

MINUTES  
CITY COUNCIL MEETING  
FRUIT HEIGHTS CITY  
910 South Mountain Road  
September 21, 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 Jeanne Groberg, and the meeting was opened with Council Member Eileen Moss offering a word of prayer.

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

CITY STAFF PRESENT: City Manager Brandon Green, City Planner Jeff Oyler and City Recording Secretary Amy Gardiner were all present.

VISITORS: Susan Webster, Barbara Spendlove, Ted Spendlove, Todd Webster, Paula Stephenson, Fawn Morgan, Adlen Groberg, George Ray, Blaire Spendlove, Scott Justensen, Richard Miller, Matthew Lowe, A. Busch, Taylor Barbert, Laura Hubrich and Matthew Iverson were present.

3 MINUTE CITY COUNCIL TRAINING:

Mayor John Pohlman presented a training to the City Council on the First Amendment to the United States Constitution. He taught that the First Amendment prevents the government from making laws that regulate an establishment of religion or prohibit the free exercise of religion. There should be a separation of church and state, and there should not be an official religion but the government should not be hostile towards religion. He stated that God is in the Constitution and theology is an essential part of the United States.

CONFLICT OF INTEREST: None.

PUBLIC COMMENTS:

Barbara Spendlove commented on the rezoning of the Rockloft Estates development. She started by sharing some historical facts she wanted people to consider including that her great grandfather, Grandison Raymond Senior, had settled and cultivated the land starting sometime around 1854. She also said she was one of the original 100 citizens living in the newly established town of Fruit Heights in 1939. The Raymond family still owns 32 acres of the proposed Rock Loft Estates Subdivision. With the actual sale of the property about to close “any day now” for the past seven years the orchard has been sadly neglected and is costing the family money to maintain. She is confident in the multiple geological tests and recommends the City Council give her family the same opportunity they have given others to develop their property but this cannot be done unless the property is rezoned to R-1-12 tonight.

Andy Busch commented on a water easement Weber Basin was working on in the City. He had talked to a crew member and said to him the easement seemed wide and the worker said that

the City is running a road up to a future cemetery. Andy said that last he heard the grade was too steep for a road. Mayor John Pohlman commented that there have been no formal discussions for a cemetery but the City saw it as an opportunity to expand the area slightly so it can be an opportunity down the road.

### SPECIAL PRESENTATION:

#### *Youth City Council Report*

Adlen Groberg reported for the Youth City Council (YCC) that they had a meeting and were able to pick the officers for the upcoming year. They also confirmed the main projects that the YCC will focus on for the coming year. The first one will be a "Trunk or Treat" activity in the City Hall parking lot on October 29 from 4-5 pm. They also will hold a Food Drive, an Easter Egg Hunt and a Blood Drive.

#### *Fruit Heights/Kaysville Historic Committee*

Fawn Morgan came to introduce the Fruit Heights/Kaysville Historic Committee to the City Council and explain how history can contribute to unity and cohesiveness in a community. She works with research, preservation and presentation of history. She and her committee have many projects they are working on including oral histories, gathering artifacts and photographs, and visiting elementary schools. She thanked Fruit Heights City for their positivity and also thanked Council Member Julia Busche for funds received from the Thrive 125 grant. She expressed their greatest need right now is storage space and thought the Raymond home would be a good place to be considered for a historical site.

### CITY BUSINESS:

#### *Review/Discuss/Approve/Deny Larkin Subdivision*

Mayor John Pohlman explained that more time was needed and solicited a motion to table the issue.

*Council Member Eileen Moss made a motion to table the Larkin Subdivision. The motion was seconded by Council Member Jeanne Groberg and it was approved unanimously.*

#### *Review/Discuss/Approve/Deny Rezone Request for Rockloft Ridge Estates*

City Planner Jeff Oyler said that the rezoning of the land from A-1 and R-S-12 to R-1-12 had been discussed several times and that this is the first step in the process to approve all the elements in this project. He said that he is recommending the rezoning be approved subject to approval of the development agreement and final plat approval of the subdivision by the City Council.

Mayor John Pohlman wanted to acknowledge the fact that he had met with multiple neighbors and attended three cottage meetings with City Manager Brandon Green to discuss the development with residents. He also pointed out that the rezoning had passed the Planning Commission with a vote of 3-2.

Council Member Eileen Moss made the comment that in order for this to be legal and binding it needs to be an ordinance. City Planner Jeff Oyler said he could have an ordinance prepared by tomorrow. Mayor John Pohlman confirmed the rezoning and related proposed annexation of some land both need to be done by ordinance. City Planner Jeff Oyler pointed out that the rezoning and annexation cannot be done at the same time.

The developers and family present requested that the rezoning should move forward. It was agreed that City Manager Brandon Green and City Planner Jeff Oyler would be excused to prepare the ordinance. Council Member Eileen Moss commented that the work meeting the previous Tuesday (a meeting open to the public but not open to public comment) had been helpful to handle questions at that time with the developer.

City Manager Brandon Green and City Planner Jeff Oyler were excused.

#### *Review/Discuss/Approve/Deny Lobbyist Agreement*

The Council members discussed the Lobbyist Agreement that had previously been provided to them. Mayor John Pohlman explained that it is a 12-month agreement with Lincoln Hill Partners led by Lincoln Shurtz. In the past three weeks, Lincoln Shurtz has been meeting with the City and had identified \$6 million in grants the City could submit. The City submitted four grants. This could be significant considering the City's annual budget is just over \$1 million. Working with Lincoln Shurtz would require the City to pay him \$60,000, and Mayor John Pohlman felt that it would be well worth it.

The four projects that the submitted grants would cover include a well relocation project, a water tower in the North East area of the City, a water line replacement of old pipes, and a water conservation project in Nicholls Park.

Council Member Eileen Moss commented that she had the opportunity to get to know Lincoln Shurtz years ago when he was a lobbyist for the Utah League of Cities and Towns. She commented that he is well connected and was able to get a bill passed in one session at the Legislature. He would understand our City issues.

Mayor John Pohlman again said that he felt like this is money that would be well spent. Council Member Julia Busche also agreed that it would be a good use of the City's money but wondered where it would come from in the budget. City Manager Brandon Green said it would come from the general fund - planning and zoning - professional services. City Council Jeanne Groberg was also concerned where it would come from in the budget as well. She also agreed it would be well worth the money.

City Manager Brandon Green noted the money from the grants is not guaranteed. Council Member Eileen Moss went over the scoring system for grants. She felt Lincoln would help to get the highest score possible. Mayor John Pohlman expressed appreciation for City Manager Brandon Green who had spent a considerable amount of time working on the grants the past couple weeks.

*Council Member Julia Busche made a motion to approve the Lobbyist Agreement with Lincoln Hill Partners. The motion was seconded by Council Member Jeanne Groberg and it was approved unanimously.*

## REVIEW AND APPROVAL OF MINUTES FROM PREVIOUS MEETINGS:

### *City Council Meeting June 15, 2021*

City Council members discussed the draft minutes that previously had been provided to them for the June 15, 2021 City Council Meeting and no corrections were suggested.

*After brief discussion, Council Member Eileen Moss made a motion to approve the minutes for the June 15, 2021 City Council meeting. The motion was seconded by Council Member Julia Busche and it was approved unanimously.*

### *City Council Meeting September 7, 2021*

City Council members discussed the draft minutes that previously had been provided to them for the September 7, 2021 City Council Meeting and no corrections were suggested.

*After brief discussion, Council Member Julia Busche made a motion to approve the minutes for the September 7, 2021 City Council meeting. The motion was seconded by Council Member Eileen Moss and it was approved unanimously.*

## INFORMATION ITEMS/UPCOMING EVENTS:

Mayor John Pohlman reviewed the upcoming events including:

September 28, 2021 -- Planning Commission Meeting

October 5, 2021 -- City Council Meeting

October 12, 2021 -- City Council Work Meeting (public meeting - no decisions will be made and no public comment)

October 19, 2021 -- City Council Meeting

October 26, 2021 -- Planning Commission Meeting

Mayor John Pohlman also pointed out that there is a "Meet the Candidates Night" tomorrow night, September 22, at 7 pm. Council Member Gary Anderson commented it also will be available on Zoom.

## CITY COUNCIL & STAFF REPORTS:

Mayor John Pohlman reported that it was nice to listen to concerns from residents about the Rockloft Ridge Estates development and to also meet with the developers last week and vocalize the concerns of the residents.

Council Member Eileen Moss had concerns reported to her about speeding down Carrie Drive and Peachtree Lane and there is no enforcement. She wondered if the City could have the Sheriff in that area once in a while.

Council Member Julia Busche reported on the Day of Service held on September 11 at Nicholls Park and Gailey Trail. She said it was a great turnout with over 400 residents. She wanted to publicly thank the community for coming together. Service is an important part of building a community. She also reported on October 14 at 6:30 pm the Citizens Corps Council and the Area Coordinator are having a social. They are getting together to make sure people know who they are talking to on the radios. The City Council was invited. Mayor John Pohlman also

thanked Council Member Julia Busche for her help with the grant writing for the City.

Council Member Jeanne Groberg reported that the Youth City Council had a great first meeting and it is a good group of ambitious kids. Their first activity will be a "Trunk or Treat" on October 29 from 4-5 pm. She also mentioned the upcoming conference with the Utah League of Cities and Towns.

Council Member Gary Anderson reported that he had not seen a response to an email from resident Darcie Trimble (she was attending the meeting online). Mayor John Pohlman replied that he had met with her and her husband.

*Council Member Julia Busche made a motion to recess the meeting for 8 minutes. Council Member Eileen Moss seconded the motion and it was approved unanimously.*

The City Council took time to read through the ordinance that City Manager Brandon Green and City Planner Jeff Oyler prepared.

*Council Member Julia Busche made a motion to rejoin the City Council meeting. Council Member Jeanne Groberg seconded the motion and it was approved unanimously.*

*Council Member Eileen Moss made a motion to approve ordinance 21-005 an ordinance of the Fruit Heights City Council rezoning approximately 66 acres of property located on the east bench of Fruit Heights to the R-1-12 zone designation with the caveat that if there is any reason that the development agreement and/or the plat are not approved, the zoning will revert after two years to its previous zoning designation. Council Member Jeanne Groberg seconded the motion.*

Council Member Jeanne Groberg took the opportunity to add a comment that there is concern about the lots varying in size in the development but feels like this is a good step and that the developers are reasonable and willing to compromise to make a win-win situation. She believes the concerns will be addressed and worked on.

*After a Roll Call Vote, each Council Member voted affirmatively to approve the motion. Mayor John Pohlman announced that the vote was unanimous.*

*Council Member Julia Busche made a motion to adjourn the meeting. Council Member Jeanne Groberg seconded the motion. It was approved unanimously, and the meeting was adjourned at 8:17 pm.*

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights City Council Meeting held September 21, 2021.

Not approved until signed.

Isi Brandon Green

Brandon Green, City Recorder

Date approved by City Council: October 5, 2021

