

MINUTES
CITY COUNCIL MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road
March 2, 2021

WELCOME: Mayor John Pohlman called the meeting to order at 7:02 pm.

PLEDGE & OPENING CEREMONY: The Pledge of Allegiance was led by Council Member Diane Anderson, and the meeting was opened with Council Member Jeanne Groberg offering a word of prayer.

COUNCIL MEMBERS PRESENT: Council Members Diane Anderson, Gary Anderson, Julia Busche (via Zoom), Jeanne Groberg, Eileen Moss 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: Jill Jones, Manjot K. Masson, Jim Crismer, Linda Crismer, S.H. Cloward, Charles Stephenson, Emma Gardiner, County Commissioner Bob Stevenson and Steve Brough

CONFLICT OF INTEREST: None.

TRAINING: Council Member Jeanne Groberg presented a training to the Council on the importance of not voting for something Council Members do not understand well. She talked about the importance of taking the time to become fully informed on matters subject to Council vote. Council members should be cautious of their power on the Council and should take great care in exercising it.

PUBLIC COMMENTS:

Linda Crismer asked if the City Council would consider no fireworks be allowed this coming year. She pointed out that the fire season will be earlier and longer. She also demonstrated how fireworks can affect dogs. Additionally, she felt like the fireworks were detrimental to Veterans and other people that may have PTSD as well. She also reminded everyone about the dedication of the Vietnam War Dog Memorial on March 13, 2021 at Layton Park.

SPECIAL PRESENTATIONS:

Youth City Council Report - Emma Gardiner from the Youth City Council gave an update on upcoming activities including the Easter Egg Hunt that will be held April 3 -- rain or shine.

Davis County Sheriff's Report - Sargent Ryan Trease is the liaison for Fruit Heights City and reported on staffing hours, performance, and significant events for the first two months of 2021. From January 1 to March 1 the department had logged 898.2 hours (112.28/week and

16.04/day). Significant events that occurred included a physical altercation, a structural fire, a residential burglary, an attended death, and extra patrol for cars racing down 1800 East and suspicious vehicles at night at the Fruit Loops Trailhead. Sargent Trease also reported they had seen a reduction in property crime over the winter months. He also mentioned resources citizens could call for domestic violence and suicide since mental health has been challenging with the pandemic.

County Commissioner Bob Stevenson gave an update of important things happening in Davis County including:

- He was pleased at how well the 15 cities had worked together during COVID. The vaccinations in Davis County were going well and were a model for the state.
- The Sheriff's Department has started construction of a medical wing at the Davis County Jail with 29 beds that can help facilitate inmates addicted to opioids.
- He felt like turning the paramedics over to local fire departments was a positive development -- there will be 11 units throughout the County which will create better coverage. This change will happen by January 2023.
- He also mentioned there will be a crackdown on fireworks in the no fireworks zone.
- The County is in the process of purchasing property north of the Davis Conference Center for expansion.
- The revenues in the County are up even with COVID.

Central Davis Sewer District Report - Phyllis Jones and Miranda Madsen reported about the sewer system. They mentioned challenges with the different levels of inflow and outflow over time. They also mentioned that Impact Fees will increase for the City with the need for an increase in capacity.

CITY BUSINESS:

Review/Discuss/Approve/Deny Pre-Disaster Mitigation Plan, 2021 Update (Brandon Green)

City Manager Brandon Green explained that all cities in the County take part in the Pre-Disaster Mitigation Plan so there is an official process when an emergency happens. The plan is updated every five years. The last plan had five goals and the City accomplished all of them including repainting the water tank, improving storm drain detention, and improving the infrastructure for the water and sewer systems.

City Manager Brandon Green reported that the City is in the process of creating five new goals. The goals will deal with the concerns of the City's aging infrastructure, potential problems with the faultline, and wildfires. He explained that the actual goals do not need approval, but that he would update the City on the goals once they have been identified. He asked the City Council to support the County in the Pre-Disaster Mitigation Plan.

Following discussion, Council Member Diane Anderson made a motion to approve the Pre-Disaster Mitigation Plan, 2021 Update. The motion was seconded by Council Member Eileen Moss and it was approved unanimously.

Review/Discuss/Approve/Deny Box Culvert Cooperation Agreement (Brandon Green)

City Manager Brandon Green reported that UDOT is building a culvert that will go under Highway 89 starting at Nicholls Park and ending on the east side of Highway 89. The proposed Box Culvert Cooperation Agreement, which was provided to Council members, will be between the City and UDOT and states the responsibilities of the City in maintaining the culvert -- which is everything outside of UDOT's right of way.

City Manager Brandon Green explained that in the agreement the City cannot use a certain type of security camera. The camera is known to leak information. Mayor John Pohlman, Eileen Moss, Jeanne Groberg and City Planner Jeff Oyler also discussed issues with City Manager Brandon Green including the lighting, removal of any graffiti, maintenance, size of the culvert, and fencing.

Following discussion, Council Member Eileen Moss made a motion to approve the Box Culvert Cooperation Agreement. The motion was seconded by Council Member Julia Busche and it was approved unanimously.

Review/Discuss/Approve/Deny UDOT Memorandum of Agreement (Brandon Green)

City Manager Brandon Green reported that the updates being made to Highway 89 require that UDOT acquire some land at Nicholls Park (which is a Section 6(f) property) for a minor right-of-way acquisition under a Memorandum of Agreement, which was provided to Council members. Under this arrangement, UDOT will replace the land with land that is of equal value. The land they will be replacing it with is the Ward Property on Mountain Road. Council Member Eileen Moss pointed out the Ward Property address was wrong on the document. City Manager Brandon Green replied that he would get it corrected.

City Manager Brandon Green explained that the City has three years to decide what to do with the Ward Property. The City Council and City Manager Brandon Green discussed issues including the Ward home being claimed as a historical site and waiting for clearance before the home can be torn down, the property becoming a traffic nuisance, and maybe trading for something else.

Following discussion, Council Member Diane Anderson made a motion to approve the UDOT Memorandum of Agreement with corrections made to the Ward Property's address. The motion was seconded by Council Member Eileen Moss and it was approved unanimously.

Review/Discuss/Approve/Deny Fruit Heights City Third-Party Relocation Agreement FHCY-04 Nicholls and Main (Brandon Green)

City Manager Brandon Green explained that this is another proposed agreement between Fruit Heights City and UDOT. Currently, all utilities go down Nicholls Road under Highway 89 and continue west. With the Highway 89 project, all the utilities need to be relocated. This agreement identifies what each party will be responsible for with the relocation of the utilities. City Manager Brandon Green pointed out that he has been working on this agreement for two

years with the help of Public Works Superintendent Darren Frandsen and Engineer Brandon Jones.

Following discussion, Council Member Gary Anderson made a motion to approve the Fruit Heights City Third-Party Relocation Agreement FHCY-04 Nicholls and Main. The motion was seconded by Council Member Diane Anderson and it was approved unanimously.

CONSENT CALENDAR:

January Budget Report

Council Member Eileen Moss reported that she had reviewed the Budget Report and indicated she was pleased with the City's financial standing relative to its budget.

REVIEW AND APPROVAL OF MINUTES FROM PREVIOUS MEETINGS:

City Council Meeting February 9, 2021

The Council Members discussed how they would review and edit the minutes and track their changes in the documents that are posted online. The Council also agreed to table the February 9 minutes in order to correct a final statement made by City Manager Brandon Green about the budget.

City Council Meeting August 18, 2020

City Council members discussed the draft minutes that previously had been provided to them for the August 18, 2020 meeting.

After brief discussion, Council Member Eileen Moss made a motion to approve the minutes for the August 18, 2020 City Council meeting. The motion was seconded by Council Member Jeanne Groberg and it was approved unanimously.

INFORMATION ITEMS/UPCOMING EVENTS:

Mayor John Pohlman reviewed the City calendar. He also reminded everyone that the City Easter Egg Hunt would be held on April 3. He asked Council Member Jeanne Groberg how the Council could support her for this event. She replied that the event will stay around the City building, and they will not use the field this year. Also, she indicated a date had been set with the Youth City Council to fill all the eggs.

Council Member Diane Anderson also added that the City Council was invited to attend the next Planning Commission meeting on March 23 to thank Commissioner Chris Martineau for his service since it would be his last meeting before he leaves to serve a mission.

CITY COUNCIL & STAFF REPORTS:

Mayor John Pohlman reported on the City Council tour of the Wasatch Integrated Waste Management District. He felt that everyone enjoyed it and that it was very worthwhile. He proposed that next quarter they visit the Davis County Jail. Mayor John Pohlman also mentioned possibly doing "ride-alongs" with a Sheriff.

Mayor John Pohlman also discussed the continued effort to distribute smart controllers for sprinklers. He has found a resident that installs them for a living and was hoping he could get installation at a discounted rate for Fruit Height residents.

Council Member Julia Busche reported that it had been brought to her attention that people were building on unauthorized sections of the Fruit Loops mountain bike trails, which can cause eroding and compromise the hillside. She suggested the City try to create a better culture of respect and self-policing of the area. She suggested possibly reaching out to Biker's Edge and the Davis Mountain Biking Team for help. Mayor John Pohlman suggested Council Member Gary Anderson go up to the trails and make an assessment for the City. Council Member Julia Busche also commented on reporting the hours of service recorded from the wind storm in the fall of 2020 and reminded everyone about the Utah Shake Out to be held on April 15.

Council Member Diane Anderson reminded the Council that the City is looking for a new planning commissioner for the area south of Nicholls Road and west of Highway 89. She also reminded everyone of the dedication of the Vietnam War Dog Memorial in Layton on March 13 at 1 pm.

City Planner Jeff Oyler said the proposed East Bench development is heating up again and there will be a lot more discussion to come about the project over the next couple months.

Public Works Superintendent Darren Frandsen discussed projects the City is working on including:

- UDOT's work on the Highway 89 Project -- including Green Road officially being closed to Highway 89 and preparations to pour the bridge over 400 North.
- Utah State Extension's efforts to eradicate the Japanese Beetle in early April.
- Benchland Irrigation District impact fees are going up for new construction only.
- Working on wildfire protection with the Crismers. The City received a grant last year and it looks like there will be another grant this year. There is an effort to inform the citizens and encourage residents to get brush cleaned out around their homes. Also a fire break could be created on City property to protect residents on 1800 East (not a trail system).

Council Member Eileen Moss asked Council Member Jeanne Groberg about any legislation the City should be aware of. Council Member Jeanne Groberg mentioned billboards and ADU. City Planner Jeff Oyler also commented that short term rentals may become an issue for the City. Council Member Diane Anderson said that the Planning Commission should be thinking ahead about the impact of legislation on Fruit Heights City.

Council Member Eileen Moss made a motion to adjourn the meeting. Council Member Gary Anderson seconded the motion. It was approved unanimously, and the meeting was adjourned at 9:21 pm.

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights City Council Meeting held March 2, 2021

Not approved until signed.

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Brandon Green, City Recorder

Date approved by City Council: May 4, 2021_____