

Sunset City Corporation
City Council Minutes
January 6, 2015
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Minutes of a regular meeting held January 6, 2015 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Macfarlane presiding.

REGULAR SESSION

Mayor and Council Present:

Beverly Macfarlane	Mayor
Ryan Furniss	Council Member
Trystal Peay	Council Member
Jake Peterson	Council Member
Kevin Snow	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Norm Noyes	Public Works Director
Travis Carter	Interim Fire Chief

Fire Fighters: Joni Goodman, Matt Maass,

Excused:

Chris Hadley	Council Member
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Others Present:

Mark Becraft	North Davis Fire District
John Taylor	North Davis Fire District
Terry Avondet	Sunset Citizen Corps
Neil Coker	Adam Scott
Spring Carter	Steve Taylor

The meeting was called to order at 6:30 p.m. by Mayor Macfarlane.

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

Approval of Minutes: Council Member Peterson made a motion to approve the minutes of December 16, 2014 as presented. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson and Snow voting yes.

Approval of Vouchers: Council Member Furniss made a motion to approve the vouchers for Spillman Technologies and Hinklease totaling \$27,080.18. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson and Snow voting yes.

Public Comments: There were none.

1. **Introduce and swear in Police Officer Nathen Zaugg:** Police Chief Eborn introduced Officer Zaugg and stated he also speaks Spanish so that will help the Department out a lot. Recorder Hale administered the Oath of Office to Officer Zaugg.
2. **Present award to Employee of the Quarter:** Police Chief Eborn read the letter from Council Member Furniss nominating Officer Chad Campbell as employee of the quarter. Chief Eborn stated he appreciated the nomination for Officer Campbell and said he has been a great addition to the Police Department. Mayor Macfarlane presented Officer Campbell with a monetary award.
3. **Present awards to the Christmas lighting winners:** Mayor Macfarlane thanked Council Member Snow for overseeing the Beautification Committee and Kathy Veliz and the rest of the Committee for their time and hard work in choosing the homes to be awarded. Mayor Macfarlane also thanked all of the residents who decorated their homes and yards for the season. She announced the winners and those present received their awards. Mayor Macfarlane stated the awards would be mailed to those who were not present. The winners were as follows: Area 1) 1st place – Rich & Sandy Runger, Honorable Mentions – Rose Bleicher and Debbie McMillion; Area 2) 1st place – Jeremy Stone, Honorable Mentions – Diann Kurill and Scott & Kristina Packer; Area 3) 1st place – Steve & Jody Taylor; Honorable Mentions – Ray Underwood and Kevin Snow.
4. **Consider approval of Sunset Youth City Council By-laws:** Council Member Furniss explained the Youth Council updated their bylaws, brought them before the Council, some changes were made and what they have before them is the result. There was some discussion about residency of the Youth Council members and it was decided to delete the requirement that the members have to be Sunset or Clinton residents. They will welcome members from any City.

Council Member Peterson made a motion to approve the Sunset Youth City Council bylaws with the removal of the statements “Reside in Sunset or Clinton” and “Remain a resident of Sunset or Clinton City” on the first page. Council Member Furniss seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson and Snow voting yes.

5. **Reappoint Scott Stevenson and Jason Gabbert to the Planning Commission for another four year term:** Mayor Macfarlane advised Scott Stevenson and Jason Gabbert were not able to attend the meeting, but both have expressed their desire to remain on the Planning Commission for another term.

Council Member Peterson made a motion to reappoint Scott Stevenson and Jason Gabbert to the Planning Commission for another four year term. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson and Snow voting yes.

- 6. Discuss Board of Adjustment and Appeal Authority:** Mayor Macfarlane stated right now, Sunset does not have a legal Board of Adjustment as all three of the members' terms have expired. Sunset Ordinance states the Board is to consist of 5 members and 2 alternate members. For the last few years we have only been able to keep 3 members, so we haven't had a full Board in years. This Board only meets as needed on land variances, etc. so sometimes they don't need to meet for years.

Recorder Hale stated Utah State Code has changed so that it terms this Board as an Appeal Authority. She has heard of some entities paying a land use attorney to decide variances and land use appeals. Clearfield's ordinance states their Planning Commission is also their Board of Appeals unless it is about their decision as a Planning Commission. In that case, the City Council is the Appeal Board.

They discussed the options, with most liking the idea of the Planning Commission being the appeal authority. If something like this is done, maybe the previous Board Members would like to be on the Planning Commission as they are short alternates also. They decided to obtain more information and discuss it again at another meeting.

- 7. Discuss direction of the Fire Department:** Mayor Macfarlane asked if the Council had read the minutes she asked them to on the Fire Department. She stated there was a lot of research done in 2008 on going with the District or Clinton Fire Departments. Council Member Furniss believes this issue is talked about every few years. His recollection is that going away from the City having a Fire Department is the most expensive option. Once they join another department, they are at the other department's mercy and could see an increase in taxes or fees. Mayor Macfarlane said if they keep the Fire Department here they need more training. North Davis Fire has said they would hire all of the Sunset firefighters, but she does not believe it would be feasible for all of them to be hired. Right now, the Sunset firefighters are having a hard time filling shifts, fulfilling the training requirements and getting certifications. All this has to be resolved if Sunset is to keep the Department. If the firefighters don't step up, the Council will not have a choice but to dissolve it. What she wants out of the meeting tonight is to know if the Council is committed to keeping the Fire Department or if they still want to review other options.

Council Member Furniss said in the past the Fire Department has held Academies and has had some of the best training programs, but the quality has just been degenerating lately. He believes the experience is there to keep the training going, but they need a more permanent Chief and needs to know the direction the Council wants it to go. He would like to move forward with interviewing for a full time Chief to bring stability back. They need a Chief who will make a good decision on the direction of the Fire Department and is not afraid to say it if he believes the Fire Department should join another agency. Council Member Peterson believes they need to move forward with the Department, but he has heard a lot of talk about putting it on the ballot. Mayor Macfarlane said most of the residents she's talked to want to keep it, but they also want to ensure safety. Council Member Snow said they keep sending everything to other Cities like recreation. He believes they should keep it and the

right person may be able to clean house and get back to a sustainable Fire Department. Right now there are also cliques and a good Chief may be able to get everyone unified.

Neal Coker, prior Fire Chief, said there are five members on the Board of the North Davis Fire District and wondered if Sunset would have representation if they went with the District. He believes there would be a delay in dispatch if they go with the District. He believes the City should keep the Fire Department.

Mayor Macfarlane said she will move forward and begin the process of selecting a Fire Chief. She wants to form an interview board with a Council Member, Fire Chiefs from neighboring entities and maybe others with a firefighter background. She asked the Council if they were okay with that. Council Member Snow said he envisioned the Council conducting the interviews during a Council meeting. The Mayor could have the fire people she wanted on her committee in the audience and when all the applicants had been interviewed, the Council and people selected in the audience would give their feedback. Then she could select a Chief to appoint. Council Member Furniss also favors being a part of the committee because the Chief will have to work with the Council. He believes the Mayor will get better transparency and support if she receives Council buy in from the beginning. Ultimately, Mayor Macfarlane could choose someone and ask for Council approval, but he appreciates her asking them. Mayor Macfarlane believes the Fire Department needs their support instead of the tug of war all the time.

When asked if the job needs to be advertised in house first, Treasurer/Office Manager Youngdell replied yes the City policy recommends they promote from within if possible. According to policy, the internal ad has to run for five days. From the applications they receive, if they don't feel they have the right person, they can then advertise externally. Council Member Furniss does not feel it is a matter of getting a qualified person because right now there are only two who meet the Fire Chief qualifications. He appreciates the policy saying they should look in house, but when applying for a position of this nature it should be opened up. In his mind they should have more than two applicants to choose from. Mayor Macfarlane said they should advertise in house and if they don't get a qualified applicant they feel would be good for the job, they could advertise externally. Council Member Furniss believes if they are only interviewing one person what is the use of having an interview process. He would rather just open it up. Interim Chief Carter stated William Pope lives beyond the five mile limit for the Chief's position. She would like a questionnaire with scoring for the interview process. Mayor Macfarlane said they will go ahead and open it up.

8. **Mayor and Council reports:** Council Member Furniss said he is excited about the direction of the Youth City Council and cannot say enough about their Advisor, Peggy Stevenson, who is doing a great job with the youth. The Youth will not be attending the Local Officials Day at the Legislature. The Youth City Advisor would like to have a line item on the 1st meeting agenda of each month so the Youth City Council could give an update on their program. The North Davis Sewer District has finished lining the sewer pipe on 1800 North. When asked, he said the lining is more structurally sound than the original pipe. He relayed for Council

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Member Hadley that the Citizens Corp will meet on January 14, 2015 at 7:00 p.m. He asked to be excused for the rest of the meeting.

Council Member Peterson stated the Planning Commission has been working hard on the general plan and it will probably constitute some changes to the City Code. There will be a public hearing on January 15, 2015 on rezoning the Holbrook property at about 2575 N. 475 W. from R-1 to R-3. When asked if this rezone goes along with the general plan, Council Member Peterson replied he was sure the Planning Commission would make sure it does. The Commissioners are very qualified people and Commissioners Stevenson and Gabbert wanted to let the Council know their appreciation on being reappointed.

Council Member Snow asked Recorder Hale if the items shown on the television needed to become part of the minutes and Recorder Hale did not know for sure, but believed it did not because it wasn't a presentation. Council Member Snow said the Beautification Committee is going well, there are new members and they are excited. They took care of all the Christmas lighting judging. He called the manager of Sunset Square and he was aware of their lighting problems and he is trying to get it taken care of. The garbage has been picked up by the jail personnel on I-15, but they didn't come all the way down to the fence. The Mosquito Abatement District passed a tax increase for the coming year of about \$2.50 a year. He keeps hearing the Council shouldn't vote on an agenda item because it's a discussion item, but he believes ordinance states they can call for a vote on anything they want to. Another thing is that they can talk to the public during public comment; they just cannot argue with them or interrupt them.

Council Member Peay said she met with Recreation Supervisor Joe Maylin to being planning the Sunset Sam Winter Fest. She asked if the Council would like it on the actual groundhog day or on the Saturday before like it was last year. It was decided to keep it on Groundhog Day.

Mayor Macfarlane asked everyone to write to the Legislature to ask that Sunset receive a seat on the MIDA Board. She has written letters to Representative Paul Ray, Senator Jenkins and to the Governor asking them to do a little more to help Sunset with this. She and Council Member Peay will meet with them as soon as it gets set up. She asked Treasurer/Office Manager Youngdell to schedule that. Sierra R.V. has asked Matthew Godfrey to find them some land to relocate on. Public Works Director Noyes said Matthew Godfrey had contacted City Engineer Scott Nelson to see why Sunset wasn't doing everything possible to try to keep Sierra R.V. here. Mayor Macfarlane advised Mr. Godfrey asked her if they couldn't use the public works yard for a park so Sierra R.V. could purchase a section of South Park. She and Council Member Peay will talk with the Canal Company to see if they can help cover the canal. Mayor Macfarlane would like to apply for a Main Street Planning Grant that is due the 15th, but she is concerned that they have not allocated funds for it in the budget. They would need to come up with about \$25,000 and some of it can be in kind funding. She asked if the Council would commit the funds come budget time. Council Member Peterson would like to know more about it before committing funds for it. If it is going to be a grant for something like what the City is receiving from Zions, he would not go for it because that is

not what they thought it would be. Council Member Peay agreed. Council Member Snow does not believe \$25,000 would be well spent on a planner. Mayor Macfarlane said she would put this on hold then.

- 9. Department reports:** Police Chief Eborn thanked the Council for their recognition of the Police personnel tonight. He sent out a report on the Better Landlord Program showing how many violations, etc. there have been. At least half of the people evicted from the program apartments found another apartment in Sunset that is not in the program, so that did not rid the City of them. The Department has had several hundred cases more this last year than they have had in previous years. He contributes most of that to the increased emphasis on ordinance enforcement and on the Better Landlord Program. Council Member Snow asked what is going on with the drug house that is in Council Member Hadley's area. Chief Eborn stated he has tried contacting the owner for over a year without success. It is sitting vacant, but the only thing that does not meet City ordinance is a broken window. If it gets worse they will try to contact them again.

Public Works Director Noyes reported his crew has dealt with six water line breaks in 14 days and has been out after midnight on several occasions. The breaks are due to aging pipes and cold moving ground. He asked that the Mayor and Council give the guys kudos if they happen to see them out and about. He advised he will retire on February 1, 2015.

Treasurer/Office Manager Youngdell mentioned Court Clerk Christina Arbogast has developed a new website and it looks wonderful. The W-2's will go out on Friday. Recorder Hale has worked hard on the FY14 Annual Financial Report and the Auditor only found a couple minor items for her to fix.

Interim Fire Chief Carter said he is working to fix the issues of discipline, training, etc. There may be some people leaving due to the discipline changes. The Crown Vic will be placed in the shop yard with a for sale sign in it. They did not receive any bids through KSL.com. He received one bid and has two more coming in on the Suburban. He will appoint Captain Tom Caygle as the Interim Asst. Chief. He is an open book and asked if there were any questions. Council Member Peterson asked how the Fire Department will function if half the Department walks out. Int. Chief Carter replied that might be the time to look at going with the District, however he believes there will be enough people to run the Department. When asked, he said most of the fire fighters have their certifications. Medical Director Gardner will be done on February 1st so he has contacted Dr. Kevin Hart and will be meeting with him. There have been a lot of communication issues he's working on.

Mayor Macfarlane said they need to advertise the Public Works Director position as soon as possible. She stated her appreciation for all the Department Heads and Council Members for their hard work.

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Council Member Peterson made a motion to adjourn. Council Member Snow seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson and Snow voting yes.

The meeting adjourned at 8:30 p.m.

Approved – February 3, 2015

Beverly K. Macfarlane, Mayor

Susan R. Hale, Recorder