

MINUTES  
CITY COUNCIL MEETING  
FRUIT HEIGHTS CITY  
910 South Mountain Road  
September 4, 2018

**7:00 P.M. STRATEGIC WORKING SESSION**

1. WELCOME:

The Mayor called the meeting to order at 7:01 pm.

2. PLEDGE & OPENING CEREMONY

The Pledge of Allegiance was led by Venture Scout Ian Jensen and the meeting was opened with Council Member Diane Anderson offering a word of prayer.

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

**CITY STAFF PRESENT:** City Manager Brandon Green, City Engineer Brandon Jones and Recording Secretary Kelli Rollins were present.

**VISITORS:** John Jensen, BreAnne Anderson, Isaac Hoffman, Sue Logan, Bob Denker, Cynthia Denker, Sgt. Deso.

3. PUBLIC COMMENTS:

4. APPROVAL OF MINUTES:

*Council Member Brandon Halliday made a motion to approve the minutes from the August 7, 2018 City Council Meeting with corrections. It was seconded by Council Member Gary Anderson and was approved unanimously.*

5. SPECIAL PRESENTATIONS:

CITY INFORMATION ITEMS:

5.1 Recognize the Denkers for Organizing and coordinating Founder's Day.

Council Member Jeanne Groberg publicly thanked Bob & Cynthia Denker for the amazing job that they did heading up the committee for Founder's Day. They were in a difficult position having never attended a Founder's Day which makes their acceptance to chair the committee that much more amazing. The City Council, Mayor and City Staff gave them a card with flowers and a gift certificate to show their appreciation. The City Council and Mayor added their words of thanks for the Denkers and the wonderful event that they helped facilitate. The Denkers thanked everyone for their help and reported that they had heard great feedback on the event and were glad it was over with and would be willing to help the new chairman get started on next year's event.

5.2 Request from John Jensen to rent the City Building Basement weekly for Scout Troop Meetings.

Mr. John Jensen from Kaysville addressed the City Council and Mayor and introduced his plans of starting a community scout troop that would take boys from Fruit Heights, Kaysville and Farmington. They would start the boys at age 11 and keep them until they finish their Eagle which should be at about 14 or 15. They are hoping for 38-40 boys with 5 leaders. They already have a few businesses that are willing to sponsor the charter for the troop. They would like to start in January so they would be established before the LDS scout troops charters expire. He expected that each scout would have to pay for just a little over a hundred dollars per year to participate in the troop. They are advertising through the LDS Stakes and through the District. Mr. Jensen was there to ask the City Council for permission to rent the basement at a discounted rate, every week for the troop to meet. He had already inquired at the library, Kaysville City Offices, parks & rec building and had not been able to find a place.

The City Council asked questions and discussed Mr. Jensen's request. They expressed two concerns. First, they shared the desire to facilitate the scout troops ability to function but they would like to serve the scouts of Fruit Heights first. The second concern they expressed was the weekly wear and tear that 40 young boys would have on the basement room.

### 5.3 Discuss Hights Creek Irrigation Lease Agreement

Mr. Rod Hill, manager of Hights Creek that supplies 98% of the secondary water for Fruit Heights, presented a power point that explained the history of Hights Creek and where the water comes from and where it is stored. He specifically discussed the Green Road Reservoir. He mentioned that it can currently store 4,236,076 gallons of water and that in summer it is emptied twice a day. He mentioned that the current lease agreement that began in 1972 has four more years on the agreement but that it is imperative to have a new lease agreement in place before then. He explained that Hights Creek plans to make some major changes to the reservoir and they would like to do so before the major disruption that will be caused by the Highway 89 construction. Before any work is started the engineering feasibility studies will need to be completed and the designs and requirements approved. With some of the proposed plans the reservoir will be required to have annual dam safety reviews whereas currently the Green Road reservoir is low risk and does not require this inspection. He showed that with the capital funding expenditure the payback term must be enough to protect the cost and that four years is not enough for time for a sufficient collateral. He reminded the City Council that currently the inventory turn on this reservoir is excessive and with population growth the reservoir capacity will need to be increased. He informed the City Council about the improvements that Hights Creek has already made on the Green Road reservoir including inlets, sheds, and valves. He illustrated four different proposed plans to increase the capacity of the reservoir including expanding to the east ten feet, digging down an additional three feet, building a containment wall and raising the walls three feet or a combination of these. Whatever option they choose there will need to be a lease agreement in place before they can proceed.

