruce Baughman, and he was given his Certificate of Appointment.

Business License-Chloe Simanton-Cottage Industry-Baked Goods (0:06:20)

Chloe Simanton would like to acquire a business license to sell baked goods from her home. Chloe indicated that she will be taking orders by phone or social media and the customer will be picking up their order from her home. Mayor John Packer asked if Chloe was required to have a food handler's permit. Chloe stated that she does have a current food handlers permit but she is not required to have one to sell her baked goods. Councilmember Kevin Beck indicated that a variance would need to be applied for because customers will be coming and going, and the business is in a residential area. The mayor told Chloe to come into the city office tomorrow and fill out a variance application then the business license would be approved.

It was moved by Councilmember Kevin Beck and seconded by Stuart Parkinson to approve Chloe to get her business license after the variance is filled out. Motion passed. Unanimous

Business License-Jared Petersen-Handmade Wood Products (0:12:45)

Jared Petersen would like to acquire a business license to sell his handmade wood products which is landing nets for fly fishing. He will be selling these nets on the internet through social media and then orders will be shipped out.

It was moved by Councilmember Mark Dietrich and seconded by Kevin Beck to approve Jared Petersen's business for Handmade Wood Products, which is fishing nets. Motion passed. Unanimous.

Running for Franklin County Sheriff-Cuyler Stoker (0:15:08)

Cuyler Stoker is running for Franklin County Sheriff. He and his wife Katie live in Preston, and he has been a member of the Preston Police Department since 2005. He is currently a sergeant and second in charge of his department overseeing the day-to-day operations, caseloads, investigations, and other activities with all the officers. Anything that must go to the courts and prosecutors must go through him to make sure all the paperwork and processes have been completed correctly. He acknowledged that each community has its own unique needs and as the Franklin County Sheriff he would like to understand those needs and what the county can do to help that city. Cuyler stated that the sheriff's job is to enforce the law, represent the citizens of this community, and to be the voice of those that no longer have a voice of their own that are being victimized by others.

Running for Franklin County Sheriff-Mike Wilson (0:23:10)

Mike Wilson is running for Franklin County Sheriff and he and his wife, Vera, have been residents of Franklin County since 2013. He has over 22 years' experience in law enforcement with his first nine years in Weber County working in the jail, transport, patrol, a hostage negotiator, trainer, and was involved with the day-to-day work in the sheriff's office. After that, he went to Clinton City where he was a firearms instructor, a tactile officer, certified in hand-to-hand combat and dealt with issues with the citizens and officers. He feels like overall here in Franklin County there is not a connection between law enforcement and the citizens, and he would like to help change that. He indicated that as the Franklin County Sheriff he would like to bring about 24-hour police coverage, the Citizens on Patrol program, and getting youth involved in a Juvenile Court system where the juvenile's peers are the judge and jury. Mike mentioned that he has communicated with Mayor Packer and other mayors of small cities about their concerns of not having an officer patrolling regularly and suggested that they work together to pay an officer to patrol these cities. Mike loves this area and is committed to making Franklin County a better and safer place.

Presentation on GIS System-Craig Sturman (0:29:58)

Craig Sturman is with Idaho Rural Water Association (IRWA) which is a non-profit organization. The IRWA provides a legislative voice for cities in Idaho that serve water and sewer systems for under 10,000 people. He indicated that one of the things that is going on in

the world today is keeping track of assets in the city. Craig introduced the Geographic Information System (GIS) which is a computer system that helps cities efficiently manage their resources and maps all types of data. He stated that the GIS can benefit the City of Franklin by locating manholes, fire hydrants, street signs, meters, valves, lift stations, landowners, zoning, sewer and water lines, etc. all in a digital format which can be added to and updated at any time. The GIS equipment ranges anywhere from \$900 to \$10,000, but a system between \$4,000 to \$5,000 would be best for accuracy. The software could be put on many computers, has a phone app, and would cost approximately \$20 per month. If Franklin City decides to go with GIS, Craig said he would be willing to help the city pick out the equipment needed, set up the software, and perform any training that is needed. The city council members felt like the GIS is something Franklin City could benefit from and would like to look into it more.

Request a Signature for the Third Amendment Document associated with the Development Agreement (0:45:01)

Heritage Land Development came to the city council meeting to get a signature on the Third Amendment that was associated with the original development agreement. The mayor indicated at the special council meeting on November 15, 2023, there was confusion on the motion regarding phases of what Heritage and the city finally agreed to. Mayor Packer asked the city attorney, Aaron Bergman, to explain what this substitute amendment really did. Aaron stated that from his understanding from the last meeting that there was a vote taken in relationship rather or not there would be a total of ten phases and that was passed. Then after that was passed there was a clarifying motion to divide phase two into three phases.

The city engineer, Craig Rasmussen, stated that there are some things that the council said they were not going to allow. Craig indicated that one of the concerns from the council regarding the phasing was if the phases were divided into more phases it could drag on forever. Heritage did a good job of explaining why they would like to have smaller phases given the economic conditions. From Heritage's perspective and as an engineer, Craig completely understands their request to have smaller phases. He doesn't think it changes the risk of not completing the development but may help because Heritage would not be trying to get as much capital in place upfront to build a much larger phase. Craig went on to say that the city's ordinance requires that the next phase be submitted within a year of the previous phase, or the preliminary plat becomes null and void and Heritage would have to start over. Again, that is another incentive for Heritage to continue to move forward in an incremental way with their development. There have been some things that we have talked about in previous meetings in respect to the park. Craig's concern on the original agreement in the five phases is that the large park was in the last phase and the park is an amenity that everyone is asking for. He indicated that he sent out an email to Heritage and Mayor Packer (which was forwarded to all council members) of suggestions regarding the third amendment to Legacy's Development Agreement. Craig was hoping that these suggestions could be helpful and agreeable to both the city and Heritage. He mentioned that Tami Midzinski, Heritage Land Management, sent out a proposal that shows ten phases and the park is in phase ten and not in phase five. Craig recommends a ten-phase approach and look at the park property as part of phase six which could easily be done so people could be using and enjoying the park. Craig said he looked over the landscaping plan and it doesn't make sense. The plan shows a parking lot at the north end of the upper park accessed off a street that is

questionable if there will be access to it. He suggests that the parking lot be moved to the south end close to the pavilion and other amenities and be more accessible to the neighborhood. He also had a concern with Xeriscape planting around the pavilion and doesn't believe it would be tolerable to kids and people walking all over it. In redoing the park property instead of putting in the BMX track he suggests pickleball courts, turf area, permanent nine-square setup, etc.

The city attorney, Aaron Bergman, indicated that his job is to take care of the provisions and make sure the agreement covers the city's basis and does not have an amendment that is totally inconsistent with the original agreement. If the city and Heritage are locked into ten phases, then the agreement would need to be amended.

Councilmember Stuart Parkinson asked Heritage about phase one regarding the water retention pond issues. Jay Stocking, Heritage Land Development, answered that the pond was built for design, and it is not perking into the ground. Craig Rasmussen, city engineer, disagreed with Jay saying that it was not built for design because the first year and half that it was out there, there was no assemblance of outlet structure. Craig went on to say that the outlet was just put in two and half months ago and it is not working. He stated that originally it was not just the outlet, the side slopes were not acceptable either. The mayor reported that the water is up above the culvert, going in and back through the pipe, and eroding down behind the townhomes. Tami requested a meeting on site because she doesn't agree that the pond was leaking. She said she had a surveyor out there earlier addressing that issue. Jay stated that they are working with Craig Rasmussen to come up with a resolution.

Mayor Packer brought up another concern regarding the intrusion of the sewer lines in phase one. Heritage indicated that their contractor had fixed the line, but Hayden Kimpton, Franklin City Public Works, stated that he was out there three weeks ago and pulled a manhole and saw water spraying in. Heritage said their contractor has been out there three or four times. Heritage was wondering if something was not fixed why the city has not notified them. The city engineer stated that it has been communicated to Heritage several times but ultimately if the line is still leaking water, it is not the city's job to tell Heritage, it is Heritage's responsibility to come back and check to make sure it has been fixed. Tami said she would like to meet with the city so she can look at the manhole that Hayden and the mayor were talking about.

Craig's understanding was the substitute motion allowed Heritage to take phase two and divide it into thirds. The multiphase plan Heritage sent out has ten phases, but it doesn't take phase two and divide into thirds. The plan totally reconfigures that. Mayor Packer said that the council gave Heritage permission to divide phase two into three phases. He said that phase two was completely different, it was a totally new plan. The mayor went on to say that in the original phase two a section of the road on 100 E Street was going to be completed and now he doesn't see that road being completed in any phase. Tami replied that the plan was a proposal, and the road is still in the preliminary plat. She didn't have an answer of what phase the road would be completed in.

It was agreed by Heritage and the city council that a workshop or a special city council meeting would be set for Wednesday, April 3, 2024, at 1:00 pm to go over the agreement regarding concerns, thoughts, and ideas.

Mayors Minutes (01:38:53)

IDAHO DAYS: Councilmember Kevin Beck reported that Idaho Days is moving ahead on schedule and many people have volunteered to be on the committee. We still need about \$5500 in donations to make Idaho Days work. The next Idaho Days committee meeting is scheduled for April 6.

EASTER EGG HUNT: The planning of the Easter Egg Hunt is on schedule.

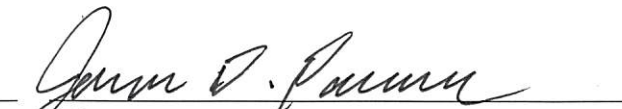
BRIDGE: The river has been dredged and surveyed again. Everything is on schedule and the final drawings should be out in August.

WATER PROJECT: Substantial completion has been met on Phase 1 and the cleanup will need to be finished by May 23, 2024. Phase 2 has been completed. Phase 3 is moving along, and the contractors still have 120 days to complete from when they started.

SEWER SCREEN PROJECT: Should be starting with the next month and will have 120 days to complete.

It was moved by Councilmember Stuart Parkinson and seconded by Councilmember Bruce Baughman to adjourn at 8:41 p.m. Motion passed. Unanimous


City Clerk


Mayor