

Sunset City Corporation
City Council Minutes
January 5, 2016
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Minutes of a regular meeting held January 5, 2016 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Macfarlane presiding.

REGULAR SESSION

Mayor and Council Present:

Beverly Macfarlane	Mayor
Chad Bangerter	Council Member
Ricky Carlson	Council Member
Norm Noyes	Council Member
Trystal Peay	Council Member
Scott Wiggill	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Jason Monroe	Public Works Director
James Weston	Fire Chief
Brett Jamison	Police Sergeant
Chris Whetton	Asst. Fire Chief
Anthony Bott	Fire Captain
Bruce Arbogast	Police Lieutenant

Excused:

Ken Eborn	Police Chief
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Others Present:

Leslie Moore	Naunie Adams
Taylor Adams	Janet Lujan
Wanema Butcher	Ellen Cutler
Joyce King	Jake Peterson
Tracy Wiggill	

The meeting was called to order at 6:30 p.m. by Mayor Macfarlane. She then introduced the new members of the City Council to those who were in attendance.

Mayor Macfarlane gave the invocation and led the Pledge of Allegiance.

Approval of Minutes: Council Member Bangerter made a motion to approve the minutes as amended. Council Member Noyes seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peay and Wiggill voting yes.

Approval of Vouchers: Council Member Peay made a motion to approve two vouchers for Hinklease totaling \$25,005.78. Council Member Carlson seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peay and Wiggill voting yes.

Public Comments: There were none.

1. **Consider approval of 2016 Council meeting dates:** The 2016 City Council meeting dates were briefly discussed. Council Member Bangerter made a motion to approve the 2016 Council meeting dates. Council Member Noyes seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peay and Wiggill voting yes.
2. **Consider approval of Council Member Assignments:** Mayor Macfarlane explained to the audience that she met with the Council to discuss the vision for the City, as well as ways in which they can be proactive for the community. It is common practice among organizations to review and approve a vision, which the City Council has done for Sunset. Mayor Macfarlane then reviewed each individual assignment as follows:

Mayor Macfarlane: Administration, Police, Court, Sewer Board, Waste Integrated, and Hill Air Force Base Liaison/Honorary Commander S388 Fighter Wing.

Council Member Bangerter: Economic Development, Chamber of Commerce, Top of Utah Military Affairs Committee, Planning Commission, Property Management, and the City's car shows.

Council Member Carlson: Public Works, Recycling Program, Recreation/Fun Days Committee/Parade, and the Mosquito Abatement Board.

Council Member Noyes: Beautification Committee, Community Communication, Donations, Better Landlord Program, and the Development Review Committee.

Council Member Peay: Seniors, Veterans, Winterfest and Youth Council.

Council Member Wiggill: Fire Department, Citizen Corps, Emergency Preparedness and Proposition 1/Transportation.

Council Member Noyes expressed concerns with the Sewer Board assignment and suggested that it would be better paired with the Public Works assignment. He did not feel that this should be another assignment for the Mayor to take upon herself, in addition to all of her other Mayoral duties. Mayor Macfarlane explained that she would like the Council to be more involved with City Departments, and is hoping to gradually step out of those roles. She noted that on December 1, 2015, the Council discussed the City's appointment to the Sewer Board; therefore, this action has already been set in motion.

Council Member Bangerter commented that there are four new Council Members that were not considered for the appointment to the Sewer Board. He expressed that, as a member of the Sewer Board, he hopes Mayor Macfarlane will address the process by which the Sewer Board solicits participation from local government. Council Member Bangerter also noted that the past Council Member who served on the Sewer Board for eight years continually voted for increases to the City for sewer services on consumer bills. He feels this is wrong; the City has been established for more than 75 years, has participated in the sewer program

since the District's inception and has more than paid the price for sewer service in the community. He encouraged Mayor Macfarlane to consider the interests of Sunset citizens while serving on the Sewer Board, to which Mayor Macfarlane thanked him for his comments.

Council Member Bangerter expressed additional concerns with other assignments, including oversight of the Fire Department. He stated that any potential liability with the Fire Department will immediately fall upon the City Administrator and City Attorney. Mayor Macfarlane explained she wanted Council representation overseeing the Fire Department because of some current concerns.

¹ Attorney King said the responsibility of the Fire Department rests on the Fire Chief, the Council Member over the Fire Department, ultimately the Mayor and sometimes the City Council.

Council Member Bangerter also noted for the record that his business revolves around the restoration of automobiles; therefore, he has the potential to make money from the car show that takes place in the City. If the Council is collectively of the opinion that this is a conflict of interest, it is best to discuss it at this time. He is not uncomfortable with the assignment as long as the residents are aware of his dual interest with the car shows and as long as his assignment is supported by the rest of the City Council. Public Works Director Monroe provided a brief overview of how Council Member Bangerter was chosen to be over the car show. Mayor Macfarlane advised Council Member Bangerter to conduct any potential business from the car show at his place of business; just give the person a business card and ask them to call him. The Mayor and Council further deliberated upon the issue. Council Members Peay, Carlson, Wiggill and Noyes all provided their consent to allow Council Member Bangerter to oversee the car show.

Council Member Wiggill made a motion to approve the Council assignments as they have been outlined. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peay and Wiggill voting yes.

- 3. Nominate 2016 Mayor Pro Tempore:** Mayor Macfarlane explained that any Council Member may recommend themselves or another Council Member to serve as the Mayor Pro Tempore in Mayor Macfarlane's absence.

Council Member Carlson made a motion to nominate Council Member Bangerter as the Mayor Pro Tempore. Council Member Noyes seconded the motion. The motion passed 4-to-1 with Council Members Bangerter, Carlson, Noyes, and Wiggill voting yes and Council Member Peay voting no.

- 4. Discuss submitting agenda items and documentation for those items:** Mayor Macfarlane explained that this item was added to the agenda at the request of Recorder Hale. She then turned the time over to Recorder Hale to explain a method for submitting agenda items.

¹ Mayor Macfarlane had spoken with City Attorney King and wanted this noted in the minutes.

Recorder Hale explained that some cities use a form for the submission of agenda items. The form includes a meeting date, subject matter, a brief description of what needs to be discussed and any recommended motions that are applicable to the item. She presented some examples of completed forms to the Council.

Council Member Bangerter agreed that implementing a form for the submission of agenda items is a good idea. It should not be difficult for the Mayor to conduct Council Meetings, which can be the case sometimes due to the lack of supporting documentation on certain agenda items. Council Member Noyes suggested that the Council hold work sessions prior to regular Council Meetings, in order to iron out some concerns that may arise with certain items. Mayor Macfarlane asked if the form could indicate whether or not the person making the submission would like to request that a work session take place on the item, to which the Council responded favorably. Council Member Wiggill remarked that he likes the example shown from Riverton City. He agreed with Council Member Noyes that holding work sessions is imperative. Council Member Carlson clarified that work sessions are still open to the public. No one disagreed with the proposal as it was presented by Recorder Hale.

5. Discuss amending the e-mail policy to allow access to emails for GRAMA requests:

Council Member Bangerter stated that the advancement of electronic communication in society has caused many issues, particularly in regards to security. While this information can be protected, citizens are entitled by the Government Records Access Management Act (GRAMA) to read email communications of Elected Officials. However, requesting to read those emails can be a lengthy process. Therefore, he suggested that passwords for email accounts provided by the City for communications among elected officials, be given to the person who is in charge of handling all GRAMA requests. This will make the process much easier for citizens wishing to make such requests, and will provide a high level of transparency.

Recorder Hale expressed concerns with a third party having access to email passwords. She argued that a person could claim that a third party sent or deleted certain emails from their account unbeknownst to them. However, she noted that Treasurer/Office Manager Youngdell sets up the email accounts and could reset the password in order for Recorder Hale to access the account. After Recorder Hale was finished, the person could reset their password. This would allow Administration to meet GRAMA requests, while allowing elected officials to still have control of their accounts.

Council Member Bangerter remarked that the City already has his personal information and the only business that should be taking place via email is related to the City. He stressed that it should not be difficult for citizens to access communications that take place between Elected Officials. He and Council Member Carlson were both concerned with having to learn a new password every time their email accounts are accessed by Administration.

Treasurer/Office Manager Youngdell suggested that any time a request is made the Elected Official or employee be required to come in within a specific time frame to access their own

account and allow Recorder Hale to gather the GRAMA requested information. In the event that the person is unavailable to come in within that time frame, the email administrator can reset the password so that the information is accessible by City Administration. Council Member Wiggill agreed with Recorder Hale that a third party assumes liability by having access to email passwords. He stated that he wouldn't ever want to be accused of accessing an account without authorization and sending or deleting emails from another account. Recorder Hale referred to a policy from South Weber City and suggested they not only set a policy on emails, but all electronic communications. Recorder Hale was directed to draft a policy.

- 6. Discuss the Tablet Computing Device policy:** Mayor Macfarlane explained that she was concerned with how the Council determined the sale of used iPads during the last Council Meeting. She does not feel it is appropriate for Council Members to decide on the amount for which to sell them and to subsequently buy them for themselves. Mayor Macfarlane stated she has since learned that iPads and similar technology have a lifespan of around 10 years; therefore, realistically they could have continued to use the old iPads, rather than selling them. She believes that the correct course of action moving forward will be to turn in the iPads, have them wiped clean and assess whether or not the Council has a need for the iPads. At that point, staff can determine the market value of the equipment for sale.

Council Member Noyes was of the opinion that staff and elected officials shouldn't be able to buy surplus property from the City; rather, they should follow the policy on disposing of surplus property. Council Member Bangerter noted that the policy of disposing of surplus property would make this allowance after going through the proper channels first. He agreed that Council Members should not be involved in setting the price for something that they are going to purchase themselves.

Council Member Noyes stated Council Members should all have the same type of device, as well as the same type of programs. This would simplify file sharing and communications. The question was raised as to whether or not there are any issues with the use of personal devices, thereby eliminating a need for the City to purchase iPads for all Council Members. Council Member Noyes reiterated the importance of all Council Members using the same programs and software. Regarding the City providing a data plan for the iPads, Council Member Wiggill commented that he would like to have the opportunity to conduct City business anywhere. Council Member Peay added that it would be nice to have access to a data package when attending trainings and meetings. Currently, Council Members have to tap into their own data or hotspots in order to access the internet. There was continued deliberation, and Recorder Hale agreed to draft a policy that addresses this issue.

- 7. Mayor, Council and Department Head reports:** Council Member Peay reported that the date of Winterfest will be Saturday, February 6, from 11:00 am to 2:00 pm. Half of the festival will be in the Sunset Room, and the other half of the festival will be set up outside. They are looking into bringing the Sunset Sam Guinea Pig to the event. The Youth City Council will be assisting by providing volunteers to oversee some of the activities. Currently they are working on advertising materials. Mayor Macfarlane commented that Council

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Member Peay did an awesome job with the Winterfest last year and that it was a great community event.

Council Member Bangerter raised concerns with the snow cover around businesses and feels that they are not being properly cleaned. He asked Mayor Macfarlane to check with staff on having those sidewalks better cleaned for the residents. Mayor Macfarlane responded that in addition to speaking with the Police Department, she will try to address this issue through the Better Landlord Program. Council Member Bangerter thanked the residents for their attendance and recognized Former Council Member Jake Peterson in the audience. He commended Mr. Peterson for his great work while serving on the City Council. Lastly, Council Member Bangerter expressed concerns with Sunset Sam. The tradition was established by a family in a City that underwent a tragedy and, when it was turned over to the City, the City promised this family to keep the tradition alive as it was originally intended.

Public Works Director Monroe welcomed the new Council Members. He reported the Public Works Department has recently been working on water leaks and snow plowing. Christmas lights will be taken down this week.

Treasurer/Office Manager Youngdell reported there is still one key from a former Council Member that has not been returned. She is hoping to collect the key tomorrow. She has been busy working on sending W2s and Recorder Hale is working on business license renewals.

Police Sergeant Jamison reported that the 2007 Crown Vic lost its transmission today and it will be a costly repair. Council Member Bangerter suggested that the transmission in the car at the RV Center might work for the 2007 Crown Vic and would save the City a lot of money. Sgt. Jamison also reported that the Police Department recently hired a reserve officer who will work once a week and fill in any other shifts that are needed.

Fire Chief Weston reported that a Fire 1 Class started tonight. He also introduced Assistant Chief Chris Whetton and noted that he has been working in Syracuse.

Mayor Macfarlane remarked that she is excited to work with the new City Council. She thanked the residents for their participation and recognized Jake Peterson for his service.

Council Member Peay moved to adjourn the meeting. Council Member Bangerter seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peay and Wiggill voting yes.

The meeting adjourned at 7:45 p.m.

Approved – January 19, 2016

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder