

**Sunset City Corporation  
City Council Minutes  
February 1, 2011  
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Minutes of a regular meeting held February 1, 2010 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Bangerter presiding.

**Mayor and Council Present:**

Chad Bangerter	Mayor
Brent Andrews	Council Member
Cheyrl Budge	Council Member
Ricky Carlson	Council Member
Ray Chapman	Council Member
Ryan Furniss	Council Member

**City Employees Present:**

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Neil Coker	Fire Chief
Bruce Arbogast	Police Sergeant
Brett Jamison	Police Corporal
James Weston	Asst. Fire Chief

Fire Fighters:

Amy Kippen, Alan Campbell, Travis Carter

**Excused:**

Mickey Hennessee	Public Works Director
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**Others Present:**

Terry Avondet	Citizen Corps
Pam Furniss & sons	Sydney Furniss

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

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

**Approval of Minutes:** Council Member Budge made a motion to approve the minutes of January 18, 2011 as amended. Council Member Furniss seconded the motion. The motion passed unanimously.

**Approval of Vouchers:** Council Member Carlson made a motion to approve the voucher for Utah Local Governments Trust in the amount of \$17,490.52. Council Member Andrews seconded the motion. The motion passed unanimously.

**Citizen Comments:** There were none.

**REGULAR SESSION**

1. **Council Member Reports and General Information:** Mayor Bangerter asked Police Chief Eborn to explain and demonstrate the audio/video recording devices for tasers the Police

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Department received with grant money. Chief Eborn said Sgt. Arbogast is the department's main taser instructor so he asked him to attend also. Chief Eborn explained when the taser is turned on, the camera is activated and records about 20 minutes of audio and video. The intended purpose is to record whatever has caused the taser to be deployed, but if an officer felt the need to record something he could turn in on while it is still in the holster and record audio of a situation. Chief Eborn demonstrated how long five seconds is by deploying a five second burst. Sgt. Arbogast passed around to the Council two types of probes, a dead cartridge and the wire used to connect the two. The Sunset police officers have had the tasers for about 3 ½ years and they have been deployed in a situation less than 10 times. The officers do everything they can to de-escalate the situation before resorting to their tasers.

Council Member Chapman said they had a Davis County Attorney at the fire station last week and he was talking about cell phone policies. He asked if the City has one. Mayor Bangerter replied it does not, but he and the department heads were talking in department heads meeting about drafting one. Council Member Chapman reported the attorney said if the City does not have a policy on city-provided cell phone use in vehicles, etc. and a person gets in an accident, the City could be liable because the employee wasn't told they couldn't talk on the phone while driving. The Youth City Council Advisor still has not returned his calls to know if he has quit or not. Mayor Bangerter said they came up with a couple names in department heads meeting this morning and would give them to him to check out.

Council Member Carlson said they were presented with the overall master plan for Falcon Hill at the DRC meeting. The storm water plan labels the storm water as Sunset City Storm Water District. There is a lot of earth being moved up there and the Northrop Grumman building is being constructed.

Council Member Andrews said he talked with Tuff Shed, but it was too late to reserve a shed for people to get warm in at the Sunset Sam event. Mayor Bangerter told him to give the contact information to Marcus so he can set it up next year if that is the way they decide to go. Council Member Andrews said he still needs to contact Tuff Shed about donating a building for the miniature golf he is trying to establish.

Council Member Budge asked if the Sunset Sam chili cook-off was going to be held outside. It was answered that it was. Council Member Budge said she talked with Marcus Garcia this morning and she was very impressed with how much he cares about the work he is doing for the City. The Citizen Corps has started publishing a newsletter and is running a contest for a name for it. Entries for the name can be given to Heidi and John Blaylock. She stated her appreciation for the citizens who were in attendance tonight.

Council Member Furniss thanked his family for attending and said family makes public service possible. He is concerned about the MIDA storm water issue because their engineers told him and some others in a meeting the storm water would all be retained and none of it would come through Sunset's lines. Council Member Carlson said just because it says Sunset City Storm Water District on the map doesn't mean the water will come through the City. He believes it may be called that because it is within Sunset's city limits. Council Member Furniss believes they will not be able to retain all of the water and at least some of it

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will be coming down Sunset's lines. He congratulated Sgt. Arbogast on the award he will be receiving in St. George this week. He advised he would not be able to attend the Sunset Sam event due to his illness.

Fire Chief Coker advised the Citizen Corps will try to announce the winner of the newsletter naming at Fun Days. Last Saturday, a couple fire fighters participated in the annual Guns & Hoses hockey game for charity and the Guns won.

Treasurer/Office Manager Youngdell responded to a comment made during the voucher approval item. She said the City has several types of insurance through the Utah Local Governments Trust (ULGT). ULGT is considered a risk pool, where they don't use a commercial insurance agency. Several local governments put into the pool and it is administered by ULGT. The general liability insurance covers the City for things like Fun Days and people getting hurt on City property. Property and vehicle insurance is pretty self explanatory. They also provide workers compensation coverage, however that portion is paid to ULGT, but it is provided by Travelers Insurance.

Police Chief Eborn reminded the Council he and Sgt. Arbogast would leave Thursday morning for St. George, attend the banquet where Sgt. Arbogast will receive his award, and be back on Friday.

Mayor Bangerter thanked Council Member Furniss for working to get the hotel room discounted for Chief Eborn and Sgt. Arbogast, although an Arbogast family member was able to get the room cheaper. He read sections of a letter praising Public Works Director Hennessee and employee Norm Noyes for their help in providing facts for a lawsuit that has now been settled. He met with a disgruntled business owner this morning. The business owner received his business license in September 2010 and was upset he had to renew it in January 2011. He was also late for that renewal and had to pay a late fee. The application he signed states the renewal is due December 31<sup>st</sup> and that a penalty would be assessed on January 15<sup>th</sup> if not paid. The owner believes the fee should be prorated. Council Member Furniss believes the business owner has a valid concern and gave the example that a fishing license used to expire December 31<sup>st</sup> no matter when you purchased it. Now it expires one year later. Recorder Hale broke down his business license fee. The total first time fee was \$108. \$30 is an administrative fee for scheduling the inspections and following the licensing process through to completion. \$30 is for the building inspection and \$25 is for the fire inspection. Those items are done one time no matter when during the year a license is first obtained. That leaves a \$23 indiscriminate fee, which is for police calls in Sunset City and is different for different types of businesses. That is the only portion that could be prorated. If that fee was prorated, of the \$23 he would have had to pay \$5.76 for a total savings to him of \$17.24 for his 2010 business license. Council Member Furniss believes the licenses should last a year and maybe not all become due in December. Mayor Bangerter said they are all due at the same time because it is more cost effective, but if the Council Members believe the issue should be discussed further, they can let him know and it can be placed on the agenda.

Council Member Chapman made a motion to go into the work session. Council Member Andrews seconded the motion. The motion passed unanimously.

**WORK SESSION**

- 2. Discuss ordinances regarding snow removal and signs:** Mayor Bangerter said there have been a couple of issues with sidewalk snow removal so he asked Chief Eborn to review other cities' ordinances. Chief Eborn said Sunset's ordinance mandates sidewalk snow removal, but does not give a time frame. He reviewed seven other cities and his results are as follows: Clearfield requires it to be done within 24 hours from the time the storm ends; Layton, West Point and Roy give 12 hours; Clinton gives 48 hours; and Syracuse and Riverdale do not have a time frame. To date, Sunset's ordinance has not caused a case to be lost in court. Typically people are not cited; they are contacted in person or with a letter and the ordinance is usually complied with. The issue was discussed and it was thought 12 hours was not enough time and 48 hours may be too long when freezing temperatures closely follow a storm. It was decided that 24 hours would be a reasonable time frame.

Mayor Bangerter said many Sunset businesses are in violation of the city's sign ordinance. He does not want to restrict businesses from as much advertising as they need to run their businesses. He would like to have less restriction, except where it involves public safety. He had Recorder Hale put together a draft for discussion. Recorder Hale said she compared it with Clinton's, Roy's, Clearfield's and Riverdale's ordinances. She gave an overview of the ordinance and explained the reasons for her suggested changes. Mayor Bangerter asked the Council Members to review the draft, make notes and they would address it at a work session during the next council meeting.

Council Member Chapman made a motion to go out of the work session and back into the regular session. Council Member Andrews seconded the motion. The motion passed unanimously.

**REGULAR SESSION**

- 1. Council Member Reports and General Information (continued):** Mayor Bangerter reminded everyone about the Sunset Sam event tomorrow. He will be interviewed by KSL tomorrow at 6:30 am. He has top hats for those who want to wear one. He thanked Jessica Neville for donating the guinea pig this year and thanked the Andrews family for starting the tradition 17 years ago. The city is looking to make it a bigger, better event every year.

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

The meeting adjourned at 8:10 p.m.

These minutes have been read and approved at the regular City Council meeting held **February 15, 2011.**

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Chad Bangerter, Mayor

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Susan R. Hale, Recorder