

**Sunset City Corporation  
City Council Minutes  
February 7, 2017  
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Minutes of a regular meeting held February 7, 2017 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
Jake Peterson	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

**Excused:**

Anthony Bott	Interim Fire Chief
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**Others Present:**

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

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

**Approval of Minutes:** Council Member Noyes made a motion to approve the minutes of January 3, 2017 as presented. Council Member Wiggill seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

**Public Comments:** There were none.

- 1. Consider Ordinance 2017-03 amending Section 5-6-2 A. Daytime Loitering of Minors in Any Public Place on School Days of the Sunset City Code:** Police Chief Eborn stated the amendment changes the time the ordinance can be enforced and more closely matches the surrounding cities. The current ordinance runs from 8:30 a.m. until 2:00 p.m., which does not match the current school hours. The amendment changes it from certain times to when school is in session.

Council Member Peterson made a motion to approve Ordinance 2017-03 amending Section 5-6-2 A. Daytime Loitering of Minors in Any Public Place on School Days of the Sunset City Code. Council Member Carlson seconded the motion. The motion passed unanimously

with a roll call vote: Council Member Peterson – yes, Council Member Carlson – yes, Council Member Wiggill – yes, Council Member Noyes – yes, Council Member Bangerter – yes.

- 2. Discuss 2017 Election options:** Recorder Hale attended a meeting with Davis County last month and explained what she learned. Davis County is only running by-mail Elections now, so if the City wants to continue contracting with them for Municipal Elections, the City will also have to conduct by-mail Elections. Otherwise, the City can go back to paper ballots or find another vendor to rent voting machines from. In 2016, their Election turnout was a record number at 88.8% of registered voters. The cities who participated in the 2015 by-mail voting averaged 45% voter turn out, where Sunset's normal turn out is about 35%. Davis County is working towards removing all potential barriers to voting by allowing voters to vote by mail, drop off their ballot at the City Building or vote on Election Day by going to any of the voting centers in Davis County. To contract with Davis County it would cost Sunset about \$4,615 for each Election (primary and general) if all Davis County cities participate. If not all participate it could be higher and if other Davis entities like the School District, etc., the cost would be less. Recorder Hale's estimate for the City running the Election with paper ballots is about \$3,000 for each Election, plus a lot more of her time. She did not have a cost estimate for other voting machines. When the City originally began contracting with Davis County using the voting machines, it was because the Council did not want the residents to get confused with going from machines to paper every other year. She feels this would be the same. Davis County would like to know by February 13<sup>th</sup> if the City is planning to contract with them or not.

Council Member Carlson asked if the voters would be voting by paper if they come to the City on Election Day. Recorder Hale replied they would be voting on the machines this year, but Davis County is planning to replace the voting machines with a new system for counting and possibly printing ballots at the vote centers by 2018. The time it takes to program the number of voting machines required for those cities not voting by-mail is what is prohibiting them from offering them. Those machines will all be out of service in 2018. By-mail voting was discussed more and the Council agreed they would like to contract with Davis County.

- 3. Discuss City Building marquee sign:** Public Works Director Monroe said he sent emails to the Council and received three yeses to go with Option E. Using LED lights instead of standard lighting in the top portion of the sign was discussed. Council Member Bangerter pointed out the screen is a 16 millimeter screen and will allow for pictures, video, etc., there is a 5-year warranty on the screen, the screen will be the same width as the existing brick structure and Wasatch Sign has been in business for 21 years. Director Monroe advised Charlie's Service has the same sign as the City's existing one, so they can maybe part it out to them.
- 4. Discuss Amendment No. 1 to Interlocal Cooperation Agreement for Animal Services with Davis County and possible approval of Resolution 2017-03 approving said amendment:** Council Member Bangerter attended an Animal Control Advisory Board meeting consisting of representatives from Davis County, Kaysville, Fruit Heights and

Animal Control. Sunset is not represented because no one from Sunset responded to an email that Animal Control sent out asking for representatives for this advisory board. He attended the meeting to find out why the contract cost has gone up so much. The cities are charged per call and education is necessary to lower the cost for Sunset. About \$1,800 of the increase is for the Capital Fund for the new (or addition to) the shelter. More is because the billing has been changed from Davis County paying 60% of the cost to only paying 50%, since they are providing the service for the cities. Their goal for the future is to get down to paying only 10% of the cost. The rest of the increase is because the number of calls to Sunset has increased. The City could possibly add a fee to the Utilities to pay for the service. Another avenue is training the Police Officers and other employees what actually needs to be handled by Animal Control. Officers can respond to barking dog calls, but they also would need to report it to Animal Control so they have a history if there is a dog bite in the future. He brought up the issue of double taxation to the board. Sunset residents are paying a Davis County tax, so he asked them why those taxes are not going to pay for the Animal Control services. He also asked them why they charge for Animal Control Officers responding to calls, when the Police can call in a Davis County drug dog, the bear cat, etc. without any extra charges. They did not have answers for those questions. All in all, he is more comfortable with the fee increase since he received the explanation for it. They can control some of the costs by handling some of the call themselves. The other option is to hire their own Animal Control Officer, but that is much more expensive and they would still have to pay the County for housing the animals. The City's budget will have to be increased some to pay for this increase before the Council.

Council Member Bangerter made a motion to approve Amendment No. 1 to the Interlocal Cooperation Agreement for Animal Services with Davis County. 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 Peterson – yes.

- 5. Mayor, Council and Department Head reports:** Council Member Bangerter stated they will need to begin advertising for the Fun Days car show soon. The City's Winterfest was good, although the weather was a little too nice. He liked that the Andrews family was recognized because it all started with them. There is a lot going on in the background for Economic Development, but nothing concrete yet, so there's nothing to report. He will probably be budgeting some money for either he or Mayor Macfarlane to go to the Las Vegas business show with EDCUtah to advertise the City and properties available for business development. There will not be a Planning Commission meeting this month due to lack of a quorum. There are some properties he would like to talk with the Council about in a closed session in the next month or so. He has been working with a commercial appraiser for the fire station so they will have an appraisal to compare with the one UDOT does.

Council Member Carlson advised he will attend a Mosquito Abatement Board meeting this Thursday, so he will report on it at the next Council meeting. He was unable to make it to Winterfest, but he was able to attend former Council Member Bridges' funeral and was impressed with the Police and Fire presence there.

Council Member Noyes attended 'Lunch with the Mayor' for Mayor Macfarlane and asked the students what the City does for them and none of them knew. He said that is unfortunate and believes they should be educated to why a Mayor and Council are needed. He has attended a couple meetings on the crosswalks and they're getting some cost projections. He talked with Council Member Wiggill and they came up with some good ideas. The committee was going to have a meeting today, but it was postponed for two weeks. He received an email from the DRC today and they will be holding a meeting within a couple weeks. Since Council Member Noyes is over the Better Landlord Program, Police Chief Eborn brought up House Bill 178 regarding Good Landlord Programs. If passed, it will prohibit cities from requiring that landlords not rent to convicted felons. Ogden City has anticipated its passing and has already implemented a waiver program where a felon can apply for a waiver on the felon stipulation and the City will track that individual almost like a parole agent. He believes that would be too much work for a small staff such as Sunset has.

Council Member Peterson thanked Public Works and the Youth City Council for their help with Winterfest. When asking about advertising, he was informed that flyers cannot be handed out in the Elementary Schools any longer; they would have to go through Peach Jar, there is a fee for it and it is not known how many parents look at it. The Youth City Council will be holding a food drive at Maverik, Saturday from 11 a.m. to 2 p.m. The food will be taken to the Family Connection in Layton. The Logan Youth Council Conference is coming up and he will be out of town, so he will not be able to attend the banquet. They will be making tie dyed shirts so they all look the same and the theme of their display will be all the service projects they've done this year. They are talking about things to do during Fun Days. He is trying to get the Veteran's Committee together. When praised for Winterfest, he said he cannot take credit for it as it was all done by Public Works and the Youth City Council.

Council Member Wiggill acknowledged the passing of former Council Member Bridges, saying he was a long time friend of the family. He appreciated all the Police, Fire and others who attended his funeral. He was a judge of the chili contest at the Winterfest and it was a great day. There is not much going on with Citizens Corp and Emergency Preparedness. He advised the Fire Department is still giving away free smoke detectors to any resident who asks for one and they will do a free assessment on their home. This program will end at the end of February.

Council Member Noyes commented he had the privilege to drive the family vehicle for Jim Bridges' funeral. The family was deeply touched by the support the City showed.

Police Chief Eborn attended Mr. Bridges' funeral and said he had a soft spot for him because he was on the hiring board when Chief Eborn applied to become a Police Officer for Sunset. He apologized for missing Winterfest. Officer Duane Arbogast will still be in the elementary schools and will look for other programs to do that may not take as much time. The City has received a check from the School District for almost \$34,000 to help pay for the School Resource Officer position.

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Treasurer/Office Manager Youngdell reported there are still six business licenses that have not been renewed, along with about four rental licenses. They have until March 1<sup>st</sup> to renew or a list of them will be given to the Police Department so they can cite them for doing business without a business license. She has mailed out the W-2s and six of them for firefighters have been returned to her.

Mayor Macfarlane reported for Interim Fire Chief Bott. A Fire Fighter's sister passed away so he would like to have a presence from the Fire Department at her funeral. Engine 13 is going into Sunset Auto Body for repair and decals on Friday. The ambulance is not fixed yet, but they are using the other one. He has a volunteer secretary that is helping him with some paperwork. They are compiling 150 reports that came back from the National Incident Report System to try to straighten out some errors. He will be focusing on grants with 'in kind' matches.

Public Works Director Monroe thanked the Council for their responses to his emails on the marquee and replacing the part-time employee and hiring a seasonal employee. The Christmas lights are finally being picked up now that the snow has stopped for a while. He said the Winterfest went well, although he believes participation was down due to Mr. Bridges' funeral. He is working on 4 CDBG grants totaling about \$1.6 million. Hopefully, the City will get some money to help with its road needs. He spoke with Chris Peterson of UDOT about some issues. There is a program where UDOT may be able to purchase a grant from Sunset that it has coming up in 2019. They purchase the grants so they are not Federal any longer and the cities don't have to comply with Federal requirements, thus making the projects cheaper to do.

Mayor Macfarlane commented Saturday was a busy day for Sunset with Mr. Bridges' funeral and Winterfest. She appreciated the fire and police attendance at the funeral and the employee and Council attendance at Winterfest. She attended the Local Officials Day at the Legislature. She listened to the students debate Mandatory Drug Testing in Utah Schools and it was very interesting. During the COG meeting, a representative from the Wasatch Front Regional Council presented a tentative list of who they wanted appointed to different committees and she was selected to be on the Transcom for 2017 committee, with others from northern Davis County cities and Davis County Commissioner Milburn. She was also selected to be an alternate member of the Wasatch Front Regional Transportation Board. Being on these committees and boards, she has learned more about grants and that helps the City. She attended the NUERA Board meeting and they went over their by-laws. They are obtaining new ground in case the facility at Wasatch Integrated has to be closed. At the Wasatch Integrated meeting the contract with HAFB for steam came up. If there is an issue with the contact, they may have to engage NUERA sooner than they thought. The North Davis Sewer District Board is going over their policies and procedures and will be discussing the next year's budget soon. With her attendance at all these meetings, it means Sunset is included. She has talked to the Department Heads about reviewing their upcoming budget requests with the Council Member over them before the budget meetings start in April.

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Council Member Bangerter reported he was notified the Davis County Commissioners will be here the first Council meeting in March. They've reorganized some of their departments. Mayor Macfarlane mentioned they are planning a 26% property tax increase because they have not increased it since 2009. That makes her concerned about the amount Sunset will need to increase property tax because they haven't done it for a long time either. Davis County had also been going through an audit which found a number of issues.

Council Member Bangerter made a motion to adjourn. Council Member Carlson seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

The meeting adjourned at 7:55 p.m.

Approved – February 21, 2017

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder