

MINUTES  
CITY COUNCIL MEETING  
FRUIT HEIGHTS CITY  
910 South Mountain Road  
March 17, 2015

CITY COUNCIL MEETING 00:00:00

The City Council Meeting was called to order by Council Member Craig Hill at 7:05 pm.

The Pledge of Allegiance was recited and Council Member Eileen Moss gave a prayer for the opening ceremony.

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

**STAFF PRESENT:** City Manager Brandon Green, City Planner Jeff Oyler and Recording Secretary Kelli Rollins.

**VISITORS:** Fred Bergold, DeEll Fifield Joseph Biehn, Cub Scout Troop 449,

**AGENDA ITEM:**

**2. APPROVAL OF MINUTES FROM PREVIOUS MEETING**

*Council Member Julia Busche made a motion to approve the minutes of January 20, 2015 with corrections. Council Member Diane Anderson seconded the motion and it was approved unanimously.*

*Council Member Diane Anderson made a motion to approve the minutes of the Strategic Planning Meeting on February 24, 2015 with corrections. Council Member Scot Poole seconded the motion and it was approved unanimously.*

*Council Member Julia Busche made a motion to approve the minutes of March 3, 2015 with corrections. Council Member Diane Anderson seconded the motion and it was approved unanimously.*

*Council Member Eileen Moss made a motion to approve the minutes of the Special Work Meeting on March 10, 2015 with corrections. Council Member Julia Busche seconded the motion and it was approved unanimously.*

**3. SPECIAL PRESENTATIONS- Items from the Public**

Mr. Fred Bergold reminded the City Council that he had expressed his concerns to the City Council in the fall. His concern is about SWAT teams that operate within Fruit Heights City. He wanted to know who had the authority to deploy the SWAT team within city limits. He believes that someone who has been elected by the citizens of Fruit Heights should be in on the deployment decision.

City Manager Brandon Green had talked to Sheriff Richardson about this issue and the Sheriff told him that the decision would most likely involve the Mayor but it would also depend on the scenario. If it is "shots fired" time will be a huge factor. Mr. Bergold pointed out that the city government is there to protect the citizens and that there will always be time to call someone in the city. City Manager Green will follow up with the Sheriff. The City Council discussed this further and it was suggested that this could possibly be addressed in the City Emergency Response Plan. It is important to know under what circumstances SWAT teams would be called in. It was also suggested that this be taken as an action item and that when something is decided that the City inform Mr. Bergold. Council Member Craig Hill mentioned that Fruit Heights has a very professional and beneficial relationship with the Davis County Sheriff's office.

Mr. DeEll Fifield addressed the City Council and mentioned that the driveway approaches on Edgehill Drive are in serious need and the problem really needs to be assessed and repaired. He is asking the Public Works department take a good look at this road. City Manager Brandon Green assured him that Edgehill Drive was on the list of future repairs. The iWorq software was also mentioned.

*Mayor Don Carroll arrived at the City Council Meeting.*

Mr. Joseph Biehn questioned the City Council if the rumor of decertifying the Davis County Justice Court was true. City Manager Brandon Green answered that there was indeed a petition to do so but that a ruling had been made and that the request to decertify was denied. They can apply again next year so the soonest it could be decertified would be in December of 2018. The possibility of Fruit Heights City recertifying was discussed. In the past the cost to run the court was not supported by the number of citations and it was a drain on the city finances. The final decision would be up to the Mayor and Council.

#### 4. NEW BUSINESS 00:22:55

##### **4.1 Discuss/Approve/Deny Solid Waste and Recycling Request for Proposal**

The City Council, Staff and the Mayor discussed the request for proposal. There was a question about the green waste only being picked up every other week but that was an error in the document that would be fixed. It was mentioned that recyclables should be included in the RFP but Wasatch Integrated Waste is not yet set up to take the recyclables. The City Staff, Mayor and City Council discussed the plans of Wasatch Integrated Waste installing a Materials Recovery Facility (MuRF). They discussed the benefits of a cleaner burn, less maintenance, less trucks on the street and more efficient recycling. They also discussed the landfill, future projects at the burn plant and the timing the city needed to get bids returned and make a decision in plenty of time for the deadline in June. It was determined that the proposal would need to be rewritten

removing the biweekly green waste error and the mention of recycling. The education of the citizens of the City will be of prime importance so that they understand the new system and if they would rather still have curbside recycling then they may choose to continue that service via a private hauler.

Mayor Carroll mentioned sending out the RFP for garbage only without mentioning curbside recycling. Council Member Eileen Moss also asked if it would be possible to remove all mention of recycling except a mention of the MuRF for education purposes. Council Member Moss would like to see a sentence or two about how we anticipate that in the fall of 2015 recyclables will be handled at the burn plant through the new MuRF system. This would inform the bidders that we are not asking for a separate recycling bid and could go in the background paragraph. The Council discussed a shorter contract but ultimately decided they would like to keep with a five year contract with option to renew for three years.

Council Member Scot Poole inquired about requiring cleaner burning vehicles in our contract. It was determined that the council did not want to exclude anyone from applying because of that but that most waste management companies were heading in that direction. Council Member Poole suggested putting a statement in the proposal regarding this matter.

City Manager Brandon Green was tasked with rewriting the proposal and making inquiries with other communities about the clean burning fuel clause. It was determined that the City Council would meet at 6:45 on March 24<sup>th</sup> to look to approve or deny the re-written proposal.

*Council Member Eileen Moss made a motion to table the approval of the Request for Proposal. Council Member Craig Hill seconded the motion and it was approved unanimously.*

City Manager Brandon Green was discussed timing of the RFP and haulers who have already expressed an interest in bidding. There was a discussion about the RFP not requiring the Council to accept the lowest bid. History, reliability and past service may also play a part.

#### **4.2 Discuss/Approve/Deny Purchase of Generator for City Shops** 00:58:15

City Manager Brandon Green mentioned that Mr. Mark Mitchie had a generator for sale that he was willing to sell to the city for seven thousand five hundred dollars. City Manager Green would like to purchase it for the City Shops in case of an emergency. Public Works will do the moving but there would be additional costs for the electrical work and the cement pad and catch basin that would need to be installed. The funding would come from the shops fund. Mayor Carroll requested that an electrician that knows ATF's and grounding be involved in installing the generator correctly.

*Council Member Eileen Moss made a motion to approve the purchase of Mr. Mitchie's generator for \$7,500 for the City Shops. Council Member Diane Anderson seconded the motion and it was approved unanimously.*

**4.3 Discuss/Approve/Deny Request to purchase Electronic Payment Software** 01:05:15

City Manager Brandon Green brought before the City Council the request to purchase a module from Clarity Software to make it possible for people to pay their city bill online. The cost of the module is four thousand five hundred and an additional five hundred dollars to be trained on the module. All credit cards other than American Express will be accepted. There is a maintenance fee to be paid every month. Four of the staff will be trained. City Manager Green would like to move eventually to a paperless billing system. The City Council and City Staff discussed incentives that other cities have done to make this switch. Some cities charge a fee to those who continue to get a paper bill. The City Council and Staff prefer the idea of giving the citizens a one-time discount on their bill if they switch to paperless. Where and how the money is deposited and merchant fees were also discussed. City Manager Brandon Green anticipates that by the end of April this should be working.

*Council Member Craig Hill made a motion to approve the purchase of electronic payment software for \$4,500 and \$500 for training. Council Member Scot Poole seconded the motion and it was approved unanimously by the City Council.*

**4.4 Discussion on Budget Amendment for Kaysville Fire Service** 01:12:08

City Manager Brandon Green mentioned that there may be a need to approve an amendment to the budget for services provided by the Kaysville Fire Services. The City has received their bill and exceeded budget expectations by thirty seven thousand dollars. The City Council, Staff and Mayor discussed the bill and where the increases seem to have occurred. The large increase seems to fall under the fire and ambulance services. They also discussed the cost of living increase and why there would be a need to pay for ambulance services when individuals are charged for that service. City Manager Brandon Green was charged to open a dialogue with the Kaysville finance director and get some answers before this bill is paid.

*Council Member Eileen Moss made a motion to table the discussion about amending the budget for Kaysville Fire Services. Council Member Scot Poole seconded the motion and it was approved unanimously by the City Council.*

**4.5 Discuss/Approve/Deny Request from Davis County Library/Kaysville Branch for Fruit Trees.** 01:26:48

City Manager Brandon Green brought to the City Council and Mayor a request from the Davis County Library/Kaysville branch. They are interested in incorporating the City of Fruit Heights into the library plans. They proposed that the City of Fruit Heights donate

six fruit trees to be planted on the grounds next to the library. There would be a plaque mentioning the donation at that location. The City would not be responsible to plant, maintain, or care for the trees or fruit. The City would not be billed for any future services. The City Council discussed their concerns including spraying the trees, fruit rotting on the ground and perhaps donating non-fruit bearing trees instead. These costs would be taken care of by the library board.

*Council Member Diane Anderson made a motion to approve the purchase of six fruit trees for the Kaysville Branch of the Davis County Library and Council Member Scot Poole seconded. There was no vote taken.*

The City Council discusses the amount of money that would be needed. City Manager Brandon Green was certain that there would be minimal costs for the six trees. There was a discussion to modify the motion to determine a dollar amount. Council Member Eileen Moss suggested bare root trees to save money.

*Council Member Julia Busche made a substitute motion to table the request to purchase six fruit trees for the Kaysville Branch of the Davis County Library. Council Member Eileen Moss seconded the motion and it was approved unanimously.*

Council Member Craig Hill mentioned that the City of Fruit Heights would look pretty small if the City Council chose to deny this request. Mayor Don Carroll asked if there was a better way to represent Fruit Heights. The City Council and Staff mentioned paying for an auditorium in the library, hiring a resident to paint a mural for the library. Mayor Don Carroll asked the City Council to give it some thought and to email their suggestions to him. Council Member Diane Anderson requested that City Planner Jeff Oyler let the board know that the City of Fruit Heights would love to participate and to thank them for thinking of including Fruit Heights.

#### 5. OLD BUSINESS 00:29:29

There was not any old business to be discussed.

#### 6. CONSENT CALENDAR: 01:43:24

##### **6.1 February Check Register**

City Manager Brandon Green presented the February Check Register. He mentioned that he had been asked at a previous City Council meeting what the Bankcard charge was and he discovered it was a card on file at certain establishments to charge water supplies for the City of Fruit Heights. The charges can only be made if there is a Purchase Order attached to the transaction.

*Council Member Craig Hill made a motion to pay the bills and Council Member Diane Anderson seconded the motion. It was approved with a unanimous affirmative vote.*

The City Council had some questions regarding the City just billing itself for services for the City Building and City Shops. They discussed the use of the ball diamonds and the baseball leagues in the surrounding areas. There was some discussion about not letting the city leagues use it but renting it out to private organizations instead.

### **6.2 February Budget Report**

City Manager Brandon Green did not post the Budget Report but he reported that the City of Fruit Height's budget for February was very healthy. There were not any concerns as everything is at or below budgeted amount.

## **7. UPCOMING CALENDAR EVENTS: 01:58:10**

### **6.1 Spring Cleanup April 25<sup>th</sup>- May 2<sup>nd</sup>**

City Manager Brandon Green mentioned that the office staff had already printed the vouchers with the original dates instead of the dates proposed by the City Council.

### **6.2 Founders Day Celebration August 1<sup>st</sup>, 2015**

The Mayor also mentioned that we need to add the 4<sup>th</sup> of July Devotional to the calendar. There is also a Veterans Day celebration in November. The City of Fruit Heights will be in charge of both of those events. The Mayor will find out the dates for both of those events. Council Member Craig Hill mentioned that he already had a commitment for two convertibles for the parade. Council Member Julia Busche also has access to one. City Manager Brandon Green was tasked with comparing prices for candy and ordering twice as much as last year.

## **7. DEPARTMENT AND CITY OFFICIAL REPORTS: 02:03:42**

### **7.1 City Engineer's Report**

There was no report given.

### **7.2 City Planner's Report**

City Planner Jeff Oyler mentioned he had been inundated with calls from people wanting to do service projects. City Manager Brandon Green mentioned that there was a huge need for sagebrush removal on the Hinckley Trail. City Planner Jeff Oyler would let the inquiring party know about the need and also let City Manager Green know of the dates so they can have dumpsters on site. There was some discussion about private property and prescriptive easements on the Raymond property. Council Member Julia Busche mentioned that there were already two Eagle Scout Projects and one youth group from an LDS stake who were going to be removing debris from the

Nicholls Park Trail. City Manager Green mentioned that there would be 3 dumpsters in place for those projects.

### 7.3 City Manager's Report

City Manager Green reported on the District Court decision. He also reported about Mountain Road being surveyed and prepared for water lines. The financials will be brought to the City Council soon.

### 7.4 City Council Member's Reports

Council Member Diane Anderson mentioned that the letter from the Mayor in their emergency packet was outdated and Council Member Eileen Moss replied that the updated letter was done and was to be distributed by the area coordinators. Council Member Anderson also had some questions on behalf of Stefanie Wells regarding the Davis County Gala. She also mentioned that the Youth City Council wanted to take on the responsibility of removing cups from the over pass.

Council Member Julia Busche requested signage for the Nicholls Park Trail as soon as possible. City Manager Green mentioned that some temporary signs were being made. There were also to be two dog stations on the trail, one at the beginning and one at the end.

### 7.5 Mayor's Report

Mayor Don Carroll mentioned the last minute passing of the transportation tax which will help provide a little more revenue for the roads of Fruit Heights. He also discusses active transportation and the process of certification to receive funding for some of those projects. Mayor Carroll also mentioned that a generous citizen of Fruit Heights has donated lots of evergreen trees. They are ready now. He will deliver and the city will plant. The City Council mentioned parks and trails that would benefit from this donation. The Mayor also mentioned the Tour of Utah bike race and the possibility of perhaps having them ride through Fruit Heights.

City Manager Brandon Green mentioned the Sensitive Lands Ordinance that would come before the Planning Commission on the 24<sup>th</sup>. The City Council requested a copy to be sent to them.

Mayor Carroll mentioned the ongoing problem going on up at the mine and how the problems were disseminating into the neighborhood below the mine. City Manager Brandon Green was tasked with calling the property owner again to discuss the issue.

## 8. CLOSED MEETING

A closed meeting was not held.

9. ELECTRONIC MEETING

An electronic meeting was not held.

10. ADJOURNMENT: 02:38:27

*Council Member Craig Hill made a motion to adjourn the meeting. Council Member Eileen Moss seconded the motion and it was approved unanimously. The meeting was adjourned at 8:48 pm.*

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights City Council meeting held March 17, 2015.

*Not approved until signed*

  
Kelli Rollins, Fruit Heights Recording Secretary

Date approved by City Council: April 7, 2015