

**Sunset City Corporation
City Council Minutes
January 21, 2014
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Minutes of a regular meeting held January 21, 2014 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
Chris Hadley	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	Asst. Fire Chief
Bruce Arbogast	Police Lt.

Fire Fighters: - Jeni Goodman, Matt Chaston, Andrea M. Sanchez

Excused:

Breen Lowman	Fire Chief
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Others Present:

Stephanie Gonzales	Woods Cross - DCCPA
Terry Avondet	Citizens Corp
Ricky Carlson	Kay Knowlton
Chad Bangerter	Wanema Butcher
Ellen Cutler	Joyce King
Dirk Kendall	

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: The minutes of January 7, 2014 were not ready for approval.

Approval of Vouchers: Council Member Peterson made a motion to approve the voucher for Better City in the amount of \$5,813.00. Council Member Furniss seconded the motion. The motion passed unanimously.

Public Comments: Chad Bangerter addressed item #6 on the agenda appointing him to the Military Affairs Committee. He feels Hill AFB is a great asset to Sunset and one that has not been tapped into. Until he became Sunset's Mayor four years ago there was very little contact

with them and he believes he has done a great job changing that and they recognize Sunset now. About two years ago they placed him in their Log Star Program. The Log Star Program began in 1989 and in recent years, between 25 and 45 leaders have been inducted into the program each year. In 2009 the Log Star Program was made more exclusive by selecting only 11 members from the communities to participate in the program. The purpose was to increase the opportunity for key base personnel and civilian community leader interaction, thereby enhancing awareness of HAFB to the community and vice versa. Each Log Star is appointed with a civilian honorary commander and paired with a base counterpart. He was selected as an honorary commander and his counterpart was HAFB Commander, General Bush, then Col. Colby and now Col. Kolbe. By doing that he has been able to learn more about the 388th and learned the importance of Sunset's residents who work on base and the community involvement in the Air Show, etc. It is important the programs they run have Sunset representation. He would be honored to do it. He would interact more with Mayor Macfarlane who would then pass on the information to the Council, but he would also interact with the Council if asked to do so. He hopes the differences between himself and some of the Council does not have anything to do with this representation. He has always volunteered one way or another in the community since moving here and looks forward to continuing.

- 1. Presentation of the FY2013 Annual Financial Report:** Jeff Ambrose, CPA with the Christensen, Palmer & Ambrose CPA firm, presented the Sunset FY2013 Annual Financial Report. He acknowledged the help of Recorder Hale and Treasurer/Office Manager Youngdell for helping them with information. He stated Recorder Hale writes the report, which saves the City some money each year. Mr. Ambrose and his firm has given the report an unqualified opinion, which is the cleanest or highest level of opinion they can render and means the financial statements are all fairly stated. He pointed out the highlights of the report. The City's net position in governmental funds increased about \$124,000 and the business type fund (Utility Fund) increased about \$114,000. This year's equity to debt ratio is 4.62 to 1, where last year's was 3.89 to 1. That means for every dollar of liability there is \$4.62 in equity to cover it. The ratio increasing is a sign of good financial health. The total fund balances in the General Fund is over the statutory limit of 25% of projected revenues. That is a finding he had to report, but it is a good problem to have because the fund balance is a little higher than it should be, therefore giving them some additional resources in the coming year. From the prior year, total revenues increased about \$61,000 and total expenditures increased about \$16,000. The Proprietary Fund includes the water, sewer, garbage and storm sewer funds. The revenues increased about \$7,000, expenses increased about \$31,000 and the net position increased about \$114,000 from the prior year. It is important to have a good net position balance because it is a capital intensive fund. A lot of money is invested in pipe lines, etc. and a good reserve gives the City the ability to maintain those systems without going into debt to do so. The bulk of the City's long term debt is the lease on the City Building and there is very little debt on vehicles. Overall the City has very low debt. There were only two findings, which were the General Fund Balance ending slightly over the 25% limit and two departments were slightly over budget; Court and EMS.

Recorder Hale thanked Mr. Ambrose for his excellent work, help with the Financial Report and for always being ready and able to answer any question she may have.

- 2. Invitation for the Mayor and Council Members to attend a Citizens Academy hosted by the Woods Cross Police Department:** Stephanie Gonzales, Crime Prevention Specialist for Woods Cross City, handed information on the Citizen Police Academy to the Mayor and Council Members. She explained the Academy is a series of classes to help educate Davis County citizens about the structure and activities of the Police Department. Well informed and educated citizens will be more supportive of police officers, which in turn makes them more productive within their community. The course is 13 weeks long taught by various police departments. Sunset Police Chief Eborn was one of the first to sign on because he sees the value in educating the citizens. There are five citizens of Sunset that have graduated the class. She said they have a list of the classes and if they cannot attend the full 13 weeks and see one or two classes they are interested in, she can make special allowances for them to attend. The classes begin on March 13th and they are on Thursday from 6:00 to 9:00 p.m.

Mayor Macfarlane asked how the program helps the community. Officer Gonzales said it opens up volunteer opportunities. For example, Woods Cross has a huge Memorial Day celebration so the graduates help the runners, etc. therefore allowing the Police Officers to do police work. The attendees of the class also receive a shirt that has "Davis County Citizens Police Academy" on it.

- 3. Nomination and approval of a Mayor Pro-Tempore for the year 2014:** Council Member Furniss nominated Council Member Snow as Mayor Pro-Tem due to his availability with being self employed. Council Member Hadley seconded the nomination. The motion passed unanimously with Council Members Furniss, Peterson, Snow, Hadley and Peay voting yes.
- 4. Consider approval of Resolution 2014-01 appointing Mayor Macfarlane to the Administrative Control Board of the Wasatch Integrated Waste Management District:** Council Member Peterson asked for clarification on the motions at the last Council meeting. Recorder Hale clarified that Council Member Snow made a motion to approve all appointments except the Wasatch Integrated and Mosquito Abatement Boards and that motion passed. Council Member Furniss commented that he would consider allowing Mayor Macfarlane to be on the Board of Wasatch Integrated if Council Member Snow was placed on the Mosquito Abatement Board.

Council Member Snow said both Board appointments were denied at the last meeting and asked why they were both on the agenda again with the same people. Mayor Macfarlane explained they are revisiting it tonight because someone is needed on both boards.

Council Member Peterson made a motion to approve Resolution 2014-01.

Council Member Snow asked to amend that motion to table both appointments until the appointments they would accept came back as they talked about last time. Mayor Macfarlane reminded Council Member Snow this item is only for the Wasatch Integrated Board. Council Member Snow said he would like to table that one then. Council Member Hadley asked if they could second either motion. Council Member Peterson clarified the

motion on the table right now is to table this agenda item. Council Member Furniss seconded the motion. Council Member Hadley asked if this motion changes the option to vote on the first option. Recorder Hale explained if this motion passes, they could not go back to the original motion.

Council Member Hadley made a motion to approve Resolution 2014-01. Council Member Peay seconded the motion. The motion passed with a roll call vote of 4 to 1. Council Member Peay – yes, Council Member Hadley – yes, Council Member Snow – no, Council Member Peterson – yes, Council Member Furniss – yes.

5. **Consider approval of Resolution 2014-02 appointing Council Member Peterson to the Davis County Mosquito Abatement District Board:** Council Member Peterson said he was elected by the residents of Sunset and did not think this Board appointment would turn into a job interview. He believes Council Member Snow wants this appointment for all the wrong reasons and said Council Member Snow told him Mayor Macfarlane made these appointments through former Mayor Bangerter. Because Council Member Snow did not get what he wants he is throwing a fit about it. Council Member Peterson said he would not have cried had Mayor Macfarlane not wanted him appointed on this Board. He has decided he does not want to accept this appointment, but he does not believe Council Member Snow should receive this appointment. Council Member Snow believes the reason he was not appointed to this Board was for all the wrong reasons and believes it has a lot to do with what has been going on behind the scenes and about what happened with the last administration. Council Member Peterson said if Mayor Macfarlane does appoint Council Member Snow to the Mosquito Abatement Board he will support her decision 100%.

Mayor Macfarlane clarified this appointment had nothing to do with former Mayor Bangerter. She studied all the appointments and chose the assignments she did for Council Member Snow because he has been heavily involved with Better City, knows a lot of the ground work that has been done on the I-15 interchange and she believes with the Better Landlord Program being new it needs some oversight. Those assignments alone will require a lot of time so she did not want to overload him. As she understands it, the Mayor makes the appointments. This is not about who is the most qualified and none of the Council Members applied for the assignments. Last week she was asked by Davis County to be an Alternate on the Transportation Committee. She never hesitated to say she would be the alternate. It was not even in her realm of thinking to say she didn't want the position or believe they must like someone else better than her. This appointment process is frustrating to her because she wants to do what is right for the City and it is nothing personal. Where Council Member Peterson was assigned to Public Works and the Planning Commission and that public works is also his employment, she felt this Board assignment would be something different to learn about. She asked if there is anyone else on the Council who would like to be on the Mosquito Abatement Board. Council Member Peay said if it is not given to Council Member Peterson she would gladly do it.

Council Member Furniss believes the appropriate thing to do would be to table this item. The agenda item is labeled as approving Council Member Peterson and believes they can

only do that or table the item. Recorder Hale said any Resolution can be amended before approving. Council Member Furniss said in that case he would like Mayor Macfarlane to make another appointment. Council Member Snow believes Mayor Macfarlane said if Council Member Peterson didn't take it, he would be next in line and now she just offered it to everyone. Mayor Macfarlane said what she thought she said was that if Council Member Peterson didn't do the job the way it should be done, then she would appoint Council Member Snow so she can see where there may have been some miscommunication.

Council Member Peterson made a motion to table this item to give Mayor Macfarlane time to consider her the appointment. Council Member Peay believes it is silly to keep tabling this item over and over again because the same stuff they have gone over in the last two meetings will just be rehashed again. In the mean time they still need someone on the Board so it needs to be resolved. Mayor Macfarlane would also like to move forward on this item. Council Member Peterson took his motion off the table.

Mayor Macfarlane asked for the resolution to be amended to appoint Council Member Peay to the Mosquito Abatement Board. Council Member Snow finds it interesting that Mayor Macfarlane wants to move forward, but does not want to appoint him to the Board. He is the only one who asked for this Board assignment and she still won't appoint him to it. All the assignments he wanted have been denied and he didn't even want the assignments he was given. This is clearly personal. Mayor Macfarlane said she is sorry he feels that way, but it is not personal.

Council Member Peterson made a motion to approve Resolution 2014-02 replacing his name with Council Member Peay. Council Member Peay seconded the motion. The motion did not pass a roll call vote of two for and three against. Council Member Peay – yes, Council Member Hadley – no, Council Member Snow – no, Council Member Peterson – yes, Council Member Furniss – no.

Mayor Macfarlane said she would now consider appointing Council Member Snow.

Council Member Furniss made a motion to approve Resolution 2014-12 replacing Council Member Peterson's name with Council Member Snow. Council Member Peterson seconded the motion. The motion passed unanimously with a roll call vote. Council Member Furniss – yes, Council Member Snow – yes, Council Member Peterson – yes, Council Member Hadley – yes, Council Member Peay – yes.

- 6. Consider approval of appointing Chad Bangerter to the Military Affairs Committee:** Council Member Peterson said he respects Chad Bangerter and made a motion to approve Mr. Bangerter being appointed to the Military Affairs Committee. Council Member Hadley stated, with the disagreements previous Mayor Bangerter and some of the Council Members had, he believes that may be reintroduced with different opinions or feelings. He wants to make sure the Council and who is appointed can work together as cohesively as possible. Mayor Macfarlane said she has talked with the people at HAFB and they really appreciate Mr. Bangerter and he has made a difference for Sunset up there. Not everyone can take the

time it needs due to work, etc. Mr. Bangerter is willing to take that time to make sure Sunset is represented. Council Member Peay commented if Mr. Bangerter is appointed and there are issues, they can readdress the appointment. Council Member Furniss said everyone knows that Mr. Bangerter and he disagree on many issues. He believes this appointment would be a disadvantage to this new governing body and be a friction they don't need when they want they want to be a cohesive unit. This is a man who sent an email today or yesterday to another Council Member belittling him so he knows he will go up there and not say nice things about Council Member Furniss. The motion died for lack of a second.

Mayor Macfarlane advised they would move on to the next agenda item.

7. **Consider approval of appointing Jonathan Ellsworth as the Planning Commission Chair and Scott Stevenson as the Planning Commission Alternate Chair:** Council Member Peterson explained Scott Stevenson was the Chair last year. Commissioner Ellsworth does a lot of what the Planning Commission works on in his employment, so the Commissioners believed he would be good as the Chair this year. Chair Stevenson was fine with that recommendation. The Commissioners would like to recommend the appointments of Jonathan Ellsworth for Chair and Scott Stevenson for Alternate Chair.

Mayor Macfarlane said she has worked with Chair Stevenson and knows he has led the Commissioners to develop a General Plan that they can use as a guide. She would like to reappoint Scott Stevenson as the Chair and appoint Jonathan Ellsworth as the Alternate Chair. When asked if Scott Stevenson was able to remain the Chair, Treasurer/Office Manager Youngdell replied Chair Stevenson said during the meeting he was willing to remain the Chair. Council Member Peterson stated all the Commissioners worked hard on the General Plan and they all agreed with the recommendation.

Council Member Furniss made a motion to reappoint Scott Stevenson as the Chair and Jonathan Ellsworth as the Alternate Chair. Council Member Snow seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson, Snow, Hadley and Peay voting yes.

8. **Consider approval of renewing the City's membership with the Davis Chamber of Commerce:** Mayor Macfarlane explained the City pays \$575.00 for the membership and asked if there were any comments. Council Member Snow believes they should approve this and use this resource more because it could help bring in more business and possible upgrades to the City. Council Member Furniss said because Sunset is small and does not have professional planners within the staff, it is a good resource to rely on. Council Member Hadley does not see any cons to it and also supports it.

Council Member Furniss made a motion to renew the membership with the Davis Chamber of Commerce for 2014. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson, Snow, Hadley and Peay voting yes.

9. **Council Member reports and general information:** Mayor Macfarlane told the audience she has asked the Council Members to report on the assignments they have been given during this item.

Council Member Furniss said he appreciates Mayor Macfarlane's willingness to hear the Council out, come to a compromise and move on. He realizes citizens think they are not supportive of the Mayor if the Council does not rubber stamp everything she does. It takes people to voice their opinion and they have their reasons for voting the way they do. It has been said it is disrespectful, but he believes it is patriotic. State law says the assignments are to be done with the advice and consent of the Council. If the citizens do not like 'advice and consent' they need to call the legislature to have it removed. The North Davis Sewer Board is undergoing a major renovation that will cost tens of millions of dollars due to the EPA regulations. As a result, there will be moderate increases in the sewer bills. Instead of implementing a huge increase, they will do it incrementally over a few years. The plant is at capacity, so their only choices are to increase user fees so they can expand or do a moratorium on sewer connections, which would stop building and that is not a practical choice. He is excited that the Youth City Council was proactive and held a meeting without him being able to be present. Youth Mayor Rumsey chaired the meeting and they discussed service. They are planning to have some members go to the Utah State University Youth Council Conference. It will only be the members who participate in meetings and fund raisers regularly because they have put in the time and work to be able to attend. On his transportation assignment, he does not fully understand it yet as it is new this year, but he and Mayor Macfarlane will be attending a meeting this month. He can see how this ties in with the 1800 North widening project and also bike lanes and trails. He asked about noticing for the public meeting the Fire Department is advertising for regarding the open and public meetings act. Recorder Hale explained it does not require an agenda or legal notice because it is more of an open house, not a meeting of the Council. Council Member Furniss stated he has not done anything with his property management assignment yet. He believes lights on the sides of the new police vehicles would be a good idea so they would be more visible when crossing intersections. He thanked the Public Works Department for the snow removal and keeping the shop yard looking nice.

Council Member Peterson said he does not say too much about the Public Works Department because Public Works Director Noyes is always here to report on his Department. The Planning Commission did not have very many meetings last year because there was not a lot going before them. They have been working on their general plan assignments from home and have now started meeting with their gathered information. He asked the Council who would be able to attend a joint meeting with the Planning Commission on February 20, 2014 at 6:30 p.m. to get with him within the next week. They want to get the Council's ideas for the direction of the General Plan. He thanked all the employees for the great jobs they do.

Mayor Macfarlane commended Council Member Peterson for being such a good team player. He has been really concerned with the issues tonight.

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Mayor Macfarlane explained Council Member Snow has been assigned the Development Review Committee (DRC), which is a subcommittee of the Military Installation Development Authority (MIDA), housing, Better Landlord Program, donations, beautification and now the Mosquito Abatement Board. This is quite a heavy work load and that is why she wanted to assign someone else to the Mosquito Abatement Board.

Council Member Snow reported he and Ricky Carlson attended the DRC meeting today and the MIDA Board just approved the site plan so they can begin building on the public side of the HAFB fence. He and Mayor Macfarlane met with Matthew Godfrey of Better City and went over coordination of the Better Landlord members so they can tell who is and who isn't violating the membership. He has not had a chance to do anything with donations yet, but they need to begin applying for any donations they need because the first of the year is the time businesses are handing out their allotted donations. For beautification, they just did the Christmas lighting awards. He believes it needs to be revamped and maybe post some rules. Mayor Macfarlane had asked him to review the lighting on Main Street, so he talked with someone at Sunset Square and was told there was an agreement between the prior Mayor and Sunset Square for the City to plow the snow in one section of their parking lot. Public Works Director Noyes said the manager talked with him about it also and, a time or two, to be nice the City has put some salt down on the north side and if they are driving the plow through their lot between the roadway and Grounds for Coffee they will put the plow down, but he can guarantee there has never been an agreement between Sunset Square and the City for snow removal in the 29 years he has worked for the City. Council Member Snow believes housing and the Better Landlord Program go hand in hand.

Council Member Hadley advised he has visited the Fire Department a few times to try to get a feel of how it functions and to see if there is anything they need. He attended a goals meeting between Chief Lowman and the Captains. They are trying to better the Department with training and other things. He got a good feeling from it. He would like to watch them in action. He thanked the fire fighters for all the hard work they do. He is working on learning what Emergency Preparedness is all about and what he can do to help the City be more prepared for a disaster. CERT has seen some changes with the Blaylocks resigning and the Fire Department getting a new Fire Chief. Allyson Jackson is the Secretary for the Sunset Citizens Corp and she has just been appointed Chair of the Davis County Citizens Corp. He would like to make sure the Mayor and Council Members are CERT certified. He highly recommended the citizens to take the classes and become CERT certified so they will know how to better take care of their families in a disaster and then be able to help neighbors in need. He thanked all the Department Heads and employees for all the work they do and commended Council Member Peterson for being a team player tonight with the Mosquito Abatement Board assignment. He hopes they all can get beyond the past and make things better.

Council Member Peay said under her Economic Development assignment, she visited with Jim Smith, who is the CEO and President of the Davis Chamber of Commerce. He gave her some good information on how to better utilize the Chamber, such as committees and meetings to make the membership fee worth it. She has talked with some people who work

for Thackery and Company, which is a property management company in Salt Lake City, to get some ideas on bringing some economic development ideas into Sunset. In Recreation, she has met with Joe Maylin and Public Works Director Noyes, who are working hard on the Sunset Sam's Winter Fest. That will be held on Saturday, February 1st because the Super Bowl is on Ground Hog Day this year and they felt that would prevent a good turn out. They will still do the Chili Cook Off and snow painting if there is enough snow. If there isn't enough snow they have a plan B. Mr. Maylin is very proactive and has been working hard on advertising, flyers, obtaining trophies and everything else it takes to prepare for this event. She has contacted Clinton City Recreation to find out what programs Sunset youth are utilizing in Clinton and if they are even using Clinton's recreation programs so they can see if Sunset needs to develop some programs or if they should to stay with Clinton. There are a lot of children in Sunset so she believes programs need to be offered so they stay out of trouble. She is not sure what she is to do with the Senior Program yet, but that is her next project. She is trying to get opinions and ideas from the residents on the skate park. If someone has a complaint or bad opinion, she asked them for ideas to correct the problem. She hopes to have a solution to the problems before summer so they can put this item to rest. Council Member Peterson offered to help her with the skate park if she wants his help.

Mayor Macfarlane attended the Newly Elected Officials Training with Council Member Hadley and Council Member Peay and received some really good information. She attended the Davis County Council of Governments (COG) meeting. They have members from all areas of the County and talk about items like economic development, planning assistance and a lot of other issues. It is a good networking opportunity for the Mayors of the County, so they can glean ideas from each other.

Police Chief Eborn reported they received a check from the Davis County School District in the amount of \$32,000.48. That is the District's commitment to help pay for the School Resource Officer in Sunset Jr. High for the nine months each year in which school is being held. Every year they are trying to increase the allotment a little bit until such time they are fully funding that officer for those nine months. Both new police vehicles are here and they are equipped with the lighting Council Member Furniss referred to earlier. This has not been an easy process. Apparently there was no communication between the companies who install the police equipment and the auto maker because the vehicles had some significant differences from the 2013 models and no one had made parts for some of the equipment. The vehicles had to sit until the company had fabricated the parts they needed to get by until the companies made official parts. One vehicle has broken down twice already, but they are 99% sure the problem is fixed now. He will not go with this brand of car any longer, but this is the first time with an SUV so he will have to consider another auto maker in the future. Also, the same day the SUV went down, so did the black truck that had been given to Public Works. If the truck continues to be a problem, he would like the Council to consider using some of the funds reported tonight to be over the 25% maximum on allowing Public Works to purchase a replacement vehicle.

Public Works Director Noyes said today is the first day of his 30th year with Sunset City. The black truck did break down again today, but he believes it can be fixed. He is excited to

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have Council Member Peay working with Joe Maylin in Recreation because it relieves a lot of stress for him. They are now surveying for the CDBG project the City received \$75,000 for. The City has added committed \$150,000 to go with it. The total cost of the project is about \$320,000 so he is hoping the project is in process and another \$80,000 can be added to it in the FY2015 budget so they can do the whole project. The project is the waterline, curb, gutter and sidewalk of 300 West from 1300 North to 1550 North and it will go out for bid some time next month. They are still working on a couple of sidewalk projects. There have been several residents complain about the ice on the sidewalks, but the temperature during each day is causing some snow melt and it freezes overnight, but that is the nature of winter.

Treasurer/Office Manager Youngdell advised a representative from the Sewer District brought out the new user manual, which showed the increase in July 2014 would be \$3.00 per connection. This increase was mentioned in the newsletter and will be on the utility bill as it gets closer. Council Member Furniss believed the increase was only supposed to be \$1.50 so he will look into that. Treasurer/Office Manager Youngdell mentioned the postage rates are increasing and the post office is also asking that all mail be bar coded. If they don't barcode the utility bills, there will be an additional cost. If they do implement bar coding, there will be an increase in the Caselle software to provide it. She is checking on the cost of each and will let them know the outcome when she finds out. Council Member Furniss asked if they had to use the U.S. Postal Service. Treasurer/Office Manager Youngdell does not know of any other way except email, but may be able look into it.

Assistant Fire Chief Carter asked if there was anything the Fire Department could do to help with the Sunset Sam Winter Fest. Council Member Peay replied she would talk with Mr. Maylin and let them know if there is anything they can do.

Mayor Macfarlane expressed her appreciation to all the citizens who attended the meeting tonight. The Council assignments will soon be on the City's website so if the residents had a concern or question, they would know which Council Member to contact.

Council Member Furniss made a motion to adjourn. Council Member Peay seconded the motion. The motion passed unanimously.

The meeting adjourned at 8:45 p.m.

Approved – February 4, 2014

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder