

MINUTES
CITY COUNCIL MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road
August 4, 2015

CITY COUNCIL MEETING 00:00:00

The City Council Meeting was called to order by Mayor Don Carroll at 7:03 pm.

The Pledge of Allegiance was led by Mayor Don Carroll and Council Member Craig Hill led the opening ceremony with a prayer.

COUNCIL MEMBERS PRESENT: Council Members Diane Anderson, Julia Busche, Craig Hill, Scot Poole, Eileen Moss and Mayor Don Carroll were present.

STAFF PRESENT: City Manager Brandon Green, City Planner Jeff Oyler, City Attorney Brad Christopherson and Recording Secretary Kelli Rollins. City Engineer Brandon Jones came a little late.

VISITORS: Fred Bergold, Barbara Hunsaker, Kent Hunsaker, Jim Crismer, Richard Green, Jacob Reynolds, Eric Reynolds, Janna Lamb, James Lamb, Carol Elliott, Ken Gheem

AGENDA ITEMS:

2. APPROVAL OF MINUTES FROM PREVIOUS MEETING

Council Member Eileen Moss made a motion to approve the minutes of July 14, 2015 with corrections. Council Member Craig Hill seconded the motion and it was approved unanimously.

3. SPECIAL PRESENTATIONS- Items from the Public

Mr. Kent Hunsaker complimented the Fruit Heights City Staff on the help with the floods from the rainstorm. He said they put forth a tremendous effort and were incredibly pleasant. Mayor Don Carroll added that the citizens were also very helpful in assisting their neighbors. It was suggested that the comments be added to the Ridgerunner next month.

4. PUBLIC HEARING

Mayor Don Carroll summarized how at the beginning of the year the City Staff and City Council had identified the growing need to have more money to use to repair the streets in Fruit Heights and met to discuss different options. In many meetings since then two different ideas were discussed. In the public hearing a few weeks ago the public was able to voice their opinions on the two options. The two options were to have a utility fee or to hold a truth in taxation hearing and raise the property tax. The City Council reached a compromise and voted to implement a fee and also raise property

taxes to assist with the remaining balance needed. In order to raise the property tax the City needs to hold a truth in taxation hearing.

Council Member Craig Hill made a motion to move into a Public Hearing. It was seconded by Council Member Scot Poole and was approved unanimously.

Mr. Jim Lamb stated that he was opposed to the increase. He mentioned the new gas tax and the county tax and the new fee. He suggested looking at the budget and trimming a few things instead. He also suggested looking into franchise taxes on cell phones and other utilities that are not coming to Fruit Heights.

Mr. Fred Berghold mentioned that he had received his tax notice for the year and there was a huge increase. He mentioned that the City Council had not taken that increase into consideration. The City Council and Mayor reminded him that not everyone had an increase and that the City doesn't receive any portion of that increase even if their property is valued higher.

Council Member Diane Andersen made a motion to move out of the Public Hearing. It was seconded by Julia Busche and was approved unanimously.

6.1 Follow-up Discussion regarding Use of Force Protocol with Davis County Sheriff's Office 00:16:08

Mayor Don Carroll mentioned that Sheriff Todd Richardson attended their last meeting and discussed the use of force protocol for Fruit Heights City. There is a risk assessment matrix that is in place to help determine when SWAT would be called in a situation. The matrix will not be published for the public but if anyone would like to look at it there is a copy in the City Office. He mentioned that during the last SWAT event in Fruit Heights that matrix was used.

City Manager Brandon Green also mentioned that in the event that SWAT needs to be deployed in Fruit Heights the Sheriff's Office will contact the City Manager and/or City Mayor and their job will be to decide how to inform the residents in the area of what they need to do. Citizens often put themselves at risk when there is an event unfolding. The Sheriff's office is there to protect the life and welfare of our residents and with the matrix in place the City is comfortable with these arrangements.

5. NEW BUSINESS 00:22:08

5.1 Discuss/Approve/Deny Proposed Property Tax Increase for FY 2015-2016

City Manager Brandon Green stated that the City had discussed at length the need for money to repair and provide maintenance for the streets. He mentioned that he knows that everyone is affected by these changes but that if the City continues to do nothing the City will be facing larger problems in the next years. He reminded everyone that

one of the reasons why Fruit Heights is such a great place to live also brings with it the issue that the City has no commercial tax base. The City Staff has reviewed and re-reviewed what it will take to make and maintain improvements. The Staff initially had proposed a \$25 dollar monthly fee. After many conversations and compromises there will be a \$7.50 fee and the City Staff is now proposing a similar property tax increase. The money will be set aside to do chip and crack seals, curb & gutter repair, mill work and to get our roads into a better condition. The City does not want to misappropriate or misuse funds. We will reevaluate in five years or sooner to see if this system is working.

Mayor Carroll talked about the software program used to create the map of what our streets need and to help develop a long range plan for the wisest way to use these funds to improve our roads. He mentioned the proposed sales tax which Davis County is putting on the ballot that would provide an additional \$58,000 for streets in Fruit Heights which if passed would be added to the fund and would lessen our needs.

Council Member Craig Hill reminded everyone that the City of Fruit Heights is unique in that the City has no debt and no bond. We have tried to pay as we go rather than incur debt. That does require the City to be responsible and look to their future expenses and protect investments such as streets.

Council Member mentioned that for every \$1 spent on maintenance it is the equivalent of \$7-\$10 in road construction.

Council Member Diane Andersen commended the City Staff for looking ahead and coming to the City Council. She appreciated that the City Council is willing to make personally difficult decisions because this affects them financially too. They are willing to do what they need to do. She appreciates that there is a study done on the roads and a picture of what really needs to happen. It is a lot of money but it would be less than responsible to let it go.

Council Member Craig Hill made a motion to approve the property tax increase. Council Member Scot Poole seconded it and it was approved unanimously.

<i>There was a roll call vote taken</i>	<i>Aye</i>	<i>Nay</i>
<i>Council Member Craig Hill</i>	<u> X </u>	_____
<i>Council Member Scot Poole</i>	<u> X </u>	_____
<i>Council Member Diane Andersen</i>	<u> X </u>	_____
<i>Council Member Julia Busche</i>	<u> X </u>	_____
<i>Council Member Eileen Moss</i>	<u> X </u>	_____

Mayor Don Carroll thanked the City Council for making a tough decision that affects all the citizens including themselves. He commended them for their courage and foresight.

5.2 Discuss/Approve/Deny FY 2015-2016 Budget

City Manager Green brought the final budget with the added property tax increase to the City Council for approval.

Council Member Julia Busche made a motion to approve FY 2015-2016 budget with the property tax increase. Council Member Diane Andersen seconded it and it was approved unanimously.

5.3 Discuss/Approve/Deny Farmington City Justice Court Agreement

City Manager Green reminded the City Council that the current Davis County Justice Court would be dissolved by December 31, 2015. Farmington has agreed to host the Justice Court. The Justice Court will be located at the same place and they do not plan on changing the charges on anything at this time. All terms will remain the same, the revenues will remain a 50/50 split and the City will pay for its own prosecuting attorney. The final agreement has been reviewed by Mr. Mike Hays from the City Attorney's office.

The City Council and City Attorney Brad Christopherson discussed dissolving the prior court, the possibility of extending the six month termination notice to a full year instead and also any potential conflicts of interest.

Council Member Diane Andersen made a motion to approve the Farmington Justice Court Agreement. It was seconded by Council Member Scot Poole seconded and it was approved unanimously.

Mayor Don Carrol inquired if all the contracts with the other cities involved were the same and it was determined that Kaysville had signed an earlier version but the only difference was the court software that will be used.

5.4 Approve/Deny Resolution 2015-02A Approving Tier 2 Retirement Rate

City Manager Brandon Green brought before the City Council the Tier 2 Retirement Rate that had been approved previously. The state is now requesting that the City Council and Mayor be considered part-time employees. That is the only change.

Council Member Craig Hill made a motion to approve the retirement. Council Member Scot Poole seconded the motion and it was unanimously approved.

There was a roll call vote taken	Aye	Nay
Council Member Craig Hill	<u> X </u>	_____
Council Member Scot Poole	<u> X </u>	_____
Council Member Diane Andersen	<u> X </u>	_____
Council Member Julia Busche	<u> X </u>	_____

Council Member Eileen Moss

 X _____

5.5 Discuss permitted uses for the 100 Acre Parcel of Property along the East Bench, Formally Forest Service Property.

City Manager Brandon Green and Mayor Don Carroll reminded the City Council of the former Forest Land that will be turned over to the City. The land must remain open to the public. City Manager Green mentioned the need to line up our easement with Farmington's easement. He also mentioned that there are complaints about how the property is being used. Currently there are ATV and other motorized vehicles wearing away the terrain by creating new trails up the hillside. There are firearms being used and there is also dumping of televisions, microwaves and even a treadmill. Bonfires, animals and parties have also become an issue. The City Council and Staff discussed the trail system on how important it was to keep it open and accessible. Accessibility for the fire department is also a priority. It was determined it would be best to allow continued access to the hikers and bikers and to let the ATV's ride only on the trails and to block off the trails where they have started to ride up the mountain. It was suggested to give some separation between hiking/biking trails and the motorized vehicles trail. Appropriate signage was discussed. Mayor Carroll requested that this topic be put on the next agenda. It was also suggested that the City Council speak to their constituents to get their opinion of what they would like to see in this area.

5.6 Discuss Ongoing Funding and Maintenance Plans for Nicholls Park

City Manager Brandon Green reminded the City Council of the issues that

7. CONSENT CALENDAR 01:55:40

7.1 July Check Register

The City Council reviewed the Check Register for July. They followed up on questions from last month. They asked about the HVAC bids and the signage for the Tour of Utah race. The discussed Founder's Day and Council Member Diane Andersen mentioned that the Hunts were holding and evaluation meeting and would then come and report to the City Council. The budget for Founder's Day was followed as well.

Council Member Eileen Moss made a motion to approve the July Check Register. Council Member Diane Anderson seconded the motion and it was approved unanimously.

8. UPCOMING CALENDAR EVENTS: 2:07:00

8.1 Tour of Utah Bike Race August 5, 2015

City Manager Brandon Green reminded the City Council that the Tour of Utah bike race would be in Fruit Heights at approximately 12:30. The residents that live East of Mountain Road would have limited access to roads. They have all been notified.

8.2 Fruit Heights City Caucus Meetings August 11, 2015 7:00

City Manager Green mentioned that he has one chair in place but needs one more chair and both secretaries. He has made multiple calls.

Mayor Don Carroll also mentioned that on August 8, 2015 the Miss Kaysville/Fruit Heights Pageant would take place at Davis High School.

9. DEPARTMENT AND CITY OFFICIAL REPORTS: 02:09:25

9.1 City Engineer's Report

There was not a report given.

9.2 City Planner's Report

City Planner Jeff Oyler requested that the State Land and Forestry be put on the next agenda to explain how the City can become a certified fire wise city. Mayor Don Carroll asked about TT Grants and if that was something that the City could benefit from in the future. City Planner mentioned that the board decides where to spend that money and applications are due by the 14th. Mayor Carroll requested that this be put on future calendars.

9.3 City Attorney's Report

There was not a report given

9.4 City Manager's Report

City Manager Green mentioned that it rained. Fruit Heights received 3.27 inches of rain and there was widespread flooding. The City's storm drain system is not equipped to handle that much rain. Manhole covers shot up because of the water pressure. He and the City Staff went door to door helping however they could. The community came together to help neighbors.

City Manager Green mentioned the HVAC system is up and working. The new lawn mower is working great but the other one that was working has broken so they may be coming to the City Council to purchase another.

The City Council questioned where City Manager Green would like to see improvements in the storm drainage system. He mentioned that the Burton Elementary

detention basin became a raging river. He also mentioned the Ellison Farms Detention basin. He also mentioned that the majority of damage came from downspouts set against foundations and landscaping sloping towards homes.

Mayor Don Carroll thanked the City Staff for all their work.

9.5 City Council Member's Reports

The City Council talked about how nice Founder's Day was this year. They mentioned the great services, the police and fire as well as the dog handlers. The concessions were wonderful.

Council Member Eileen Moss mentioned that they needed more garbage cans. Council Member Julia Busche mentioned that the raffle would be better mid-way through and at the end instead of during the performance to show respect for the live musicians.

9.6 Mayor's Report

Mayor Don Carroll thanked the City Council for their support at Founder's Day and how calm and organized it was. He thanked Council Member Diane Andersen and the Founder's Day Committee for a job well done.

10. CLOSED MEETING

A closed meeting was not held.

11. ELECTRONIC MEETING

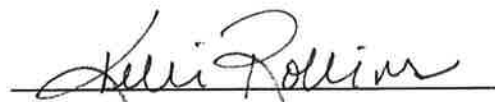
An electronic meeting was not held.

12. ADJOURNMENT: 02:33:06

Council Member Scot Poole made a motion to adjourn the meeting. Council Member Eileen Moss seconded the motion. The meeting was adjourned at 9:36 pm.

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights City Council meeting held August 4, 2015.

Not approved until signed



Kelli Rollins, Fruit Heights Recording Secretary

Date approved by City Council: August 18, 2015