

MINUTES  
CITY COUNCIL MEETING  
FRUIT HEIGHTS CITY  
910 South Mountain Road  
October 15, 2024

WELCOME:

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

PLEDGE & OPENING CEREMONY:

The Pledge of Allegiance was led by Council Member George Ray with Council Member Eileen Moss conducting the opening ceremony by prayer.

COUNCIL MEMBERS PRESENT:

Mayor John Pohlman, Council Members Gary Anderson, Mark Cottrell, Eileen Moss, George Ray and Florence Sadler.

CITY STAFF PRESENT:

City Manager Darren Frandsen, Public Works Director Layne Leonard, City Planner Jeff Oyler and Deputy Recorder Hailee Ballingham.

VISITORS:

Terry Smith, Christy Smith, Russ Tanner, Curtis Tanner, Celeste Cottrell, Paula Stephenson, Chuck Stephenson, Elizabeth Pinto, Carson Sholly, Bob Fowler, Shannon Fowler, Ella Williams, Kirra Naylor, Josh Boucher, Shannon Christiansen, Robert Christiansen, Jim Frazier, Jenalee Frazier, and Kristi Stringham.

DECLARATION OF CONFLICT(S) OF INTEREST: None

CITY COUNCIL TRAINING:

Council Member Florence Sadler provided training on Meeting Minutes. Public meetings are required by law to have minutes, serving two purposes: documenting city activities and informing citizens. While minutes don't need to be word-for-word, they should accurately reflect discussions and decisions. Nowadays, meetings are often recorded and available online for review. The minutes must be kept indefinitely and be accessible on the city website for reference. The deputy reporter prepares two versions of the minutes, with the draft reviewed and finalized by the council. Each set of minutes should include essential details like date, time, attendees and discussions. Any additions or corrections can be made as needed.

PUBLIC COMMENT: None

PRESENTATIONS:

YCC Report. Ella Williams and Kirra Naylor presented the report. In September, the YCC cleaned up the area around the sound wall and assisted Storm Water Superintendent Parry in distributing informative flyers related to storm water management. For October activities, the Fruit Heights City YCC and Kaysville YCC are collaborating with a mother and daughter from Fruit Heights to organize "Fable Forest," a family-friendly fairy tale haunt at Gailey Trail on October 25-26 from 6 to 8 p.m. The entry fee for this event is non-perishable food items, which will be donated to the Bountiful Food Pantry. The YCC members will actively participate as actors, assist in decorating the trail, and collect food donations.

The Davis County Sheriff's Quarterly Report was presented by Elizabeth Pinto, Carson Sholly, and Josh Boucher. Their PowerPoint presentation with all the quarterly statistics can be found on the city's website under this meeting's agenda. They also discussed the challenges posed by e-bikes and are exploring ways to educate the public about the laws governing the three different types of e-bikes.

#### Recognizing the Veterans Memorial Committee.

The city wished to acknowledge the tireless efforts and dedication of Chairman Robert Christiansen and the members of the committee: Shannon Christiansen, Paula Stephenson, Celeste Cottrell, Bob Fowler, Jim Frazier, Jenalee Frazier, Ben Wellman and Thieda Wellman. Their remarkable work has brought forth this magnificent memorial, serving as a tribute to the past, present, and future service members of our city. We express our deepest gratitude for their invaluable contributions in honoring those who have served our nation with valor and sacrifice.

Terry Smith: In the last meeting, he asked several questions about the reports and future development. There were supposed to be engineers and a third reviewer involved, but that did not happen. He questioned why the future development land was allowed to be developed when the Geotech report stated it couldn't be. City Manager Frandsen confirmed that the geotechnical work for the homes had been done but was unsure about quarterly inspections by an engineering firm. Mr. Smith asked if the SWMP is not complete and asked who will monitor it. Up to this point, the city has not enforced the development agreement very well. He also mentioned the need for roof drain regulation in the SWMP, which the developer is working on with their engineer to create a mitigation plan. Once houses are built, will there be measures in place to address this issue?

#### DISCUSSION ITEMS:

##### 5.1 Landslide and Rock Loft Development

The city geotechnical engineer received the letter and has been working on a response. He is expected to provide analysis this week or next. It is important to provide him with video or photo evidence for better recommendations. Drone footage was obtained to help him. With the new state law set to take effect in January 2025, there are concerns about the inability to impose fines on developers for storm water violations. The Utah League of Cities and Towns is actively addressing this issue, and our city manager is monitoring the situation to determine if adjustments to our consolidated fee schedule are necessary. A stormwater study will be started to address unfairness in current fees for residences with varying impacts on stormwater management. Company observations and road measurements are underway to collect more data.

##### 5.2 Culinary Water Rates for January 2025 & Consolidated Fee Schedule

The building permits highlight important aspects regarding financial obligations. There is an account that holds funds for incomplete building projects, some dating back to the 1980's. Efforts to return funds to original owners, if no final inspection is done or incomplete work is found, are ongoing. Requests for increased guarantee amounts ensure completion of projects by responsible parties. Overall, these measures aim to maintain accountability in construction projects.

The water impact fees were adopted for 2023, recommending a 7-10% increase annually. After analyzing data, a 5% increase for this year and a potential 7% increase for subsequent years were proposed. The base rate covers monthly water costs, with the anticipation of increasing home construction to offset costs. Concerns include decreased revenue from water conservation and necessitating budget adjustments for maintenance and upgrades. While the city has been proactive in infrastructure improvements, future funding sources must be considered for sustainable growth and maintenance. The City Manager will continue getting information to the council.

### 5.3 Well House Pump Rebuild

The city has three bids for the booster pumps to be rebuilt. Public Works Director Leonard believes that R&R Machine Service would be the best choice for the job. They have offered the lowest bid and have a schedule that allows them to complete the work a few weeks ahead of the other two companies. Additionally, Public Works Director Leonard has spoken with Weber Basin Water Conservancy, who have used and trusted R&R's services. The City Council has requested that the staff provide information in an email with the different bids for this project in the city. As part of this discussion, Council Member Moss discussed the need for the Council Members to be informed about expenditures over a certain amount as well as the spending of funds - not set aside in the budget - without being brought to the council.

#### ACTION ITEMS:

6.1 Approve/Deny Bid for the Pump Rebuild.

*Council Member Mark Cottrell made a motion to approve the bid for the pump rebuild and award it to R&R machine service. Council Member Gary Anderson Seconded the motion. The motion was unanimously approved. (1:37)*

6.2 Approve October 1 ,2024 City Council Minutes

*Council Member Eileen Moss made a motion to approve the October 1, 2024, minutes with the recommended changes. Council Member Mark Cottrell seconded the motion. It was unanimously approved by the Council. (1:38)*

#### TABLED ITEMS: None

#### CALENDAR:

October 22, 2024, Planning Commission Meeting

November 5, 2024, Election Day

November 12, 2024, City Council

#### PAST DISCUSSION ITEMS:

Recycle Program: No discussion at this time.

Election Process: No discussion at this time.

#### CITY COUNCIL REPORTS:

Council Member Anderson attended a Mosquito Abatement Meeting. They are working through their budget and statistics on the West Nile Virus.

Council Member Ray: He does not agree with earlier discussions. The staff did not need to inform the council to accept the lowest bid of three. He does not wish to be bombarded with emails about their activities, as long as they follow what we have decided. It is not the council's job to micromanage the staff. He suggests focusing on creating an ordinance that benefits everyone. He trusts the staff to handle their responsibilities. Accountability is important, but he believes our staff is capable and trustworthy. We do not need to oversee every little detail of their work. It is essential to keep communication open and address any necessary updates or changes together. It is important to have transparency and clarity in our decision-making processes.

Council Member Moss talked about Code Red. It's an app for your phone. It takes the place of the reverse 911 call with individuals who do not have a landline. This is for the sheriff's department to

push out information quickly and effectively in case of an emergency. The next Cemetery meeting will be October 22. The committee would like to put a proposal together to bring to the council to consider.

Council Member Sadler: CTC (Communities That Care) aims to prioritize youth mental health and address substance abuse through community engagement.

Mayor Pohlman reported that the CTC received a three-year grant focusing on fentanyl and opioids. With successful survey results, they may secure 18 years of funding for education on substance abuse.

**MAYOR REPORT:**

An agreement has been made with Westminster Presbyterian Church on Mountain Road to house Code Blue response. This agreement is between the church and the county. The city was not involved in the decision-making process. The county will transport individuals to the church when temperatures in specific areas are expected to drop to 18 degrees for 2 hours or more during a 24-hour period. The sheriff is present at all times, and a professional cleaning service will maintain the church. Secondary locations may be utilized if necessary. The primary location will be at the Westminster Presbyterian Church. If a family arrives at one of the designated stops, the county will accommodate them in a hotel for the night. The city will not directly notify residents, as it is not involved in the agreement. However, the church is enthusiastic about extending assistance to those in need, and the pastor welcomes any feedback or concerns from the community. They view it as a privilege and responsibility to serve those in need.

**CITY STAFF REPORTS:**

City Planner Oyler received the report from the state regarding moderate-income housing. Unfortunately, Fruit Heights is currently non-compliant. He will work on the report, providing more detailed information about the city's actions and will be resubmitting the report.

Public Works Director Leonard informed us that the stormwater project is progressing smoothly. The installation of curbs and gutters is scheduled for this week, and they are still on track to complete the project by November 1. Additionally, the secondary water was shut off on October 15 and will remain off for the winter season.

City Manager Frandsen asked if the council would approve R&R BBQ to cater the city's holiday dinner for the staff, city council, and planning commissioners. The mayor gave permission. City Manager Frandsen informed the city council that he and his staff are working to gather additional information regarding the election process to present to the council.

**ADJOURNMENT:**

*Council Member Eileen Moss made a motion to adjourn the meeting with Council Member Gary Anderson seconding the motion. It was unanimously approved by the Council. (9:04)*

Not approved until signed.

ISI: Hailee Ballingham

Hailee Ballingham, City Deputy Recorder November 12, 2024

Date approved by City Council: