

**Sunset City Corporation  
City Council Minutes  
January 6, 2009  
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Minutes of a regular meeting held January 6, 2009 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Gotchy presiding.

**Mayor and Council Present:**

Dan Gotchy	Mayor
James Bridges	Council Member
Cheyrl Budge	Council Member
Ricky Carlson	Council Member
Ray Chapman	Council Member
Ryan Furniss	Council Member

**City Employees Present:**

Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Neil Coker	Fire Chief
Mickey Hennessee	Public Works Director
Amy Kippen	Firefighter

**Excused:**

Susan R. Hale	Recorder
Vicky Gold	Recreation Supervisor

**Others Present:**

Chad Bangerter	Planning Commission, VIPS, CERT, Citizen Corps.
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The meeting was called to order at 6:30 p.m. by Mayor Pro-Tem Budge.

Council Member Furniss led the Pledge of Allegiance and gave the invocation.

**Approval of Minutes:** Council Member Furniss made a motion to approve the minutes of December 16, 2008 as amended. Council Member Bridges seconded the motion. The motion passed unanimously.

**Citizen Comments:** Chad Bangerter thanked the Mayor and Council for allowing him to serve on the Planning Commission. He pointed out that the decisions or things he has done in the past six years were carefully researched. He does not take anything lighthearted that is presented to him. Sometimes they didn't agree with him, but he believes it is important that all their views are looked at equally and the best decisions made. He asked them to let him know if there is something he is doing on the Planning Commission that they feel is not appropriate. He thanked them for their support.

Mayor Gotchy arrived so Mayor Pro-Tem Budge turned the time over to him.

**REGULAR SESSION**

**1. Nominate and appoint the Mayor Pro-Tempore for 2009:** Mayor Gotchy asked if the Council wanted to have a new Mayor Pro-Tempore to give everyone a shot.

Council Member Furniss thanked Council Member Budge for serving as the Mayor Pro-Tem for 2008. He believes it should change this year and would like to nominate Council Member Carlson because his Council term is up this year and he believes Council Member Carlson should have the experience. He has taken over the meetings when neither Mayor Gotchy nor Council Member Budge were here and did well. Council Member Chapman echoed those thoughts. Mayor Gotchy thanked Council Member Budge for all the times she has taken over for him.

Council Member Budge made a motion to appoint Council Member Carlson as Mayor Pro-Tempore. Council Member Bridges seconded the motion. The motion passed unanimously.

- 2. Discuss Council assignments for 2009:** Mayor Gotchy said he has been thinking about this a great deal and believes everyone has been doing a wonderful job. There are a few changes he would like to make. Due to the time conflict between himself and the Planning Commission, Council Member Furniss had asked if he would assign someone else as the Planning Commission liaison. Mayor Gotchy stated he would like Council Member Chapman to take on that assignment. Council Member Chapman stated he has fire training on Thursdays, but he can arrange to be at the Planning Commission meetings and agreed to the assignment. Mayor Gotchy asked if anyone else had any problems with their assignments.

Council Member Furniss said he believed Mayor Gotchy should add Council Member Carlson's membership on the Development Review Committee as an assignment and his representation on the MIDA Board as an assignment so the residents know the City is being represented. Mayor Gotchy asked if there was any other discussion. There was not.

Council Member Furniss made a motion to assign Council Member Chapman as the liaison to the Planning Commission and add the responsibility of Council Member Carlson on the Development Review Committee and his on MIDA to the assignments. Council Member Carlson seconded the motion. The motion passed unanimously.

- 3. Resolution 2009-01 authorizing an employer pick-up of employee retirement contributions:** Mayor Gotchy turned the time over to Treasurer/Office Manager Youngdell to explain the reason for this resolution. Treasurer/Office Manager Youngdell explained the Utah Retirement Systems just went through an audit and it was discovered a lot of the paperwork that needed to be in place was not regarding items cities have been having the URS do for a long time. Sunset has the difference between what is required to be placed into a public safety employee's retirement and what is required to be placed into a local government employee's retirement put into the local government employee's 401k. That way the City is paying the same amount into both the public safety and local government employees' retirements. This has been done for many years and she and Recorder Hale looked to see if a resolution was approved way back then, but there wasn't one. She is sure there are minutes, but neither she nor Recorder Hale have the time to research that far back, so they thought they would use the sample resolution given by the URS to outline what the

City currently does. It is kind of a housekeeping item for the Utah Retirement Systems so they have the information for future audits.

Council Member Furniss asked if this had been reviewed by the City Attorney. Treasurer/Office Manager Youngdell replied she is sure it has because Recorder Hale usually sends everything to him. Council Member Furniss asked for a little clarification on what the City does. Treasurer/Office Manager Youngdell explained that 22.68% is required to be placed into the public safety employees' state retirement and only 11.62% is required to be placed into the rest of the employees' state retirement. So the City puts the difference into the rest of the employees' 401k. This has been done for as long as she has worked here.

Council Member Bridges made a motion to approve Resolution 2009-01 authorizing an employer pick-up of employee retirement contributions. Council Member Budge seconded the motion. The motion passed unanimously with a roll call vote. Council Member Bridges – aye, Council Member Carlson – aye, Council Member Budge – aye, Council Member Furniss – aye, Council Member Chapman – aye.

- 4. Update on City well lease negotiations:** Council Member Furniss said he brought this up a while ago, but Public Works Director Hennessee has since made some very valid points in an email to him, therefore it has not been sent to the water attorney yet. He asked Public Works Director Hennessee to address some of those points.

Director Hennessee said Weber Basin Water had recently made an offer to lease the well from Sunset, changing it from a previous offer of leasing it for a set fee to an offer of basing the fee on the acre feet they use. Years ago Director Hennessee was in the process of negotiating a \$10,000 per year fee and was trying to get the overage fee reduced to the same amount paid for the contracted 1,400 acre feet. He believes the present overage fee is about \$50 more per acre foot. There is still a possibility of Sunset supplying the water for the West Side Development and, if that happens, it will cause Sunset to go over the 1,400 acre feet. That is why reducing the overage fee is important. If Weber Basin Water was to run the well non-stop, the most Sunset would get is about \$5,000, but he believes they will only run it for back up during the high demand summer months. Using their per acre foot payment schedule, the minimum Sunset would receive would be \$1,000 and he believes Sunset wouldn't receive a lot more than that any year. He believes they should go back to the negotiating table and try to at least get the \$7,500 Weber Basin Water counter-offered years ago, if not the full \$10,000.

Council Member Furniss said he appreciated Director Hennessee's foresight and wisdom. He believes Weber Basin Water was trying to take advantage of a new Council Member. He would like to go back to the table with them. He mentioned that he had been asked by a contractor what Sunset charges for construction water hook up. Director Hennessee said it is cheap and needs to be reviewed. Council Member Furniss said he will get with Director Hennessee more and come up with a counter offer for Weber Basin Water, submit it to the attorney and then get it back to the Council. There was more discussion and it was decided to move forward with negotiating for more money and keeping the overage rates down. He

asked if maybe other Council Members would attend a meeting with him and Director Hennessee. A couple of them said they would.

Council Member Furniss made a motion to table this item until another proposal is drafted. Council Member Chapman seconded the motion. The motion passed unanimously.

- 5. Council Member reports and general information:** Mayor Gotchy asked where they are with security for the office. Council Member Furniss stated his belief they were all in agreement they need to provide some security for the office. Council Member Budge said she disagrees with the glass because she works in an office with glass and it is very confining. She agrees with the alarm button, but not the glass. Council Member Furniss said he looks at it differently with being in the security field. He believes they need to move forward with it because Sunset is a public entity where people get mad and he would be very thankful for a piece of glass between himself and some of the people the office staff has to deal with. He wants to protect the employees and believes there needs to at least be some kind of partition in the ADA opening to slow someone down. Council Member Bridges mentioned that when this building was built the glass was supposed to have been put in, but somewhere along the way it was eliminated. Council Member Furniss advised they have received bids for the alarm button, too. He has also received numerous bids for the billboard sign on their property on Main Street. Some of the companies are calling to find out where they are on that. He asked Treasurer/Office Manager Youngdell about the citizen comment forms they were supposed to have out now. Treasurer/Office Manager Youngdell replied she is filling in for Recorder Hale and did not know where they were, but she would have Recorder Hale put them out for the next meeting. Council Member Furniss said some of his neighbors were concerned about snow removal and asked Director Hennessee what the rule was for plowing. Director Hennessee replied the plows are out as soon as possible and will be out tonight by 2:00 a.m. Mayor Gotchy asked the Council Members to do their homework so they can decide on the glass, alarm button and the billboard sign during the next Council meeting.

Council Member Budge said her road was plowed three times between 3:00 a.m. and 6:00 a.m. this morning. She asked about the security glass being tempered or not. Council Member Furniss believes the bids are for tempered glass, but only one or two specify it. Mayor Gotchy said they just want to give the office staff time to push the alarm button or get out the back door if necessary. Council Member Budge clarified she is not against protecting the employees; the glass just bothers her at her job. She thanked everyone for the concern they showed during her surgeries. It is nice to know people care.

Council Member Bridges thanked the employees and volunteers for the time they put in over the last year. They do a great job for Sunset.

Council Member Chapman said they have some flaws in their Youth City Council assistance program. There is a delay, but he wants to rectify it by having the Youth Council Advisor, Mayor and Mayor Pro-Tem all notified of the assistance needed so they can put something together quickly.

Council Member Furniss asked Director Hennessee about a lock for the DVR room. Director Hennessee said he ordered it a couple weeks ago and he'll call and check on it.

Council Member Carlson reminded everyone that the "Sunset Sam" event is coming up next month. He expressed his concern for all the sidewalks that are not being cleared of snow, especially the main walkways to the schools. Police Chief Eborn said the day Officer has been delivering notices. The Sunset ordinance states the snow has to be removed, but it does not specify when it has to be done. That should probably be addressed.

Treasurer/Office Manager Youngdell reported the debit/credit card system is up and has been going since Friday. There were only four users today during court. There is a link on the website for residents to use from home.

Public Works Director Hennessee advised tomorrow is the Christmas Tree Pick-up day. He reported that they normally plow when the snow is 3-4" deep, but snow plowing depends on how much it snows and what the temperature is. Right now all the roads in Sunset are passable. They still have 60% of their salt and sand stockpile plus there is still some money in the budget to get more if needed. Council Member Bridges mentioned a lady had called him about a Christmas tree someone had dumped in front of her house. Director Hennessee said if Econo Waste didn't pick it up tomorrow the Public Works Department would.

Fire Chief Coker said they have started preparing for the annual Easter Egg Hunt.

Police Chief Eborn advised today was a light court day so that is probably why the office didn't see many credit card payments. He is sure they will increase as word gets out. He reported the City has been flooded with accidents on Main Street due to the snow storms.

Mayor Gotchy thanked the Council for all the hard work they've been doing. He is happy with the assignments they reviewed and were assigned. He advised the assignments and Mayor Pro-Tem are reviewed every year.

Council Member Bridges made a motion to adjourn. Council Member Budge seconded the motion. The motion passed unanimously.

The meeting adjourned at 7:32 p.m.

These minutes have been read and approved at the regular City Council meeting held **January 20, 2009.**

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Dan Gotchy, Mayor

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Susan R. Hale, Recorder