

MINUTES
CITY COUNCIL MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road
January 18, 2022

WELCOME: Mayor John Pohlman called the meeting to order at 7:01 pm.

PLEDGE & OPENING CEREMONY: The Pledge of Allegiance was led by Council Member Florence Sadler, and the meeting was opened with Council Member Eileen Moss offering a word of prayer.

COUNCIL MEMBERS PRESENT: Council Members Diane Anderson, Gary Anderson, Eileen Moss, George Ray (online via Zoom), Florence Sadler and Mayor John Pohlman were all present.

CITY STAFF PRESENT: City Manager Brandon Green, City Planner Jeff Oyler, Public Works Superintendent Darren Frandsen and City Recording Secretary Amy Gardiner were present.

VISITORS: Ryan Judd, Jason Boydston, Jamie Cox, Kelly Sparks and Sgt. Ryan Trease.

CITY COUNCIL TRAINING:

Council Member Eileen Moss presented a training on ethics and procedures. She shared a couple of reminders for the other Council members regarding voting procedures at City Council meetings and rules regarding discussing City business outside of City meetings. She also noted the importance of declaring any conflicts of interest before taking any action on a matter at a City meeting.

CONFLICT OF INTEREST: None.

PUBLIC COMMENTS: None.

SPECIAL PRESENTATIONS:

Davis County Sheriff Report and Crime Discussion

Sgt. Ryan Trease presented the Sheriff's Report for the fourth quarter of 2021. The hours for the fourth quarter were

- Total 918
- Average per week 80.76
- Average per day 10.97

The hours included calls for service, traffic stops, extra patrol, etc.

The significant events included the theft of six cars. Four of the six cars were recovered. Additionally, two cars were recovered in Fruit Heights that were from outside of the jurisdiction. There was a suspicious person report that has led to solid leads for the suspects in the stolen vehicles.

Sgt. Ryan Trease took time to talk about how the residents could avoid the crimes that are happening. He reported that the majority of the crimes happening in Fruit Heights City are crimes of opportunity. He stressed that the residents need to make it hard for criminals. He stressed not to leave cars unlocked or keys in cars and valuables out in the open. He also mentioned:

- using motion lights to help deter criminals as well as security cameras
- not using hidden keys
- being vigilant
- locking homes
- reporting suspicious activity

CITY BUSINESS:

Review/Discuss/Approve/Deny Agreement for Installation and Maintenance of Fiber Optic Cable

Mayor John Pohlman led a discussion with the City Council, City Manager Brandon Green and Ryan Judd about the proposed Agreement with Kaysville City for Installation and Maintenance of Fiber Optic Cable in the City in connection with a similar fiber installation planned for Kaysville City. City Manager Brandon Green reported that Kaysville City had obtained a grant to provide funding for the installation that it would share with the City. He also noted the City Attorney had had a chance to review it and felt comfortable with the agreement.

Concerns about the agreement were addressed. Council Member Eileen Moss pointed out some technical corrections that needed to be made with regards to spelling. Other items or concerns that were addressed include:

- Wi-Fi being provided at Nicholls Park;
- avoiding any disagreements with Kaysville and the use/maintenance of the cable;
- the Grant to provide funding for the project would be a win/win for both Kaysville and Fruit Heights; and
- the City's responsibility of marking the fiber's location throughout the City.

After discussion, Council Member Gary Anderson made a motion to approve the Agreement for Installation and Maintenance of Fiber Optic Cable with modifications made by Eileen Moss and seconded by Council Member Diane Anderson. The motion was approved with City Council Member Florence Sadler abstaining from voting on this matter.

First Review / Fiber Cable Franchise Agreement

City Manager Brandon Green explained that as part of the installation and maintenance of the fiber optic cable Fruit Heights City would need to enter into a Franchise Agreement with the company Connxt. He also explained that they would not be adopting the agreement tonight but just discussing it and answering questions. The proposed agreement had been sent to the City Attorney for review and he said that the agreement was ok as is.

The City Council was encouraged to go through and review the proposed agreement. City Manager Brandon Green mentioned that they would be talking about it at the next City Council meeting, and that the City Attorney and a representative for Connexxt may be there to answer questions or concerns. Mayor John Pohlman encouraged the Council to email questions beforehand for the attorney.

Review and Discuss a Municipal Energy Tax

Mayor John Pohlman led a discussion on a possible Municipal Energy Tax in Fruit Heights. He pointed out that Fruit Heights is the only city in Davis County that is not already collecting this tax. City Manager Brandon Green pointed out that it is a process and a Municipal Energy Tax would not take effect until the quarter after it is approved. He also clarified that it would be a tax on the City's residents' power and gas bills and that it could be up to six percent of those bill amounts.

The City Council had a long discussion about possible uses for the tax money including paying for a City Cemetery or covering costs related to utilities issues in Fruit Heights.

Mayor John Pohlman suggested that the City Council conduct a straw poll to see if it is worth City Manager Brandon Green putting time and effort into the project. They decided to move forward with City Manager Brandon Green getting more information on a Municipal Energy Tax and then continue the discussion on the possible tax.

REVIEW AND APPROVAL OF MINUTES FROM PREVIOUS MEETINGS:

City Council Meeting January 4, 2022

City Council members discussed the draft minutes that previously had been provided to them for the January 4, 2022 City Council Meeting. There were a few corrections made.

After brief discussion, Council Member Diane Anderson made a motion to approve the minutes for the January 4, 2022 City Council meeting. The motion was seconded by Council Member Gary Anderson and it was approved unanimously.

INFORMATION ITEMS/UPCOMING EVENTS:

Mayor John Pohlman reviewed the upcoming events including:

January 25, 2022 – Planning Commission Meeting
February 1, 2022 – City Council Meeting

CITY COUNCIL & STAFF REPORTS:

Mayor John Pohlman reported that he would be attending a meeting on January 20, 2022 for Get Healthy Utah.

Council Member Gary Anderson clarified that the documents for City Council meetings would be found in TEAMS for 2022 instead of OneDrive.

Council Member Eileen Moss asked City Manager Brandon Green about planning for the next meeting in which the City's General Plan would be discussed.

Public Works Superintendent Darren Frandsen reported that he was putting together a budget for the Public Works and would be presenting it to the City Council in the next few weeks. He also discussed with the Council the situation the City is in with the ordering of new trucks. They have received one truck and are working on receiving two more. He explained what a difficult time it is to buy a truck right now. He also mentioned that he is in the process of meeting with City Engineer Brandon Jones to go over water rates for the City.

Council Member Diane Anderson made a motion to adjourn the meeting. Council Member Gary Anderson seconded the motion. It was approved unanimously, and the meeting was adjourned at 8:29 pm.

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights City Council Meeting held January 18, 2022.

Not approved until signed.

/s/ R. Brandon Green

Brandon Green, City Recorder

Date approved by City Council: **February 15, 2022**