

Sunset City Corporation
City Council Minutes
January 19, 2016
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Minutes of a regular meeting held January 19, 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
Ken Eborn	Police Chief
Jason Monroe	Public Works Director
James Weston	Fire Chief
Brett Jamison	Police Sergeant
Chris Whetton	Asst. Fire Chief
Anthony Bott	Dep. Fire Chief
Marcus Garcia	Public Works

Others Present:

Brian Parker	LDS Church
Sydney Furniss	Sunset City Youth Mayor
Terry Avondet	Sunset Citizens Corp
Leslie Moore	Janet Lujan
Wanema Butcher	Joyce King

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

Brian Parker gave the invocation and Council Member Bangerter led the Pledge of Allegiance.

Approval of Minutes: Council Member Bangerter made a motion to approve the minutes of January 5, 2016 as amended. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peay and Wiggill voting yes.

Public Comments: Joyce King stated that during the last Council Meeting there was some discussion regarding various discussions to be handled during work sessions rather than in City Council Meetings. She respects the new Council Members' previous experience with the City; however, she would like Council Members to discuss issues during City Council Meetings. Ms. King does not drive at night and would be unable to attend work sessions. Ms. King would like to get to know the Council Members, learn how the Council governs and ultimately makes decisions. Mayor Macfarlane expressed appreciation for Ms. King's comments and agreed to take her remarks into consideration.

1. **Consider approval of Appointed Officials:** Mayor Macfarlane re-appointed the following Officials: Police Chief Eborn, Fire Chief Weston, Recorder Hale, Treasurer/Office Manager Youngdell and Public Work Director Jason Monroe.

Council Member Carlson made a motion to re-appoint Police Chief Eborn, Fire Chief Weston, Recorder Hale, Treasure/Office Manager Youngdell, and Public Work Director Jason Monroe. Council Member Noyes seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peay and Wiggill voting yes.

2. **Sunset Youth City Council report:** Youth Council City Mayor Sydney Furniss stated the Youth City Council will be participating in Winterfest by providing a hockey game, a bean bag toss and also helping to hand out snacks and hot chocolate. Youth Mayor Furniss reported that the Youth City Council is registered for the upcoming conference in Logan, for which they have raised funds by selling candy bars. Flyers have been distributed to local businesses in Clinton and Sunset to advertise the food drive occurring on January 23, 2016. So far, 138 pounds of food have been collected and will be given to the Sunset Junior High pantry.

Youth Mayor Furniss reported that the Youth City Council has implemented a new application process which includes a parent signature, a positive recommendation and an interview. Youth Mayor Furniss stated they currently have 13 members and that the cap will be 20-24 members. Lastly, she noted that 12 youth and three advisors will be attending the conference in Logan.

3. **Consider approval of Resolution 2016-01 appointing Council Member Carlson to the Davis County Mosquito Abatement District Board:**

Council Member Bangerter made a motion to approve Resolution 2016-01 appointing Council Member Carlson to the Davis County Mosquito Abatement District Board. Council Member Noyes seconded the motion. The motion passed unanimously with a roll call vote: Council Member Bangerter – yes, Council Member Noyes – yes, Council Member Wiggill – yes, Council Member Carlson – yes and Council Member Peay – yes.

Mayor Macfarlane read the proposed resolution appointing Council Member Carlson to the Davis County Mosquito Abatement District Board for a four year term beginning on January 1, 2016, and ending December 31, 2019.

4. **Consider approval of Resolution 2016-02 appointing Council Member Bangerter to the Top of Utah Military Affairs Committee:** Mayor Macfarlane read the proposed resolution appointing Council Member Bangerter as a member of the Top of Utah Military Affairs Committee, with the term beginning January 1, 2016 and ending on December 31, 2017. The proposed resolution stated that the City Council will pay the membership fees for the duration of Council Member Bangerter's service term.

Mayor Macfarlane explained that Council Member Bangerter will serve as a member of the Top of Military Affairs Committee, in addition to serving with the Chamber of Commerce. Mayor Macfarlane felt that it was very important for the City to have an affiliation with the Hill Air Force Base.

Council Member Wiggill made a motion to approve Resolution 2016-02 appointing Council Member Bangerter to the Top of Utah Military Affairs Committee. Council Member Carlson seconded the motion. The motion passed unanimously with a roll call vote: Council Member Peay – yes, Council Member Carlson – yes, Council Member Wiggill – yes, Council Member Noyes – yes, and Council Member Bangerter –yes.

- 5. Consider approval of Resolution 2016-03 adding an Electronic Communications policy to Sunset City’s Personnel Policies and Procedures:** Recorder Hale stated that Sunset’s current Personnel Policy Title 18 is a very short section about emails. She explained that there have been discussions regarding the City’s Personnel Policies and Procedures, which need to be expanded to include communications. In the new policy, the term “Email” is being replaced with the term “Use of City Electronic Communications,” which will now be found in Chapter 17 of the policy. Recorder Hale indicated that the original Chapter 17 will be moved to Chapter 18. No wording has been changed in the original Chapter 17 (now Chapter 18) other than numbering.

Recorder Hale indicated there is no expectation of privacy when using any City electronic communications device for emails, because City emails can be GRAMA requested. If there is a GRAMA request upon a City employee, she would like that employee to have five days to enter their password into the system so that emails can be accessed and the GRAMA request can be fulfilled.

Council Member Noyes suggested that section 17.4.1E be changed to read as follows: “...personal use of the Internet other than brief incidental use while complying with paragraphs A, B, C and D...”

Council Member Bangerter read over the amendments in Section 17.4.1A, which state the following: “Sending, viewing, downloading or storing pornographic or obscene images or information on City computers, cell phones, or other city equipment: Unsolicited pornography or obscene images are to be reported to the City Manager or personnel”. Council Bangerter suggested that the term “personnel” be replaced with the term “immediate supervisor”. He then read through the remaining proposed amendments and there was further deliberation on what changes should be made.

Mayor Macfarlane stated that all City employees have City email accounts, including the Fire Department. Treasurer/Office Manager Youngdell read Section 17.2.1E which states that only emails ending in @sunsetcity.ut.com can be used by City employees. She expressed concerns with the Fire Department using Fire Department email accounts. Fire Chief Weston stated that the firefighters use those emails to log onto Gold Cross to enter patient care reports and information. They do not need City emails and do not use them;

only chiefs and captains need City email addresses. After discussion, the following was added to amendment 17.2.1E: “Members of the Fire Department may use emails ending in @sunsetfiredepartment.com as a user name to log into the Gold Cross program to enter patient care reports.”

Council Member Bangerter made a motion to approve Resolution 2016-03 adding an Electronic Communications policy to Sunset City’s Personnel Policies and Procedures with additions and changes to amendments 17.4.1 E to 17.2.1 E including the exception to the Fire Department Personnel. Council Member Noyes seconded the motion. The motion passed unanimously with a roll call vote: Council Member Peay – yes, Council Member Carlson – yes, Council Member Wiggill – yes, Council Member Noyes – yes, and Council Member Bangerter – yes.

6. **Consider Resolution 2016-04 amending the TCD policy of Sunset City’s Personnel Policies and Procedures:** Recorder Hale stated that the current TCD Policy allows the Council to set the price for the purchase of their iPads upon leaving office and the proposed changes will prohibit this from happening. When a tablet is worn out or technology has changed, the TCD can be disposed of or sent to surplus. When employment of a Council Member or Mayor has been terminated, the TCD must be returned to the City and wiped clean and disposed of according to the City’s surplus policy if the TCD is not being used again by other City personnel. Council Member Noyes suggested that Section 16.4.5B be changed to include the following: “Sunset City will pay for a data plan if it has been determined by the City Council to be beneficial”.

Recorder Hale indicated that one change has been added to include that the City will provide a protective case for the TCD.

Council Member Noyes made a motion for the approval of Resolution 2016-04 amending the TCD policy of Sunset City’s Personnel Policies and Procedures, including changes to 16.4.5B. Council Member Bangerter seconded the motion. The motion passed unanimously with a roll call vote: Council Member Bangerter – yes, Council Member Noyes – yes, Council Member Wiggill – yes, Council Member Carlson – yes, and Council Member Peay – yes.

7. **Consider Resolution 2016-05 amending the Equipment/Property Surplus and Disposal policy of Sunset City’s Personnel Policies and Procedures:** Recorder Hale advised that while preparing the amendments to the TCD policy that Council Members wanted for the disposal of old TCDs, she noticed the City’s Surplus Policy was only for capital equipment, which is worth \$500 or more, and that would not include TCD’s because they would not be worth \$500 at the time of disposal. The policy was changed to Equipment/Property Surplus and Disposal to include the disposal of lower cost items.

After Police Chief Eborn explained about grant item disposal, paragraph C was added, “If the equipment/property was purchased through a grant, there will be specific instructions on how to properly dispose of that piece of equipment/property. In such a case,

Department Heads may dispose of the equipment/property according to what has been specified in the grant” to 10.2.6. A numbering mistake was pointed out and corrected.

Council Member Noyes made a motion for the approval of Resolution 2016-05, amending the Equipment/Property Surplus and Disposal policy of Sunset City’s Personnel Policies and Procedures with the amendments as discussed. Council Member Peay seconded the motion. The motion passed unanimously with a roll call vote: Council Member Bangarter – yes, Council Member Noyes – yes, Council Member Wiggill – yes, Council Member Carlson – yes, and Council Member Peay – yes.

- 8. Discuss putting out an RFP for Land Use Attorneys to hear land use appeals and variance requests on an as needed basis:** Council Member Bangarter stated that the prior Council abolished the Board of Adjustment and replaced it with an Appeal Authority. Council Member Bangarter expressed that while the Board of Adjustment fostered community involvement, it was not accomplishing enough for the City. An Appeal Authority will involve land attorneys reviewing all land use appeals that take place in Sunset, rather than a Board of Adjustment. Recorder Hale added that the City Council makes the laws, so they cannot also be the Appeal Authority. Council Member Bangarter clarified that the City Attorney is not a land attorney and should not review land appeals. Recorder Hale stated that the City currently does not have anyone in place to review land appeals and issues.

Mayor Macfarlane suggested that a Planning Committee be used rather than a land attorney to save costs. Recorder Hale stated that a Planning Committee could be used; however, an experienced person that knows the land codes would work best in these situations. Council Member Peay explained that the initial proposal was to have a professional handle the appeals. Council Member Bangarter stated that he would work with Recorder Hale and Treasure/Office Manager Youngdell on an RFP. Council Member Bangarter concluded that he will look into how other cities handle land appeals.

- 9. Mayor, Council and Department Head reports:** Council Member Peay reported she is moving forward with the plans for Winterfest to be held on Saturday, February 6, 2016 from 11 a.m. to 2 p.m. She explained that she has met with a reporter from the Standard Examiner who will write an article on the event. Everything needed has been ordered including advertising materials. Council Member Peay also reported that the Youth City Council is doing a fantastic job and explained that the cost of sending them to the conference in Logan is increasing due to increasing members. They have been busier than ever fundraising for this opportunity.

Council Member Carlson advised he attended the first Mosquito Abatement Board meeting. The Board is currently constructing a new building. Additionally, they are raising a type of fish that residents may use in their home ponds that eat mosquito larvae. Council Member Carlson also announced that he has been appointed to the Davis/Salt Lake City Spray Authority Board and will be representing Davis County. He stated in

the past, chemicals were shipped by truck to the airport, however now they are being stored in a nearby building.

Council Member Wiggill thanked Recorder Hale and Treasurer/Office Manager Youngdell for helping make his transition onto the City Council a smooth process. Council Member Wiggill reported he met with Director Monroe regarding the Proposition 1 funds, who suggested that the money be used for the needs of the City. Council Member Wiggill explained he has reviewed the year end reviews that were provided by the Fire Department. He commented that the Fire Department has made great progress in hiring qualified personnel and has improved their response time. Council Member Wiggill had not yet met with the Citizens Corp but is planning to do so soon.

Council Member Noyes reported that he has also been in contact with Director Monroe in providing iPads for those Council Members who have not received them yet, and suggested that they be included with next year's budget. Council Member Noyes reported that the marquee on 1800 North is going to be fixed in the near future.

Council Member Bangerter stated he has received several suggestions to move the Car Show to a Friday and requested input from the Council on the matter. He suggested, as the 1800 North marquee needs to be repaired, that the City look into incorporating it into the 1800 North widening project. He feels the Fire Chiefs know who the most qualified candidates are and did not feel that his opinion as a Council Member was a necessary part of the hiring process. Mayor Macfarlane suggested that in the future the Fire Department simply report how many employees are hired, in addition to an overview of their qualifications. Council Member Bangerter suggested that the current policy be changed, thereby allowing Department Heads to do the jobs for which they were hired.

Chief Weston reported that the Fire Department is doing well. Currently, their biggest hiring hurdle is that of prospective personnel passing/failing a mandatory safety test. The test is very challenging and has changed from being a State to a National exam. The Fire Department is currently understaffed and they are hoping to hire more personnel soon. Due to changes in demographics, Clinton City has been having the same problems. Chief Weston explained that Clinton and Sunset cover each other, and are currently running a crew of three men. Mayor Macfarlane stated that the City Council may need to address the policy when vehicles are serviced.

Director Monroe reported that his department had a quiet weekend and explained that upon hotwiring wires on the marquee, they heard a "pop" sound. They need to call an electrician to fix the problem, the cost of which is around \$89 per hour to diagnose the issue. Right now most electricians are booked out by two weeks. Furthermore, the marquee is in need of a new set of letters. A set of 300 letters costs approximately \$450. After some discussion, the City Council gave Director Monroe the approval to schedule an appointment with an electrician and to purchase new letters. Director Monroe

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reported that his department will be starting to clean out sewers tomorrow if there is no need for snow plowing services.

Treasurer/Office Manager Youngdell reported that the decision on the 1800 North project has been finalized and they will be going with Option F. She also reported this week she will be mailing out W-2s and business licenses are still coming in. The first penalty phase starts on Friday for those business who have not returned their renewals by the renewal due date.

Chief Eborn thanked Mayor Macfarlane for the re-appointment of the Department Heads. Chief Eborn reported that he applied for two small Federal grants for equipment needed in the Police Department, both of which were awarded. One grant was for \$2,000 and was used to purchase new laptops. The other grant was used to purchase a new car video system worth \$4,800. Chief Eborn reported that he received a check from the school district for \$32,000 as a reimbursement for the officer being placed at the junior high. Chief Eborn reported that the police car with a bad transmission will be towed to a repair shop in Layton to see if it can be fixed.

Mayor Macfarlane reported she attended the Transportation Committee Meeting where there was discussion about Proposition 1. At the meeting she learned that the City will be receiving about \$59,000. She spoke with Scott Hess about the walking and biking trails, as well as improvement options for 1800 North. She reported that she spoke with Ron Richins about City boundaries and defining ownership of a strip of property at Hill Air Force Base. Mayor Macfarlane also met with the Transportation Committee regarding Alternative Option F for the widening of 1800 North, which would go around the Army Rail Station. She received a letter from the Office of the Administrative of the Courts, recertifying the justice court for another four year term. Wasatch Integrated has indicated they'd like people to come visit their facility and the store. She met with the North Davis Sewer District for the first time. Mayor Macfarlane briefly reported on a recent meeting that she attended with the Kiwanis Club and thanked City Council Members and staff for their work. Lastly, she thanked all the citizens for attending tonight's meeting.

Council Member Carlson made a motion to adjourn. 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 8:30 p.m.

Approved – February 2, 2016

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder