

MINUTES
CITY COUNCIL MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road

May 16, 2023

WELCOME: Mayor John Pohlman called the meeting to order at 7:00pm.

PLEDGE & OPENING CEREMONY: The Pledge of Allegiance was led by Council Member Florence Sadler with Mayor John Pohlman conducting the opening ceremony by offering a word of prayer.

COUNCIL MEMBERS PRESENT: Mayor John Pohlman, Council Members Eileen Moss, Diane Anderson, Florence Sadler, and George Ray. Council Member Gary Anderson arrived at 7:07pm.

CITY STAFF PRESENT: City Manager Jacob Smith, Public Works Superintendent Darren Frandsen, City Planner Jeff Oyler, Public Information Officer Karen Coleman, and Recording Secretary Lindsay Golightly

VISITORS: Lydia Ray and Fred Blizgold

CITY COUNCIL TRAINING: Council Member Eileen Moss offered training on variances. There are very few circumstances where a variance can be granted. There are five conditions, and they must all be met for a variance to be granted. One, the enforcement of the ordinance would cause unreasonable hardship to the applicant. Two, there are special circumstances attached to the property that do not generally apply to other properties in the zone. Three, granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone. Four, granting the variance will not substantially affect the general plan and will not be contrary to the public interest. Five, the spirit of land use regulation is observed and substantial justice is done.

Unreasonable hardship has to meet the following criteria. One, the hardship is located on or associated with the property for which the experience is sought and comes from circumstances peculiar to that property and not from conditions that are general to the neighborhood. Two, they cannot be self-imposed or economic in nature. Variances are “not a favor to be granted, but an injustice to be solved.”

SPECIAL PRESENTATIONS:

YCC

Youth City Council Member Lydia Ray reported that the Easter Egg Hunt went well a few weeks ago. On May 25, 4-5 at Nichols Park there will be a popsicle social for elementary age kids with a food drive. The winners of the tickets earned from the donated food will be able to throw pies at the Mayor and City Council Members. YCC Member Lydia Ray also reported that on May 26

Mayor John Pohlman reported that he was still in communication with the Davis County Sheriff to review the contract and has a meeting on the books within the next couple of weeks to work on the Police and Fire contracts. He will report back on the matter at the next meeting.

UPCOMING EVENTS:

May 18 – Caucus Meeting 7-9pm at the City Hall Building

May 23 – Planning Commission Meeting

May 29 – Office will be closed in observance of Memorial Day

May 18 - Special City Council Meeting 6:50pm

CITY COUNCIL & STAFF REPORTS:

Eileen Moss on Animal Control

Council Member Eileen Moss reported that she went to a county meeting about animal control. In the past, cities have had taxes to help fund that service, but the county has asked cities to stop collecting that tax because they would like to collect it on a county level. They want to rebuild the building because back when it was built, it was built as a kill shelter and now it is more of a no-kill shelter trying to provide longer term care for the animals. They need bigger facilities to be able to accommodate these changes and to build something more centered for longer term care of the animals. If they find a more central location they may move the shelter, but they do not plan on selling the land to help recoup the cost of building a new facility. They would like to hire four new employees, including a veterinarian, because all animals that are adopted out will have to be fixed. (1:03:57)

Mayor John Pohlman asked City Planner Jeff Oyler if he would put together a presentation on the new ordinance that strips the City Council of the ability to entertain zoning ordinances.

Council Member George Ray attended the outdoor and recreation meeting and reported that they are getting ideas of what they want in the city. They talked about maybe covering up the gun ranges along the Wasatch Front.

Council Member Diane Anderson reported that she has a phone call in to Kaysville City on Civic matters.

Mayor John Pohlman thanked Public Works Superintendent Daren Frandsen for his willingness to step up into a more demanding role. He reported in the meeting with Haight's Creek he gave above market value for the land and they have until Friday at 5pm to respond.

Florence Sadler asked if there is any progress in the Cherry Heights HOA letter. Public Works Superintendent Daren Frandsen responded that they are still working on it.

Council Member Diane Anderson asked about two \$17,000 checks on the check register to Davis County and wanted to be sure that was correct. City Manager Jacob Smith explained that they were; they were for two different services. Council Member Diane Anderson saw some kids playing in the stream by the new culvert to the new pond, and asked if warning signage could be posted. Public Works Superintendent Daren Frandsen replied that they did put up fencing and

signs around that area. Council Member Diane Anderson also reported that the YCC has been very proactive about having activities this year.

Daren Frandsen reported that things are being delayed on Mountain Road due to unavailability of some of the equipment needed. But it is now scheduled to start on May 30th and should be able to be completed within that week. With US 89 they are now tying together the smaller details and will be working on those for the next few months. Connex has been doing well so far and has been pretty good to work with thus far. He is concerned about the restrooms down at Nichols Park because they were vandalized again on Mother's Day. If they keep getting vandalized, then the restrooms will remain closed and will only be opened by reservation only. There are cameras and other equipment in the budget to be able to put up cameras for those bathrooms once the Fiber is installed in that area.

City Manager Jacob Smith reports that he has had good discussions with office staff and has changed some of the titles of the office staff. There is another resolution that will be brought before you and asked if it would be possible to meet this Thursday, May 18, 2023, a few minutes before the Caucus meeting to discuss it.

Council Member Eileen Moss made a motion to adjourn the meeting with Council Member Gary Anderson seconding the motion. The motion was unanimously approved by the Council and the meeting was adjourned at 8:24 pm.

Not approved until signed.

/s/:


Jacob Smith, City Recorder

Date approved by City Council:

06/06/2023