

MINUTES
CITY COUNCIL MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road
May 18, 2021

WELCOME: Mayor John Pohlman called the meeting to order at 7:05 pm.

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

COUNCIL MEMBERS PRESENT: Council Members Diane Anderson, Gary Anderson, Julia Busche, Eileen Moss and Mayor John Pohlman were all present. Jeanne Groberg was excused.

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

VISITORS: Jim Crismer, Linda Crismer, Sergeant R. Trease, Jerry LeBaron, Steve Petty.

CONFLICT OF INTEREST: None.

TRAINING: Council Member Julia Busche presented a brief City Council Training. She reviewed six core principles of the U.S. Constitution including: Popular Sovereignty, Limited Government, Federalism, Checks and Balances, Separation of Powers, and Republicanism. She said the principles are important because they create balance between the people and the government, making sure that the government never becomes too powerful. She focused her training on the principle of Popular Sovereignty and linked the Constitution to the City providing services under the umbrella of "limited government." She encouraged the Council to consider each time they allocate money for the purpose of the city whether they are limiting or expanding government.

PUBLIC COMMENTS: Linda Crismer presented the City of Fruit Heights with a picture of the Vietnam War Dog Memorial in Layton as a thank you for its support of the memorial.

SPECIAL PRESENTATIONS:

Davis County Sheriff Report (Sergeant R. Trease)

Sergeant R. Trease reported on hours and incidents from April 1, 2021, to May 18, 2021. The hours averaged about 75 per week and 11 per day for a total of 522 hours. The incidents included a suicide, residential burglary, vehicle theft, criminal mischief, a traffic stop with a weapons offense and a vehicle burglary. He cautioned that in the warmer months there is typically a rise in property crimes with crimes of opportunity, people are staying out late and residents are on vacation. He encouraged everyone to shut their garage doors and leave lights on outside.

Sergeant R. Trease also talked about resources for domestic violence and suicide. He said both seem to be on the rise. Council Member Julia Busche asked about a hit-and-run event and Sergeant Trease said it was still being investigated.

Founders Day Planning (Jerry LeBaron)

Jerry LeBaron discussed with the Council the ideas he and his wife Denise had for Founders Day. The discussion included getting a social media message out, a golf tournament, popcorn machine, water bottles, dancing under the stars, a 5K run, live music, and other ideas.

Council Member Julia Busche talked about the grant she applied for with the 125th Anniversary of Statehood -- "Thrive 125". If awarded, it has the potential to bring in \$1,750 that could be used for Founders Day.

Council Member Diane Anderson invited the LeBarons to the next City Council meeting and asked for an outline so that the Council could take on assignments. She also thanked Jerry LeBaron for his past experience and enthusiasm.

CITY BUSINESS:

Review/Discuss/Approve/Deny FY 2021-2022 Davis County Sheriff Contract

City Manager Brandon Green had previously provided the Council with a copy of the Fruit Heights City Law Enforcement Interlocal Agreement. Mayor John Pohlman said that Sheriff Sparks had done a great job and City Manager Brandon Green pointed out a few details of interest relating to the agreement.

Following discussion, Council Member Diane Anderson made a motion to approve the FY 2021-2022 Davis County Sheriff Contract. The motion was seconded by Council Member Eileen Moss and it was approved unanimously.

Review/Discuss/Approve/Deny FY 2021-2022 Tentative Budget

City Manager Brandon Green had previously provided the Council with a copy of the Tentative Budget for the FY 2021-2022. Council Member Eileen Moss reminded everyone that the budget at this point was tentative. City Manager Brandon Green reported that he was comfortable with this budget except funds allocated for water may be low. Council Member Eileen Moss, City Manager Brandon Green and Public Works Superintendent Darren Frandsen discussed the need to change the tier system to prompt more water conservation and forced water savings.

City Manager Brandon Green also reported that revenues are coming in higher than anticipated from sales tax and Cares Act Money and that is helping with the City's General Fund. He also offered to sit down and talk with any Council Members about the budget. Mayor John Pohlman asked the Council to review the document and come prepared to the next meeting with questions.

Following discussion, Council Member Eileen Moss made a motion to approve the FY 2021-2022 Tentative Budget. The motion was seconded by Council Member Julia Busche and it was approved unanimously.

Review/Discuss/Approve/Deny Open Fires and Fireworks Ban

Mayor John Pohlman mentioned that this topic comes up every year. Council Member Julia Busche reported that the Citizen Core Council recommended a ban on all fireworks in Fruit

Heights this year. The Council discussed elements of a Fireworks Ban including enforcement, justification, increase in tickets, frustration, responsibility of the city and biggest safety challenges. Some members of the Council suggested it would be better to enforce the current map instead of banning the entire City. Mayor John Pohlman concluded by saying he did not feel comfortable banning fireworks citywide.

Following discussion, Council Member Eileen Moss made a motion to continue with the current map on Open Fires and Fireworks Ban with strict enforcement. The motion was seconded by Council Member Gary Anderson. It was approved by a 3-2 vote with Mayor John Pohlman, Eileen Moss and Gary Anderson voting to approve the motion and Julia Busche and Diane Anderson voting against the motion.

Following the motion, there was discussion among the Council with City Manager Brandon Green on how they can educate the residents and enforce the Fireworks banned zones.

Review/Discuss/Approve/Deny Request to Sale Shaved Ice at City Parks

City Manager Brandon Green had previously provided the City Council with a letter from a resident who wanted to sell shaved ice around the Nicholls Park area. City Manager Brandon Green and the Council discussed the pros and cons of this proposal. It was pointed out that others would want to follow suit and the city would only get \$25 from a business license.

Following discussion, Council Member Eileen Moss made a motion to deny the Request to Sale Shaved Ice at City Parks. The motion was seconded by Council Member Julia Busche, and it was approved unanimously.

CONSENT CALENDAR: None.

REVIEW AND APPROVAL OF MINUTES FROM PREVIOUS MEETINGS:

City Council Meeting April 20, 2021

City Council members discussed the draft minutes that previously had been provided to them for the April 20, 2021, City Council Meeting and suggested minor changes.

After brief discussion, Council Member Julia Busche made a motion to approve the minutes for the April 20, 2021, City Council meeting as corrected in the preceding discussion. The motion was seconded by Council Member Gary Anderson, and it was approved unanimously.

CITY COUNCIL & STAFF REPORTS:

Mayor John Pohlman reported on various matters including the volunteer service resource and website justserve.org -- he has a friend that is a great resource and willing to help. He also voiced approval of the City cutting back on watering City property and noted public works is doing a great job. He also mentioned a neighbor that was educating residents and pushing to get fiber internet installed in Fruit Heights. He said the city cannot post anything about fiber, but the Council can encourage people to show interest.

Mayor John Pohlman also reported on the negotiations that he and City Manager Brandon Green were having with the Kaysville Fire Department about fire protection services for the City.

He said it has been a challenging negotiation and the anticipated moving to fire districts will be in the best interest of Fruit Heights because contract services are not working.

Council Member Eileen Moss reported on the dedication of the new Allied Health Building at Davis Technical College. She reported that the City's name is on the fire training room because of a donation. She also mentioned the upcoming caucus meeting.

Council Member Diane Anderson reported that she will work with Jerry LeBaron on Founders Day details.

Council Member Julia Busche reported that there is a continuing concern with fire pits up Baer Canyon. She also asked about food trucks at the City Building this summer. City Manager Brandon Green told her they will wait until next year because of the Highway 89 construction project.

Public Works Superintendent Darren Frandsen explained to the City Council the progress the city is making on projects they are involved with, including an update on UDOT's progress on the Highway 89 project. He said obtaining parts and materials has been a challenge, but the 400 North overpass is still set to open mid-July and the contractors are saying other areas are on schedule. Council Member Gary Anderson asked about the timeline on the new vehicles that previously had been approved for purchase, and Public Works Superintendent Darren Frandsen said they were ordered but they won't be purchased and delivered until after July.

City Manager Brandon Green reviewed the details of the caucus meeting being held on May 20 and encouraged all City Council members to attend. He mentioned the new phone system and a grant that is allowing 12 firemen to cut and chip wood for future fire prevention in the city. He also reviewed a request from Rita Germer to use the basement of the City Building for several weeks for her non-profit orchestra to practice. The Council agreed to letting her use the basement if it is a defined period of time, they collect a deposit from her, and she signs a contract.

Council Member Julia Busche made a motion to adjourn the meeting. Council Member Gary Anderson seconded the motion. It was approved unanimously, and the meeting was adjourned at 9:15 pm.

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights City Council Meeting held May 18, 2021.

Not approved until signed.

/s/ Brandon Green

Brandon Green, City Recorder

Date approved by City Council: