

MINUTES
CITY COUNCIL MEETING
FRUIT HEIGHTS CITY
910 South Mountain Road
March 5, 2019

6:00 P.M. ANNUAL ETHICS, OPEN & PUBLIC MEETINGS, GRAMA TRAINING

City Attorney Brad Christopherson presented a Power Point regarding open and public meetings, GRAMA requests, and ethics training for the City Council, City Staff and the Planning Commission.

He reminded the City Council about the definition of a quorum and the importance of Public notified open meetings. They discussed Electronic Meetings, Public Notices, and the annual calendar that must be posted. He reminded them that an agenda must be posted prior to 24 hours before the meeting. The agenda must also be posted in a newspaper and must have a reasonable specificity of topics so the public understands what will be discussed.

The written and approved minutes are the official record of the meeting and must be posted within 3 days of the approval. An audio or video recording must also be posted within three days to either the City website or the public notice website. If posted elsewhere a link can be provided on the official websites. The audio or video recording must be unedited and must have the date, time, and place of the meeting included in the posting.

The reasons to hold a closed meeting were provided and the City Council was told that a 2/3 majority of the quorum in attendance must vote in favor of going into a closed meeting. An audio recording is required unless the closed meeting is held because of discussions regarding personnel competency. Emergency meetings may be held in emergencies and can be posted in whatever way is reasonable and practical. Prohibition meetings occur when a Council member resigns, and the public may apply to take their place. The City Council cannot enter a closed meeting to deliberate about the applicants but would interview them in an open meeting. The City Attorney would not recommend tabling the issue for another day but deciding during that meeting.

A social gathering is not a public meeting, does not need to be noticed or recorded and the Council Members and Mayor should not discuss city business. There is a criminal penalty of 6-month jail sentence and a thousand dollar fine for open and public meeting violations.

City Attorney Christopherson and the City Council and Mayor discussed electronic communication and GRAMA requests. The City Attorney would recommend keeping all emails on the cloud. He also recommends not texting each other during meetings and to not do a lot of City Business through texting. If they are doing their jobs honestly then there is not a concern. He would recommend calling fellow Council Members on the phone instead of texting. When replying to emails Council Members should copy City Manager Green on all emails so there is a record of what was said and to avoid he said/she said situations.

7:00 P.M. STRATEGIC WORKING SESSION

1. WELCOME:

The Mayor called the meeting to order at 7:07 pm.

2. PLEDGE & OPENING CEREMONY

The Pledge of Allegiance was led by Boy Scout Bryan Halliday and the meeting was opened with Council Member Brandon Halliday offering a word of prayer.

COUNCIL MEMBERS PRESENT: Council Members Diane Anderson, Gary Anderson, Jeanne Groberg, Brandon Halliday and Mayor John Pohlman were all present. Council Member Julia Busche was excused.

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

VISITORS: Brogan Anderson, Bryan Halliday, Mahonri Davis, Payton Smith, Bridger Davis, Moroni Davis, Slayer D, N. Davis, Julia Nettleton, Eva Weeks, Colin Wright.

3. PUBLIC COMMENTS:

4. APPROVAL OF MINUTES:

Council Member Jeanne Groberg made a motion to approve the minutes for February 19, 2019 with changes. The motion was seconded by Council Member Gary Anderson and was approved unanimously.

SPECIAL PRESENTATIONS

Mr. Colin Wright of the City Cemetery Committee

Mr. Colin Wright reported that the City had received the soil report and that the boulders would not incur an additional cost when excavating and there would not be a need for blasting. He reminded the Council that he had mentioned before that the soil may be excavated for the Highway 89 project but that the excavation was no longer needed.

He reported that he and City Manager Green had met with the Mayor of Centerville City as well as the Public Works Director and talked about partnering with Fruit Heights on the Cemetery. Mayor John Pohlman mentioned that several cities would be interested in partnering with the City as well as the County but that the additional traffic on Fruit Heights streets would be a deterrent.

Mr. Wright mentioned that the Cemetery can be a money-making business if that is the direction that the City would like to go. The City has a site that they already own, and the committee is getting closer with the cost estimates and would like further direction on what they should do next.

Mayor Pohlman asked about entering the cemetery through south East Oaks Drive. Mr. Wright mentioned that was not an option that was given to the committee and that they would investigate it. City Manager Green reminded the City Council that there is a drainage that goes right through the property and that the northern end is steeper but that they could look at that area.

Council Member Diane Anderson mentioned that the committee was wondering if they should have City Engineer Brandon Jones look further into the exits and entrances and if they would like to pursue funding options. Council Member Jeanne Groberg asked if they had considered the

possibility of cremation becoming more popular and that the need for the cemetery would not be as great in the future.

City Manager Green pointed out that a cemetery is another expensive park but that it would be nice if the cemetery could at least be self-sustaining financially. The cemetery would require 1-2 more full time employees and it would be nice to be partnered with another city to bear the burden of those costs. He believes that the City Council owes it to the residents to investigate all possibilities. Council Member Brandon Halliday mentioned that the cemetery would add additional traffic, but it wouldn't be rough riding through the streets and causing problems and would not be every day.

The City Council and Mayor discussed double stacking and how many acres would need to be developed. They discussed the need for a parking lot and restrooms. Mayor Pohlman requested that the City Council come to the next meeting with their thoughts and opinions so that they could put it on the agenda and give the committee some direction of if the cemetery should be a money-making business or just something strictly provided for the six deaths that Fruit Heights has in a year's time.

5. CITY INFORMATION ITEMS:

5.1 Review and Approve the Interlocal Cooperation Agreement City Manager Brandon Green recounted the history of elections in the City. With all the changes in election requirements and procedures the County and 15 cities entered into an agreement. The County oversees the election every year and they also agreed to purchase the equipment, train the staff, run the election and calculate the results. Each City and special district agreed to pay their fair share of the costs. The last election the City paid \$3,100. The election for this year is slated to cost the City 7,000. As districts decide to participate in the election those costs may go down as they are shared by more entities. The City can withdraw from the interlocal agreement but then they will have to cover all the costs and responsibilities for the elections. The interlocal agreement has been approved for 6 years and all 15 cities are still in.

The Council asked about the costs for a Primary Election. If the City needed to hold a primary election there would be an additional invoice for that and would double the amount required. The invoice received is just for the General Election.

Council Member Brandon Halliday made a motion to approve the Interlocal Cooperation Agreement for Municipal Election Services. The motion was seconded by Council Member Diane Anderson and is was approved unanimously.

5.2 Update on 2019 Caucus/Convention Meetings and Elections.

City Manager Brandon Green reported that since 1939 the City had used a caucus system where the pinecone and sagebrush parties would each elect one candidate for each open position to participate in the General Election. This guaranteed that there would be two people running for each position. Two years ago, the election laws were changed, and it made the City's caucus

system obsolete. This year HB272 would make changes to the elections law. City Manager Green had spoken with Mr. Church, Mr. Carr and Mr. Nelson who had told him that the City may hold a Caucus before May 31 and that they would then come in during the registration dates and formally register and that no one could register without going through the Caucus system.

Council Member Jeanne Groberg heard the opposite. She interpreted the changes that yes, the City could hold a caucus but that anyone could still come in and register and then a primary election would have to be held.

The City Staff and City Council determined that they needed to get clarity on the issue and that they would like it in writing so that there was not any misunderstanding. They asked City Manager Green to remind them that historically the City has struggled to get enough candidates for the General Election and that without the Caucus there would not be enough names on the ballot.

CITY COUNCIL BOARD LIAISON REPORTS

The Youth City Council Members, Eva Weeks and Julia Nettleton reported that the seniors on the Youth City Council would be going to a leadership training on March 7. They also attended the meet the legislatures day and that it was fun and informative. They discussed texting and driving. They are currently working on the sign for the hollow and are waiting for bids to come in. They mentioned that they are planning the Easter Egg hunt and are combining their efforts with the Mountain Road Church.

Julia Busche

Brandon Halliday

The Planning Commission met and discussed the proposed development next door with 15 high end homes. The Planning Commission discussed the size of the road and the side yard setbacks. It would be a normal City cul-de-sac. They also talked about the Rock Loft Estates Development and they are weighing the possibility of the use of culinary water for landscaping.

Diane Anderson

Gary Anderson

Council Member Gary Anderson asked if the City Council had received tickets to the Lamb of God concert at the Tabernacle. They are supposed to be receiving them. The concert in March 15.

Jeanne Groberg

Council Member Groberg reported she had met with the Youth City Council. She also met with the Founder's Day chairmen. They had questions that she would be asking City Manager Green. She also asked about the fireworks and if the City was planning on doing them as part of Founder's Day and what time they would be doing them. Mayor Pohlman informed the City Council that he had requested bids and would follow up with the company about his requests. The show would be on the baseball diamond, the night of Founder's Day and would be about the size of a high school fireworks show. The time would be later than eight o'clock but Council Member Halliday mentioned that people could just sit and visit and listen to music until the show. Council Member Groberg also mentioned that the chairman was thinking

it would be fun to do a "Fruit Heights Got Talent" time show where people from the City would perform during the evening.

City Manager Green reported that the City Staff had a card and gift card as a thank you gift for Nicole Williams, former advisor for the Youth City Council.

John Pohlman

Mayor Pohlman reported the twenty-million-dollar bond had been issued for the Wasatch Integrated Waste improvements. City Manager Green mentioned that Nathan from WIW would be coming to the next Council meeting.

6. INFORMATION ITEMS/ UPCOMING EVENTS:

The next meeting will be March 19.

CITY STAFF REPORTS

City Manager Brandon Green reported that there were some complaints about gravel from the road being pushed up into the grass by snowplows. Staker Parsons would be coming to look into the issue next week.

Council Member Diane Anderson asked about the Highway 89 project and the holes that were being made. City Manager Green reported that they would be potholing all along the road from Main Street to Country Way. All the future crossings would be under the highways and they are still talking about the costs of relocating utilities with UDOT.

Council Member Halliday also mentioned a possible change to the R-1-8 zone.

CITY COUNCIL/MAYOR'S ITEM

7. COMMUNICATION ITEMS

8. ELECTRONIC MEETING: was not held.

9. CLOSED MEETING: was not held.

10. ADJOURNMENT

Council Member Brandon Halliday made a motion to adjourn the meeting. Council Member Gary Anderson seconded the motion and it was approved unanimously and the meeting was adjourned at 8:23 pm.

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights City Council Meeting held March 5, 2019

Not approved until signed



Kelli Rollins, Fruit Heights City Recording Secretary

Date approved by City Council: March 19, 2019