The City Council discussed the rough draft of the new lease agreement with Mr. Hill and they agreed that the proposed twenty-five year agreement would be fine with both parties. Mr. Hill finds the amount suggested of one thousand dollars per month lease to be excessive. The City Council, Mayor and Mr. Hill discussed that Weber Basin water would be increasing and that metering secondary water was likely to be approved in the near future by the legislature and

that all of these costs would be coming back to the shareholders. The City Council expressed their concern that the value is in the land and it is a City asset that is being shared with other cities to provide secondary water to them. They pointed out there should be some compensation for that service of providing the land. The land cannot be sold to Hights Creek because it is 6F property. When asked for a suggestion of a yearly fee Mr. Hill mentioned that three hundred and fifty dollars a month would be fair and it could increase over time. The City Council disagreed with the idea that the land had only increased in value three times over the last fifty years. There is not another City that is leasing land in this manner so there is not a viable comparison.

It was agreed that the Mayor would choose someone from the City Council and then that Council Member, City Manager Brandon Green and Hights Creek would sit down and discuss a number that they could agree upon and then they would bring it back to the City Council for approval. The City Council expressed appreciation to Hights Creek for thinking ahead about construction timing with the Highway 89 construction.

#### 5.4 Discuss Updates to Fruit Heights Development, Design and Construction Standards

City Engineer Brandon Jones reminded the City Council about the Standards that had been discussed in numerous City Council Meetings. They had discussed all the concerns that were brought up by the Planning Commission and the Planning Commission was recommending that the revised Standards be approved by the City Council. He mentioned that the revisions included six foot back of curb sidewalks which would be the new construction standard. On streets where there was already an existing sidewalk it was still possible to use five-foot sidewalks with the park strip to match the rest of the subdivision. He also mentioned that the depth of the sidewalks would be four inches except at the driveways and ADA ramps which will be six inches. All sidewalks will have a six-inch road base now. The road specifications will be twelve-inch road base and four-inch asphalt.

#### 5.5 Discuss City-wide cottage meetings on September 11, 2018

The City Council agreed that they would like to attend in pairs and just have 3 locations for the first meeting. The City Council discussed how to get people there, whose responsibility it was to invite people and who would be hosting a meeting. After some discussion it was determined that Council Member Diane Anderson and Mayor Pohlman would go to area #7, Council Members Gary Anderson and Jeanne Groberg would go to area #2 and Council Members Julia Busche and Brandon Halliday would go to area #10. The host and the Council Members are responsible for inviting people to attend and it would also be announced on social media. It is meant to be an open and relaxed setting for residents to ask questions.

Mayor Pohlman invited Sergeant Deso from the Sheriff's Office to address the City Council regarding the shooting incident on Highway 89. Mayor Pohlman expressed disappointment in the communication of the Sheriff's department with the City. The Sheriff's department had a

person of interest in custody and determined that there was no imminent danger before 7:00 am but never communicated that to the City until 11:00 am.

Sergeant Deso reported briefly that there were 10-12 law enforcement personnel on site with almost an immediate response. Within a couple of minutes there were armed officers in the orchard and there were no more reports of shootings. An arrest was made, and he mentioned that the investigation is still ongoing and includes another possible suspect, so he was not able to further comment on that situation. With no further shooting and a suspect in custody the threat had been resolved. The director of security for the Davis County School District was on site and made the decision not to react to the situation with any action.

Mayor Pohlman and the City Council discussed the upset mothers and school principal who were confused about if it was safe to send the children to school and if the school should be on a lockdown. The only information City officials received came from the news because the media monitors the police scanners and can get the information quickly. They expressed concern that the City has resources to contact residents, but they were not informed. They asked if there was a plan to how this should have been communicated. They discussed the reverse 911 system which is very quick to get out information when it is needed but that it must be restricted to a geographical area that is situationally based. They also brought up the fact that residents must register to receive reverse 911 calls on their cell phones.

Council Member Gary Anderson stated that he would appreciate information, so he doesn't have to insert himself personally into an already difficult situation. The Sergeant agreed to relay their concerns to the Sheriff's Office and the Mayor agreed to set up expected protocols and work with the Sheriff's Office so everyone knows what to expect in situations like this one.

## **CITY COUNCIL BOARD LIAISON REPORTS**

### **Julia Busche**

Council Member Busche asked about the ADA ramps that were not matching up to the road. City Engineer Jones and City Manager Green mentioned that it will match up after the road is milled, regraded and re-constructed. The City Staff also mentioned that because of higher costs the City does not have all the funds needed to do all the road projects that were planned for this summer and fall.

### **Diane Anderson**

Council Member Diane Anderson reported that the Veterans memorial committee has a new plan that they are working on and will present it to the Council in October. The Cemetery committee is waiting on the geo-tech report. The Playground committee is working on the letter to the residents that will be finished this week and will be mailed. They will also do door hangers that the Youth City Council will deliver. She will send the letter to the City Council to get their approval. The committee will work on the sponsor letter after that. There was some discussion about online donations but Venmo and Gofundme don't comply with City and State laws regarding City funds. Eventually the website app for phones will give people a way to donate to the park on their phones. She inquired about the drilling and it was reported that water was found at 1100 feet. Council Member Anderson also mentioned that resident Sue Logan was interviewed on Fox13 news.

**Gary Anderson**

Council Member Gary Anderson mentioned that a while ago he expressed disapproval about having jumps in the future bike trail but after buying bikes and riding the bike trail behind his home in Salt Lake his opinion has changed. City Manager Green also mentioned that the bike trail will be started around the first of October.

**Jeanne Groberg**

Council Member Jeanne Groberg asked that the agenda be changed to LPC instead of LAPC.

**7:45 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS**

**CITY BUSINESS:**

**6. CONSENT AGENDA**

**6.1 July Check Register**

The only question on the check register was answered as the fee for the water metering company.

**7. ACTION ITEM APPROVAL**

**8. Approve/Deny/Continue: Haight Creek Irrigation Lease Agreement**

*Council Member Brandon Halliday made a motion to table this discussion. It was seconded by Council Member Gary Anderson and was approved unanimously.*

**9. Approve/Deny/Continue: Ordinance 2018-004 Updates to the Fruit Heights City Development, Design and Construction Standards.**

*Council Member Brandon Halliday made a motion to approve the updates to the Fruit Heights City Development, Design and Construction Standards. It was seconded by Council Member Diane Anderson and a roll call vote was taken.*

<i>Council Member Brandon Halliday</i>	<i>Yay</i>
<i>Council Member Diane Anderson</i>	<i>Yay</i>
<i>Council Member Gary Anderson</i>	<i>Yay</i>
<i>Council Member Julia Busche</i>	<i>Yay</i>
<i>Council Member Jeanne Groberg</i>	<i>Yay</i>

**10. INFORMATION ITEMS/ UPCOMING EVENTS:**

**11. CITY STAFF REPORTS**

City Manager Green informed the City Council that they had met with the developer of the Raymond property and there were new issues found in the geo-tech studies and there would be

new recommendations coming from that study. He also mentioned that Cedar City looked very interested in taking the water tank. He reported that he had applied for three more grants. In all they would total for over one hundred thousand dollars if approved. Darren is working with GBI on painting the water tank.

The Mayor and City Council discussed the low quality of the electronic meetings. The Mayor mentioned that voting on the state level via electronic meetings was not allowed and therefore it was not worth investing to improve electronic meetings. He mentioned that if someone was not able to attend they would not need to attend via electronic meeting but would need to read the minutes and talk to those in attendance to be informed about what they missed.

City Manager Green reported that the surveying for the playground was completed and that Planning Commission Chairman Curtis Tanner was working on the plan and would present it to them when completed.

12. CITY COUNCIL/MAYOR'S ITEM
13. COMMUNICATION ITEMS
14. ELECTRONIC MEETING: was not held.
15. CLOSED MEETING: was not held.
16. ADJOURNMENT

*Council Member Diane Anderson made a motion to adjourn the meeting. Council Member Julia Busche seconded the motion and it was approved unanimously and the meeting was adjourned at 9:18 pm.*

I HEREBY CERTIFY that the foregoing is a true, accurate and complete record of the Fruit Heights City Council Meeting held September 4, 2018.

*Not approved until signed*



Kelli Rollins, Fruit Heights City Recording Secretary

Date approved by City Council September 18, 2018