

MINUTES
CITY COUNCIL MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road
November 18, 2025

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 Eileen Moss with Council Member Shon Steveston conducting the opening ceremony by prayer.

COUNCIL MEMBERS PRESENT:

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

CITY STAFF PRESENT:

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

VISITORS:

Mary Monson, Jim Crismer, David Hale, Jeanne Groberg, Blake Winslow, Mike Burnett, Lane Monson, Scott Penman, Celeste Cottrell, Tara Larkin, Ted Larkin, Emely Rasmussen, Linda Crismer, Lynn Deppe, Don Rohbock, Joyce Savage, Dennis Savage, Brandon Halliday, Louise Kite, Jack Kite, Stacy Halliday, Jarrod Hall, Scott Heusser, Jennifer Barkdull, Kevin Barkdull,

DECLARATION OF CONFLICT(S) OF INTEREST: None

PUBLIC COMMENT:

Mike Burnett expressed concerns about the 2021 General Plan. He is strongly opposed to any proposal that would eliminate the golf course for high-density housing and also opposes the proposed trail extension through Bear Canyon and under the freeway. He noted reports of increased fireworks and graffiti in the tunnel and is worried about safety and enforcement issues. He stated he was unaware the General Plan had been approved and believes further action should be paused until the public can give input. He also raised concerns about whether the plan was approved using proper procedures.

Ted Larkin expressed strong concerns about the General Plan and the lack of clear communication from the city. He said he has been told repeatedly that a planned trail would require taking part of his private property, creating uncertainty and fear for his family. He also raised safety issues in the hollow, noting fireworks, explosions, and high law-enforcement activity in the area. Ted emphasized that residents don't fear change, but fear the unknown, and he feels the city has not explained the plan or its impacts. He urged the city to respect private property rights and ensure transparency going forward.

Max Green shared historical background about Fruit Heights, explaining that his grandfather originally allowed residents to cross his property, which later became an official trail gifted by the Green family to the city. He emphasized that since a trail already exists, there is no need for a new one behind his home. He described his backyard as a wildlife area with deer, turkeys, raccoons, bobcats, and even a mountain lion, and expressed concern that increased public access would disrupt the habitat. He also raised serious fire-risk

concerns, noting that a single discarded cigarette could destroy nearby homes. He urged the city not to place an additional trail in that area.

Scott Penman expressed concern that the 2021 General Plan was not well communicated to residents, leaving many unaware of proposed changes. He noted that a proposed trail runs along the back of his yard and raised the need for careful consideration of private property. He also highlighted the lack of progress on establishing a local cemetery, which he believes is important for the community. Scott urged the Planning Commission to revisit the General Plan, gather full public input, and ensure that any approval follows proper voting procedures.

Scott Heusser, discussed the 2-to-1 council vote on the General Plan, stating it did not comply with state law and is therefore invalid. He disputed claims that residents must contest such votes within 30 days, noting that information being shared is inaccurate. He expressed frustration over repeated challenges to his property rights and cited a lack of proper public notice regarding proposed zoning changes on his street. Scott emphasized that these issues need to be carefully reviewed and addressed.

Jack Kite was frustrated with how city ordinances have been enforced in the past, noting that issues he and his wife raised in December were ignored. He emphasized that ordinances exist to prevent conflicts between neighbors and should be consistently enforced. He hopes the new mayor and city council will approach enforcement differently and uphold the rules fairly. Jack also requested clarification on why previous concerns and ordinance issues were not addressed.

Brandon Halliday, a former city council member, emphasized that elected officials have a responsibility to represent and protect the community. His concern that residents are often unaware of city plans, such as the warming center, trail system, and General Plan, due to minimal outreach. He urged the council to go beyond legal requirements for notifications by providing additional communication, such as flyers, calls, or meetings. He believes greater public engagement could lead to better-informed decisions and more community support. He encouraged the council to actively involve citizens in planning and to do more than the minimum to ensure their voices are heard.

PRESENTATIONS:

4.1 YCC Report

Ella Andrews, Kirra Naylor, and Emily Pohlman shared recent and upcoming community service activities by her group. Last month, they helped with the Fable Forest event and collected donations for the Bountiful Food Pantry. This month, they are partnering with the Layton Youth City Council to honor veterans and make thank-you cards. In December, they plan to assist with the Christmas in the Community event, serving food and hot chocolate, and to run a month-long food drive. Ella encouraged community participation and highlighted their ongoing efforts to give back.

DISCUSSION ITEMS:

Certified the election: canvassing of the general elections for 2025

City Manager read the official election results for council approval and certification. For mayor, Jeanne Groberg received 1,150 votes and Eileen Moss 962 votes. For council, Blake Winslow received 1,271 votes, David Hale 1,158 votes, and Shon Steveson 1,056 votes.

5.2 Ordinance 2025-004 amendments to Title 10, Chapter 11, Section 23 Chickens in single family residential

zones.

The Planning Commission has reviewed and recommended several ordinances, including the updated 2025-04 Chicken Ordinance. This ordinance outlines the rules and regulations for keeping chickens in residential zones. The city previously approved chicken regulations for the R-1-10 and R-1-12 zones. However, the R-S-12 zone—which also allows animals on lots over 20,000 sq. ft.—was unintentionally omitted. This update simply adds the R-S-12 zone so that it aligns with the existing regulations in the other zones.

The purpose of this update is to legalize chickens in the R-S-12 zone and ensure consistency across similar residential areas, particularly benefiting residents who already have chickens and need to become fully compliant.

Council Member Sadler expressed concerns about the number of chickens allowed and felt the limit should be higher. Other council members felt that the number outlined in the ordinance was appropriate based on typical egg production and household needs.

5.3 Ordinance 2025-005 amendments to Title 10 Chapter 11 Section 10 Height of fences walls or hedges

Ordinance 2025-005 updates and clarifies the city's fence regulations by defining where fences may be placed on a property, setting maximum heights for front, side, and rear yards, and outlining street setback and clear-vision requirements. The goal is to eliminate ambiguity and provide consistent, easy-to-follow standards.

Front Yard Fences: Limited to 4 feet in height. Currently measured from the front plane of the house to the right-of-way. A suggestion was raised to instead use the front yard setback for fairness, particularly for homes set farther back from the street.

Side & Rear Yards: Fences may be up to 6 feet tall.

Clear-vision standards apply only at street intersections. Rear-yard fences on corner lots may still be 6 feet tall as long as they do not intrude into the clear-vision triangle.

Conditional Use Clarification: Any fence or retaining wall over six feet requires a conditional use permit. Council Member Moss recommended specifying that approval must come from the Planning Commission for clarity.

The Planning Commission discussed whether ordinance should apply retroactively. They determined that existing fences should remain as they are unless they create a safety *concern*, such as obstructing required clear-vision areas.

5.4 Ordinance 2025-006 to adopt Title 10 Chapter 11 Section 24 Outdoor Lighting.

The Planning Commission drafted this ordinance in response to multiple complaints regarding bright lights from sports courts, swimming pools, and similar outdoor amenities shining into neighboring homes. The ordinance aims to clarify acceptable lighting placement and ensure fixtures are directed downward rather than outward. Specifically, lighting for sports courts, pools, and similar features may not cast direct rays beyond the property line.

While enforcement may be challenging, the intention is to manage neighbor-to-neighbor impacts and reduce disturbances. During discussion, questions were raised regarding a provision referencing construction activity, particularly the mention of 6:00 p.m. weekend limits, which some felt was overly restrictive. Clarification was provided that:

- This section applies only to construction equipment, not every day residential lighting.
- The time limits were intended to align with the noise ordinance, rather than regulate typical household projects.
- Current wording could inadvertently overregulate normal residential construction or weekend home projects, potentially limiting residents' ability to complete personal improvements in the evenings.

Suggested Revisions:

- Move construction-related lighting limits to the noise ordinance instead of the lighting ordinance.
- Distinguish between commercial vs. residential construction.
- Re-evaluate weekend and evening time restrictions to ensure they are reasonable and practical.
- Consider adding flexibility or clearer exceptions to prevent unnecessary restrictions on residents.

5.5 City Manager annual review

The council held an open discussion regarding the annual review of the City Manager, Darren. This item was placed on the agenda to ensure the review was completed before the end of the year. Over the past year, Darren has completed eight leadership courses, including:

- Emotional Intelligence & Difficult Conversations
- Managing Conflict & De-escalation
- Professional Writing (taken at the suggestion of a council member)

Council members expressed appreciation for his commitment to ongoing development and noted that these courses benefit both Darren and the city. Council members spoke highly of Darren's performance, noting: Significant growth over the past 2.5 years, His responsiveness and open-door approach, His professionalism and willingness to improve, His effectiveness in working with both residents and council members. Multiple council members publicly thanked him for taking initiative, seeking improvement, and handling difficult situations. A proposed compensation increases of \$5,000–\$6,000 annually was presented. Council noted: The city budget allows for a maximum of \$6,000. Because the item was listed as a discussion item only, no formal action could be taken during the meeting. This was acknowledged as an oversight. The Next Steps: The pay adjustment can be formally approved at the January meeting. The council discussed applying the raise retroactively to January 1

ACTION ITEMS:

6.1 Approve/Deny Canvassing of the general election for 2025.

Council Member Mark Cottrell made a motion to approve the canvassing for the general election for 2025. Council Member Shon Stevenson seconded the motion.

There was no more discussion.

The motion was unanimously approved by the council (0:51)

6.2 Approve/Deny Ordinance 2025-004 amendments to Title 10, Chapter 11, Section 23 Chickens in single family residential zones.

Council Member Mark Cottrell made a motion to approve the ordinance 2025-004 Title 10, Chapter 11, Section 23 Chickens in single family residential zones. Council Member Shon Steveson seconded the motion.

Council Member Moss clarified Council Member Sadler's concern about the number of chickens allowed being too low. She explained that the ordinance refers specifically to *laying hens*. Typically, residents may have young chicks that are not yet laying, and those would not count toward the limit on laying hens.

Council Member Stevenson stated that, in his opinion, the proposed number is appropriate. He mentioned that even with three children in his household, he often has excess eggs to give away. He currently has eight chickens, seven of which are laying.

The motion was approved by the City Council by roll call vote at (0:55)

Council Member Votes:

- Mark Cottrell — YES
- Eileen Moss — YES
- Florence Sadler — NO
- Gary Anderson — YES
- Shon Stevenson — YES

Motion carried. (4-1).

6.3 Approve/Deny Ordinance 2025-005 amendment to Title 10 Chapter11 Section 10 Height of fences, wall and hedges.

Council Member Moss proposed a motion to table the ordinance, expressing a desire to receive a clean, updated copy and, if necessary, allow the Planning Commission to review the Council's suggested changes. Before proceeding, the Mayor asked for clarification regarding the purpose of tabling the ordinance and which specific edits would be referred back to the Planning Commission.

Council Member Moss explained that because several changes had been discussed during the meeting, the Council no longer had a clean version of the ordinance to review. She stated that it would be easier to evaluate the ordinance once the revisions were incorporated and noted that the Planning Commission could provide feedback on the suggested modifications.

The Mayor then asked staff to clarify the proposed changes, which included the following:

- **Front Yard Fence Height – Section B:**
Revise the language to read, "*In front yards, fencing shall not exceed four feet in height in the front yard setback.*"
This change removes the previous reference to the "front plane of the house" and addresses concerns raised by Council Member Moss.
- **Exceptions – Section E:**
Amend the sentence to state that fences or retaining walls exceeding six feet must be approved "*as a conditional use by the Planning Commission.*"
This change clarifies the approval authority.

Staff indicated that these revisions were straightforward and unlikely to pose any issues for the Planning Commission. Legal review was discussed, and it was determined that additional attorney review was not necessary unless requested by the Council.

Following this clarification, Council Member Moss withdrew the motion to table.

Council Member Anderson made a motion to approve the ordinance 2025-005 amendment to Title 10 Chapter 11 Section 10 Height of fences, wall and hedges. with the following changes: In Section B (Front Yards), strike the language 'from the front plane of the primary building structure to the right-of-way' and replace it with 'within the front yard setback.' In Section E (Exceptions), amend the language to read 'approved as a conditional use by the Planning Commission,' adding the words 'by the Planning Commission' after 'conditional use.' Council Member Cottrell seconded the motion.

The motion was approved by the City Council by roll call vote at (1:07).

Council Member Votes:

- Gary Anderson — YES
- Florence Sadler — YES
- Shon Stevenson — YES
- Mark Cottrell — YES
- Eileen Moss — YES

Motion carried unanimously (5–0).

6.4 Approve/Deny Ordinance 2025-006 to adopt Title 10 Chapter 11 Section 24 Outdoor lighting

Council Member Moss made a motion to approve Ordinance 2025-006 to adopt Title 10 Chapter 11 Section 24 Outdoor lighting Second by Council Member Cottrell.

During discussion, concerns were raised regarding the portion of the ordinance addressing construction-related lighting and its potential impact on residents completing personal projects on evenings or weekends.

Key points discussed included:

- Distinguishing commercial construction from residential activity
- Adjusting time restrictions to better reflect seasonal and practical realities
- Ensuring the ordinance clearly regulates lighting, not general construction activity

As a result, the motion was amended with the following changes:

Replace references to “construction equipment or activity” with “commercial construction lighting” throughout the section to clearly limit applicability to commercial operations.

Time Restrictions Adjustment

Amend permitted hours for commercial construction lighting to: 8:00 a.m. to 10:00 p.m. on weekends and holidays

(Replacing the previous 6:00 p.m. restriction) Consistency in Language Ensure the term “commercial construction lighting” is used consistently in all applicable sentences within the section.

Council members agreed these revisions better aligned the ordinance with its intent, reduced overreach, and addressed neighborhood concerns while supporting dark-sky principles.

*Council Member Eileen Moss amended her motion to include the revisions outlined above.
Council Member Gary Anderson seconded the amended motion.*

The motion was approved by the City Council by roll call vote at (1:12).

Council Member Votes:

- Eileen Moss — YES
- Shon Stevenson — YES
- Gary Anderson — YES
- Mark Cottrell — YES
- Florence Sadler — YES

Motion carried unanimously (5–0).

6.5 Approve/Deny October 21, 2025, City Council Minutes

*Council Member Florence Sadler made a motion to approve the City Council Minutes for October 21, 2025.
Council Member Mark Cottrell seconded the motion.*

The motion was approved by the City Council. (1:13)

Council Member Votes:

- Eileen Moss — YES
- Shon Stevenson — YES
- Gary Anderson — YES
- Mark Cottrell — YES
- Florence Sadler — YES

Vote: Motion carried unanimously (5–0).

TABLED ITEMS: None

CALENDAR:

November 27, 2025 Thanksgiving Day (City Hall will be closed NOV. 27-28)
November 24- December 14 YCC Holiday Food Drive
December 02, 2025, City Council Holiday dinner
December 14, 2025, Christmas in our Community 6-7:30pm
December 25, 2025, Christmas Day (City Hall will be closed)
January 1, 2026, New Year's Day

PAST DISCUSSION ITEMS:

CITY COUNCIL REPORTS:

Council Member Moss provided an overview of her activities and work on various city initiatives, noting that some residents during the recent election cycle had expressed concerns that she had not been active. She emphasized that she has been actively fulfilling her assignments and provided the following updates:

1. Cemetery Committee:
 - o Council Member Moss serves as an advisor, not the chair, acting as a "cheerleader" for the committee.
 - o The committee reviewed proposals for a potential cemetery outside Fruit Heights (Lindquist), which received no support and was not pursued.
 - o Current efforts focus on exploring multiple cemetery options, including Greenlawn-style, hybrid "green oasis," and fully natural cemeteries, with opportunities for community input and pledges.
2. Roads & Traffic:
 - o Speed limit enforcement and traffic calming measures have been discussed for several years.
 - o Previously implemented painted speed limit signs have worn off and may require renewal.
 - o Three traffic-calming, speed-limit signs were budgeted in the past year; staff is researching suitable options for implementation.
3. Emergency Preparedness:
 - o The city has several neighborhood emergency coordinators in place, though some areas remain unstaffed.
 - o Efforts continue to recruit additional volunteers, including potential outreach through the Ridge Runner newsletter.
 - o Council Member Moss suggested sending periodic postcards to residents with city event updates and opportunities to volunteer for committees, parks, or emergency preparedness initiatives.
4. Communication & Community Engagement:
 - o Emphasis on improving outreach for upcoming events, committee opportunities, and city projects.
 - o Council Member Moss noted that while some residents do not regularly read email or newsletters, additional efforts such as postcards or signs may increase awareness.
 - o Cited a past issue with the General Plan notice timeline as an example of the importance of clear and timely communication.

Council Member Mark Cottrell provided several updates regarding city events, staff activities, and community programs:

1. Veterans Memorial:
 - o Nine new names were added for Veterans Day.
2. Public Safety & Liaison Activities:
 - o The city has a new deputy sheriff liaison, John Cooley, who has met with city staff.
 - o Monthly meetings with Fire Chief Shelby Willis are held to review calls and data. The county's state fire marshal attended and reviewed HB48 Wildland Urban Interface, which will require updated city and county ordinances beginning next year.
3. Community Events:
 - o Christmas in our Community:
 - The event will feature lighting, warming fires, musical performances, hot cocoa, and donuts.
 - Council members are encouraged to attend and support the event.
 - o Free Community Movie Day:
 - Scheduled for December 29 at 2:30 PM at the Kaysville Theatre.
 - Tickets must be picked up at the city office in advance.

MAYOR REPORT:

CITY STAFF REPORTS:

Public Works Director Layne Leonard reported on the damaged water line in the 1800 area. Two main areas are affected and are currently being addressed. Parks are in good condition and are being prepared for the upcoming winter season.

CLOSED SESSION:

ADJOURNMENT:

Council Member Florence Sadler made a motion to adjourn the meeting with Council Member Mark Cottrell seconding the motion. It was unanimously approved by the Council. (8:23)

Not approved until signed.

/S/: Hailee Ballingham

Hailee Ballingham, City Deputy Recorder

Date approved by City Council: January 06, 2026