

**Sunset City Corporation
City Council Minutes
February 3, 2015
Page 1 of 9**

Minutes of a regular meeting held February 3, 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
Chris Hadley (arrived 6:35 pm)	Council Member
Trystal Peay (arrived 7:00 pm)	Council Member
Jake Peterson	Council Member
Kevin Snow	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Corey Wilson	Public Works Operations Manager
Tom Caygle	Fire Captain

Excused:

Ken Eborn	Police Chief
Travis Carter	Interim Fire Chief

Others Present:

P. Bret Millburn	Davis County Commission
John Petroff, Jr.	Davis County Commission
Jim Smith	Davis County Commission
Nefi Garcia	Verizon Wireless
Allyson Jackson	Sunset Citizen Corps Council
Terry Avondet	Sunset Citizen Corps Council
Jason Monroe	Adam Scott

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 Furniss made a motion to approve the minutes of January 6, 2015 as presented. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson and Snow voting yes.

Approval of Vouchers: Council Member Snow made a motion to approve the vouchers for Braker Construction in the amount of \$11,802.28. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Furniss, Hadley, Peterson and Snow voting yes.

Public Comments: Allyson Jackson noticed selling a portion of South Park to Sierra R.V. was brought up again at the last Council meeting. She feels there is no guarantee if Sunset sells the park to them that they won't still leave the City. She feels strongly the park should not be sold because it is by far the best park in the City. She also feels if they hold a public hearing they will hear a lot of citizens will be against it.

- 1. Davis County Commissioners will be available for a public question and answer forum for discussion of Davis County matters:** Mayor Macfarlane opened the meeting to Davis County Commissioners Bret Millburn, John Petroff and Jim Smith. Commissioner Millburn is the Chair this year. He said when he began eight years ago they started trying to get out to a City in Davis County each month. It takes about a year and a half to get through all the cities. In the coming year, economic development is of interest and they will continue to partner with the cities. They are active in tourism. Davis County will be host to one state of the "Tour of Utah" bike race this year. It will begin at Antelope Island and wind its way through various cities in Davis County ending in Bountiful. It will also present an opportunity for people to volunteer. Many have heard of the "Tour De France" and this race is just a step below that level and is world class bicycle event. Footage of this race will be shown throughout the nation and world-wide on ESPN.

Council Member Furniss said it seems the Convention Center is struggling and asked what their plans were for the future. Commissioner Millburn said the Conference Center in Layton actually had the best year it's ever had last year and they've been successful in securing some long term events. Council Member Furniss asked if the Emissions Center has been closed. Commissioner Millburn replied that it had been closed and moved to the private sector, with the exception of the older diesel testing section.

When asked about the building and Convention Bureau by Council Member Snow, Commissioner Millburn replied one section of the building is being used by a vendor who manufactures and sells emissions equipment and they are doing the testing on the older diesels. They are in the process of determining what they want long term in the other portions of the buildings. There was another entity operating the Convention Bureau and their contract was not renewed last year. Those functions were brought in house except for the marketing, which is being done by a marketing firm. Council Member Snow asked how they saw Sunset's future with the Falcon Hill Development. Commissioner Petroff said they see Sunset receiving the benefit of the Interchange at 1800 North due to being able to get people in and out of Sunset much better. MIDA is using the tax increment for the development of Falcon Hill and that will last for quite some time.

Commissioner Petroff stated one of the most important things the Wasatch Front Regional Council is concerned about is air quality. About 60% of the harmful emissions come from vehicles, so they are looking for ways to make a difference. One of the most important things will be talking the Utah refineries in to producing tier 3 fuel, which has lower sulfur. By 2025 the at least half of their fleet will be tier 3 cars, which are capable of emitting 80% less harmful emissions than Tier 2 cars. Only a certain percentage of tier 3 fuel productions will be required of each company. Therefore if a company with many refineries produces that

percentage in Texas, their Utah plant won't have to produce it. That is why they are trying to explain to the different refineries how important it they think is for them to convert to tier 3 fuel.

Mayor Macfarlane went back to transportation and said the interchange will be huge for Sunset. She has also talked with UTA about putting a Front Runner station in Sunset because it would not only help Sunset, but Clinton and West Point as well. UTA has mapped it, but nothing has been confirmed. Commissioner Millburn said he will follow up on that. Commissioner Smith said he was with the Chamber of Commerce and they were working on getting more access to the Front Runner and one thing the Council needs to do is show a demand for it and figure out how to maximize the 1800 North Project. The Commissioners will support the City all they can.

Council Member Furniss asked what their stance was on wood burning stoves. Commissioner Petroff believes they won't be able to completely ban it, but there might be some legislation to provide funding so people can afford to upgrade their heating system or purchase more efficient wood burning stoves. A wood burning stove puts out as much emissions as a couple thousand cars. The one thing they all agreed on was the discussion has at least put awareness out there and when it comes to air quality everyone has a part to play. There is no one solution.

When Mayor Macfarlane asked for an update on the West Davis Corridor, Commissioner Petroff said a shared solution has been drafted and the EIS is being evaluated, then they will take the information to each of the cities that are impacted. In order for the shared solution to work, each City will have to change their Master Plan significantly because the idea is to have larger Boulevard style east/west corridors with areas to create more jobs. He does not know if they will come to Sunset where it is not directly impacted. Once they get a preferred alignment, they will submit it to the Federal Highways for a record of decision. The fastest time possible would be starting construction in 2017 or 2018.

Mayor Macfarlane asked how Davis County can help Sunset with its economic development. Commissioner Millburn replied they have a great economic development staff that is very engaged and can have discussions with State agencies. They want to keep an open dialog, so if there is something the Council wants to pursue, they can talk with them about it. Council Member Snow asked how the City can get the funding for economic development. Commissioner Petroff explained the City can develop a CDA or RDA to help with redevelopment by using increments of tax revenue obtained through growth. The County can help with the City with it, but they need to realize it takes time. Council Member Snow thanked them for their help in obtaining grants. Mayor Macfarlane thanked the Commissioners for taking the time to meet with them.

- 2. Consider a franchise agreement to allow Syringa Network, LLC to maintain a telecommunications network in the present and future public rights-of-way in the City:**
No one from Syringa was present.

Council Member Furniss made a motion to table this item until such time a representative can be here. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Hadley, Furniss, Peay, Peterson and Snow voting yes.

- 3. Update from the Sunset City Citizen Corps Council:** Allyson Jackson introduced herself and said she is over the Sunset City Citizen Corp Council. CERT is their biggest program, but the Citizen Corp Council is also made up of Sunset on Watch, Volunteers in Police Service (VIPS), Davis County Medical Reserve Corp, Sunset City Child Abduction Response Team (CART) and Fire Corp. Terry Avondet is Chair and liaison with the Police Department on the Sunset on Watch, VIPS and CART. Allen Burch is over the Fire Corp. There are 80 citizens who are certified in CERT. She would like to have a representative from the Youth City Council attend the Citizen Corp Council meetings as a liaison. It would help the Corp by paying the Youth City Council to deliver flyers, etc. and it would help the Youth City Council Member with leadership skills. The Sunset City Citizen Corps Council became nationally chartered with FEMA in January of 2008. They held eight neighborhood BBQs, one district at time, during that summer in which the Fire Department helped them and they were able to get a lot of residents interested in CERT. They did a lot of things in the following years such as updating the Emergency Operations Plan, during Fun Days they entered a float in the parade, manned a booth and helped patrol the perimeter of the fireworks area, trained a lot of people, regularly had an article in the newsletter, delivered informational flyers, instigated the pedestrian flag program and trained a couple Clinton residents so they could get their City's Citizen Corp Council up and going. Over time a lot of volunteers became burned out, it was difficult keeping members interested and in 2013 a huge hole was created with the resignations of Fire Chief Coker and Corp Leaders John and Heidi Blaylock. Those three dedicated so much to the Corp. At that time she had a full plate, but she was determined not to let the Corp fold. However, there were only three members of the Corp Council left, the new Fire Chief was less accessible due to his work schedule and he had different priorities than they previously had and she was also tasked to be over the Davis County Citizen Corp Council. That is why things didn't happen last year and she apologized for not communicating with them about it. They held a CERT meeting on January 14th and 14 people showed up, so she was very excited. They are looking to get a web page set up again, along with a Facebook page. Last Saturday eight members conducted an inventory of supplies so they could see where they're at. They would like to move the Citizen Corp Trailer from the Fire Department to the parking lot of the City Building because the City Building will be the emergency operations and volunteer coordination center in a disaster. The Fire Chief will be the Emergency Manager, so they will be able to move forward faster once one is chosen. They are planning to hold two CERT trainings each year and all prior CERT members are invited to attend those trainings so they can brush up on their skills. They are thinking about having the CERT certifications expire every five years with a certain amount of training hours required to renew them because they want involvement from the members so they can be confident in their skills when there is a disaster. Some people believe they are too old or not skilled enough to be any good in a disaster, but there is something for everyone from paperwork to search and rescue. Council Member Furniss suggested talking about putting money in their budget for a steel awning to place their trailer under. Council Member Hadley said they have not had to use much of their budget this year

and said they could maybe do it with this year's remaining budget. The Mayor and Council expressed their appreciation for everything she has done in reviving the program.

- 4. Consider draft land lease agreement for Verizon Wireless to locate a cell tower on City property located at 472 West 1800 North:** Nefi Garcia said he works for Technology Associates, who contracts with Verizon Wireless. A couple years ago he was given a circle to search for a tower site. That area was in Sunset, but he noticed the existing cell tower is pretty overloaded and the only other area zoned for cell towers is the City Public Works yard. He talked with prior Public Works Director Noyes, learned about the upcoming bridge and found a spot that would not interfere with it. He is here to discuss a lease with them.

Council Member Furniss pointed to a chart showing what the City receives from the other cell tower leases compared with Verizon's proposal. He is concerned they will be taking up more land and paying less than Sprint. He asked if they could increase the payment because it is quite a bit less per square foot. Mr. Garcia replied, historically the carriers pay on usage; not by square footage. It just happens to work out this way and he can give them a table on all the sites he's done. The average for areas in Utah and Idaho is about \$800 per month based on usage, but he understands Sunset wants to maximize the revenue. He can shrink the planned 1,225 square footage down to about half because some of the things Verizon is doing now requires less equipment. If it is reduced by half and pay \$14 per square foot it would be \$700 or \$800 per month. If he does that the City won't be maximizing their revenue, but if he leaves the square footage as is, they will pay \$1,000 per month. He asked who else would pay that much money and use the land behind the public works buildings. Council Member Furniss said it has now been talked about that the area could become a Front Runner station or it could become a park. Right now it is just land behind a shop, but someday that land will become very valuable. The money is not a deal breaker in his mind, but seeing the chart he believes they should negotiate it some. Mayor Macfarlane clarified the usage would not only be Sunset's usage, but Clinton and further west and along the freeway, which was agreed with by Mr. Garcia.

When Council Member Hadley asked, Mr. Nefi responded they're thinking the tower would be around 80 to 100 feet tall and would be capable of holding future carriers.

Council Member Snow asked, if the lease payment is not negotiable, if other negotiations could be considered such as free wireless connections for residents, etc. Mr. Garcia said that would be too complicated to do.

Council Member Furniss asked if he has looked at the city-owned land at Main Street and 1600 North that houses the billboard sign because it has a little higher elevation. Recorder Hale advised that property is zoned C-2, not C-2-C for cell towers. Mr. Garcia said he has not, but if the City would consider changing the zone, he could talk with Verizon to see if it's in the area they need.

Council Member Hadley asked if they would be willing to allow space for the Fire Station radio antenna to be located on the tower. Mr. Garcia said yes, they have done it a number of

times. When asked what time frame they were looking at, Mr. Garcia replied from start to finish with getting zone approval and lease approval it took 18 months in Mendon. Once the lease is approved there will be environmental studies. They talked a little more about the land by the billboard and possible rezoning. Mr. Garcia will look at it and see what Verizon thinks.

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

Mayor Macfarlane suggested holding a work session to discuss this after the regular meeting on February 17, 2015.

5. **Consider approval of Amendment No. 2 to Interlocal Cooperation Agreement between Davis County and Sunset City for Animal Control Services:** Clint Thacker, Director of Davis County Animal Care and Control, explained the amendment contains a 3% increase, or \$196.26 over last year. The increase brings them more in line with 1/3 of their budget that the cities are supposed to carry the burden of and it also covers the increased cost of their supplies.

Council Member Peterson asked how the Trap, Neuter and Release (TNR) program for feral cats was going and Director Thacker replied it was great. Bountiful was just signed and that makes 15 Davis County cities participating in the program. Their live release rate has gone up 2% just from doing the program in the last four months. The number of cats coming in has stayed the same, but it takes a while to see results. Council Member Snow said he has been having a feral cat urine problem. Director Thacker said the urine problem could be from un-neutered cats that spray to mark their territory. Once the cat is neutered they lose the urge to spray. He also said deterrents can be obtained from the Best Friends Animal Society who runs the TNR program.

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

Director Thacker advised when the Sunset CERT is ready, Asst. Director Tracy Rodham is a certified CERT instructor and she does all the pet rescue training for them.

6. **Discuss the emergency Fire Station driveway repair:** Public Works Operations Manager Wilson advised the cap over the ditch failed and a portion of the driveway collapsed. The contractor started work to repair it this morning and the cost will be approximately \$12,000 to \$15,000. Mayor Macfarlane read prior Director Noyes' email that stated until the repair is complete the Fire Station Bays are unusable. It needs to be repaired as soon as possible so the equipment can be parked back in the bays. When asked, Operations Manager Wilson replied once the concrete is poured it will be 10 to 14 days until the vehicles can be driven over it. They will install a heavy gage steel box in the ditch.

7. **Consider an agreement with Weber Basin Water to trade water from the City well for water from Weber Basin Water:** Mayor Macfarlane advised the Weber Basin Board has accepted the agreement they worked on except the overage cost. They did not increase it because what they had proposed was the going rate. It will be a term of 50 years. All amounts owed for the City well usage will be traded for water the City uses from Weber Basin Water.

Council Member Peterson made a motion to approve the Interlocal Cooperation Agreement for Joint Rehabilitation of Water Well and use of Certain Water Rights between the Weber Basin Water Conservation District and Sunset City. Council Member Hadley seconded the motion. The motion passed unanimously with a roll call vote. Council Member Peay – yes, Council Member Hadley – yes, Council Member Snow – yes, Council Member Peterson – yes and Council Member Furniss – yes.

8. **Mayor and Council reports:** Council Member Furniss (on the North Davis Sewer Board, over Property Management, Transportation & Youth City Council) advised the City owned rental house has been vacated without notice and they received pictures of how bad it was left. The house needs a lot of work if it is to be rented again. He would like to demolish the house and just maintain the land. He does not like the City being in the business of landlord. They would lose \$700 a month in rental revenue, but the repairs are going to cost several thousand dollars. The reason he would like to do this versus selling the property is that land can be used as a bargaining chip in economic development. The other home the City had owned was sold at a significant loss to the City. Public Works can haul off the material and the biggest cost is the tipping fee to demolish the house is the tipping fee. He would like all of them to take a tour of the house during the next Council meeting. He believes the area east and north of Sunset Jr. High will become commercial in the future with the interchange coming in. Council Member Furniss commented the Utah League of Cities and Towns conference is coming up in April and asked Treasurer/Office Manager Youngdell to get the rooms reserved. He will be attending. He talked with Mayor Macfarlane about the interview boards for the Public Works Director and the Fire Chief. He would like to see a copy of all the applications so he can make an informed decision when he votes to approve Mayor Macfarlane's appointments. Treasurer/Office Manager Youngdell will scan and put them in Dropbox. Council Member Furniss agreed with Allyson Jackson on not selling South Park to Sierra R.V. because when 1800 North is widened, they will need the space. He wishes there was a better option for them to expand their lot.

Council Member Peterson (Planning Commission Liaison & over Public Works) explained Public Works Director Noyes has retired and Operations Manager Wilson will oversee Public Works until a new Director is appointed. He thanked him for stepping up. He thanked CERT for all they do.

Council Member Snow (over Beautification, Better Landlord Program, Donations, Housing, on the Development Review Committee for MIDA & the Mosquito Abatement District Board) said he has talked with Bernie about street lights on Main Street and he will get a quote to upgrade every other light pole. The upfront cost for LED is more, but it will be a

Sunset City Corporation
City Council Minutes
February 3, 2015
Page 8 of 9

bigger savings on electricity. He asked Treasurer/Office Manager Youngdell to research switching to letter form instead of postcard form on the utility bills. She advised she is working with the post card manufacturer to give them more room on the cards. The software will put another line on them, but the area on the cards is not long enough at this time. Council Member Snow thanked Allyson Jackson for stepping up to oversee the Citizen Corp Council. He suggested sending out emails again to help keep people's interest.

Council Member Hadley (over Citizens Corp and Emergency Preparedness) thanked Allyson Jackson for her update and all the work she's been doing. They had a reasonable turnout for the supply inventory so they could replace the items that have or will soon expire. The 72 hour food personal food kits are dated 2012 and have a 5 year shelf life. The kits are discounted now, but they may have to discount them more so they can be replaced. He asked if the Council Members will also be able to look at the Fire Chief position and it was answered they would.

Council Member Peay (over Economic Development, Recreation & Senior Program) reported the Winter Fest went really well and she gave kudos to Recreation Supervisor Maylin and all those who helped him put the event together. She also thanked the Youth City Council for the face painting they did. She feels they hoped for more food for their drive, but they appreciated the amount they received. She and Supervisor Maylin have been talking about the part-time person needed for Kids Club, Fun Days parade, etc. They feel they could hire an events coordinator to do help with all the recreation events, with Supervisor Maylin still being the liaison and over the events.

Mayor Macfarlane (over Administration, Court, Military Affairs Committee, Police, Fire & on the Wasatch Integrated Systems Board) received a call from the Governor to explain some things about MIDA and he said he would entertain the idea of putting another seat on the Board for Sunset. She would like Representative Paul Ray to address the Council after the Legislative session is over to update them on the session and to tell them how he is working for Sunset. She reported for Police Chief Eborn that Officer Duane Arbogast is on light duty at Sunset Jr. High due to an injured knee. Mayor Macfarlane said HAFB has a change of command for the Honorary Commander of the 388th Fighter Wing and she has been asked to fulfill that duty this year. She is trying hard to keep Sunset's communication open with HAFB because it will mean even more with MIDA and as the interchange opens up. She will also be a presenter for the 75th Air Base Wing awards ceremony. She spoke with Don Lasater, owner of Don's Meats, who wants to put an electric sign on top of his original sign and he has agreed to purchase a flag from Kiwanis to fly during patriotic holidays. She would like all the businesses along Main Street to do that. She talked to the Manager at Smith's Food & Drug and was told the store is either going to move or update their facilities and they were leaning towards updating. She talked with someone from Walker Cinema about locating a theater on the vacant property by Sunset Square and he said Clinton City had also approached him about a theater. The owner of Sunset Square was trying to decide if he was getting enough revenue out of the buildings, so he was really interested in the idea of a movie theater there. She feels like they have momentum going and she expressed her appreciation to the Council for their work.

- 13. Department reports:** Treasurer/Office Manager Youngdell asked if the 72-hour kits should be marked down now. Mrs. Jackson said the Corp would be meeting next week and she will let her know after that. Treasurer/Office Manager Youngdell mentioned she had someone approach her about renting the rental house so she was glad Council Member Furniss brought it up tonight.

Fire Captain Caygle reported they have tested 12 potential fire fighters Saturday and they will be doing their interviews next Saturday. Four of those already work for Sunset and passed their physical test so they can stay. There will be eight who will be interviewed. The final date for bids on the Crown Vic is Friday and the Chief has two bids now so it should be sold next week. The Suburban was sold for \$2,500. The Medical Control Doctor is trying to get everything situated with the State and Chief Carter will work with him on the contract when he gets back in town. Prior Chief Coker is helping with the contract he had with Dr. Gardner. Mayor Macfarlane said she is working with Chief Carter to standardize some things in the Fire Department, such as zero tolerance on drugs, training hours required, shift assignments, etc. The fire fighters will sign a statement that they are aware of the policies.

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

The meeting adjourned at 9:20 p.m.

Approved – February 17, 2015

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder