

**Sunset City Corporation
City Council Minutes
February 16, 2016
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Minutes of a regular meeting held February 16, 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:

Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Jason Monroe	Public Works Director
James Weston	Fire Chief

Excused:

Susan R. Hale	Recorder
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Others Present:

Sydney Furniss	Sunset City Youth Mayor
Scott Stevenson	Planning Commission
Terry Avondet	Sunset Citizen Corps
Juliane Berglund	Layton High School SAEV
Leslie Moore	

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 Bangerter made a motion to approve the minutes of January 26, 2016 as presented. Council Member Wiggill seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peay and Wiggill voting yes.

Council Member Carlson made a motion to approve the minutes of February 2, 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: There were none.

Representative Paul Ray was late, so the Council moved on to agenda item #2 and came back to item #1 after.

2. Recognize John Watts for organizing the Chili Cook Off during the Sunset Winter Fest:

Council Member Peay explained that Mr. John Watts organizes the Chili Cook Off and recruits all of the participants. She reported this year's Chili Cook Off was very successful. Mr. Watts remarked that more people participated this year because the event took place indoors. Mayor Macfarlane made additional remarks regarding the success of this year's Chili Cook Off and Mr. Watts stated he will continue seeking to involve as many people as possible. Mr. Watts was presented with a Neighbors Helping Neighbors certificate, ~~as well as a check,~~¹ in recognition of his efforts in organizing the 2016 Chili Cook Off during the Sunset Winter Fest.

- 1. Legislative update from Representative Paul Ray:** Representative Paul Ray reported that they are in the middle of the current Legislative Session. Final budget numbers will be received on Friday, at which point they will know where they are currently sitting with the State's revenues. Some members of Legislature are forecasting a surplus this year. Representative Ray stated he chairs the Social Services Committee, which has an annual budget of around \$4.5 billion. Last year they did not anticipate a surplus, and so they budgeted accordingly. This year it appears that they will not have any additional money after the revenues are received. He deems this fact a success, because his Committee will not need to try and cover costs with money they do not have. Representative Ray stated that the numbers are flat Statewide; however, they are trying to find some additional funding for counties for mental health and substance abuse issues. Bigger legislative items will be tackled over the next two to three weeks, namely the issue of traffic ticket enforcement. Representative Ray explained that he is not in support of this item has not followed this item in the Senate, so he is not sure where the issue currently stands.

Representative Ray reported there is a group of student body officers from high schools across the State seeking to raise the tax on e-cigarettes. Locally, there are student body officers from Clearfield High School, Syracuse High School and Davis County High School who are part of this effort. An increased tax will increase the cost of e-cigarettes, and ideally decrease youth's access to them. Representative Ray has sent a group of high school students around to various City Councils, requesting that they pass resolutions in order to support the Students Against Electronic Vaping Coalition. So far, 15 cities have signed resolutions supporting the increased tax on e-cigarettes. He explained the resolution will help with enforcing the tax. There is approximately \$2 million in tax revenue that will be sent to the counties to aid with enforcement efforts. This funding will then trickle down to local police departments.

There was brief discussion regarding the registration of veterans, which Representative Ray noted takes place through the State Department of Veterans Affairs (VA). The registry is not available for normal solicitation purposes; however, according to a representative from the VA, this registry could be made available for the purpose Sunset City would like to access the information.

¹ Amended during the Council meeting of April 5, 2016 – no check was given.

When asked about illegal immigration and medical marijuana, Representative Ray said the State had passed legislation that would have helped employers, but the Federal Government shut down the operation, noting the State is preempted by the Constitution when it comes to immigration. According to the Constitution, only the Federal Government has jurisdiction over immigration. Representative Ray stated there are two parts to the issue of medical marijuana; cannabis oil and smoking the plant. Cannabis oil, which is used for children, was approved last year and reapproved for this year. He noted cannabis oil is derived from the leaf and does not contain THC, therefore a person cannot get high on it. This oil has worked well for children with epilepsy and seizures. With regards to medical marijuana, Representative Ray has spoken with lawmakers and enforcers in Colorado and Washington, who have indicated they would have never voted for this had they known the outcomes beforehand. Colorado decided to legalize marijuana use both medically and recreationally, with the anticipation of taxing it and taking it away from the cartels. However, according to lawmakers in Colorado, cartels have more than doubled their business because marijuana is heavily taxed, so it is cheaper to buy it on the streets. Furthermore, businesses are having a difficult time recruiting and retaining employees, because they are either coming to work high or they can't pass a drug test. Both sides to this issue will be discussed in the Senate sometime this week, as there are two competing bills at this time. While certain forms of marijuana can be used for pain, it still needs to be controlled. Federally, marijuana is illegal; however Representative Ray stated the Obama Administration has turned a blind eye to the issue. Furthermore, State laws could be changed overnight at the turn of a new presidential administration.

Proposition 1 not being passed in all counties was discussed, with Representative Ray stating the counties that did not approve Proposition 1 have indicated it was not approved in their jurisdiction because of UTA's involvement. He has seen legislation that has not yet been made public, which would remove UTA from the equation and possibly then be voted upon again in those areas. Representative Ray stated that the funding should only be distributed to the counties where Proposition 1 was approved.

When asked if Representative Ray sees any areas in the State Government that should be trimmed in order to reduce government size, and if there are any bills on the table that will accomplish this objective, he answered that government is not trimmed through legislation, but rather through budget committees. He noted he chairs the Social Services Committee, which is all of the welfare programs and makes up the largest portion of the State budget. He explained that he cut 3.26% out of the budget this year, and 2.5% last year, in areas that he felt were being wasted. For every line item in the Social Services budget, Representative Ray requires that each respective department give performance measures. If those measures cannot be provided or are not adequately met, then the funding is either cut or severely restricted. He stated while the State of Utah runs on a pretty lean budget, there are still areas that could be cut or restricted.

When asked if there has been any discussion about requiring people who qualify for welfare services to pass drug tests, Representative Ray said a bill was passed two years ago that addresses this issue. Individuals are required to fill out a questionnaire as part of the

application process, and if red flags are raised from the questionnaire, then they are also required to pass a drug test. He said that has been successful and added through this process they have learned that Utah doesn't have as big of a problem as they thought they did. Medicaid recipients use the service for an average of nine months, and are individuals who are experiencing only a temporary loss of income. Representative Ray reported there are four bills that are dueling with one another over Medicaid/Medicare expansion this year, all of which range significantly in expense. He mentioned that Representative Ray Ward of Davis County is pushing for a full Medicaid expansion, which would cost about \$385 million per year for the State after a five year period. Alternatively, Representative Jim Dunnigan is creating a bill that would only cover the poorest of the poor and would be significantly less expensive. His bill would extend services to individuals who are childless and who have zero income as most of the people in this category have a mental illness or severe handicap. Representative Ray provided an overview of the calculations that he has made with regards to Medicaid expansion.

When asked about education and Common Core, Representative Ray stated students are being overly tested and that teachers are teaching to the test and not to the subject. According to State laws, parents can opt out of having their children participate in Sage testing. Representative Ray stated the option before them of removing the ability of opting out of Sage testing will not make it out of committee discussions.

Representative Ray mentioned that one student of the Students Against Electronic Vaping Coalition was present at the meeting. A copy of the resolution that is being passed by various City Councils in the State was given to Mayor Macfarlane. Some of the participating high schools include Canyon View, Clearfield, Corner Canyon, Davis, Fremont, Herriman, Layton, Lehi, Logan, Maple Mountain, Miller, Northridge, Ogden, Roy, Timpanogos, Viewmont, Wasatch, Woods Cross and 11 other schools which are not yet listed on the resolution. Representative Ray stated that they have collected 10,000 signatures so far to support this initiative.

Mayor Macfarlane thanked Representative Ray for his time and attendance in tonight's meeting and asked if there was anything that he needed from the City that would help him with his voting decisions. Representative Ray replied that he may ask the City for information relating to what percentage of their revenue comes from traffic fines if that bill makes it to the House. He will keep the City updated on road construction that takes place and noted that UDOT has granted approval for the expansion of 1800 North. They are trying to get the railroad from the Army moved so that they can build the on-ramp and off-ramp. The anticipated expansion completion date is around 2021 or 2022. If the Army is cooperative, the schedule may be moved ahead. Representative Ray provided additional overview of the 1800 North project.

- 3. Sunset City Youth Council report:** City Youth Mayor Sydney Furniss stated they enjoyed helping with this year's Sunset Sam Winter Fest and reported that it was a successful event. She thanked the Public Works Department for all of their assistance during the event. She also thanked Council Member Wiggill for all of his support in selling candy bars. Mayor

Furniss stated that all of the funds raised through candy bar sales will go into the Youth City Council General Fund. She reported they are beginning a new application process which includes an interview, and asked if the Mayor and/or members of the City Council would like to be involved with the interviewing. She noted that Council Member Peay will be involved and Council Member Wiggill commented that he would also like to be involved. Mayor Macfarlane stated that she would also like to participate. 15 out of the 18 total members of the Youth City Council are planning on attending the conference in Logan.

- 5. Mayor, Council and Department Head reports:** Council Member Peay reported the Youth City Council is doing a great job and they are currently collecting parent permission slips for the upcoming conference in Logan March 10th – 12th where, among other things, the Attorney General will be speaking to them about the Constitution. They are still selling candy bars for their fundraiser. Council Member Peay reported that the Winter Fest was a huge success and recognized the Public Works Department for going above and beyond in order to make everything possible. She stated that the Fire Department put on an excellent fireworks show and that the Chili Cook Off was fabulous. There were approximately 250 people who participated in the event this year. There may be a lot more volunteers to help next year. Council Member Peay thanked the City Council for their support. She did not have any updates related to the Veterans Memorial.

Council Member Carlson apologized for missing the last Council Meeting, as he was out of town for a funeral. He reported that the Mosquito Abatement District is looking to utilize drones for identifying places to spray. If all goes well, the drones may be used for the actual spraying as well. Right now the District has 12 spray trucks and a mini spray truck for trails and they will come and spray for private events during mosquito season.

Council Member Wiggill reported that he met with Allison Jackson during the Winter Fest regarding Emergency Preparedness and they will be setting up more meetings to get the program established. He thanked the Fire Department for their fireworks presentation at the Winter Fest. He remarked that the Winter Fest was very well organized and overall was a successful event.

Council Member Noyes stated that he had nothing new to report. Mayor Macfarlane reported that she has received feedback from the Better Landlord Program. She noted that Mr. Matthew Godfrey is leaving the country on an LDS mission and he had suggested that the City use the Utah Apartment Association for the training. Mayor Macfarlane explained that the Apartment Association has already been providing trainings for Sunset's Better Landlord Program. She said Council Member Noyes will be following up on this item to see if anything else needs to be done with the program.

Council Member Bangerter asked about purchasing candy bars from the Youth City Council. Council Member Peay answered that he can contact any member of the Youth City Council. Council Member Bangerter mentioned that traditionally Council Members may attend the dinner on the last night of the Youth Conference. Both he and Council Member Carlson expressed interest in attending the dinner and Council Member Peay stated that they simply

need to advise the Youth City Council of their intent. Mayor Macfarlane also expressed interest in attending. Council Member Bangerter asked Police Chief Eborn if he has seen any improvement with the Better Landlord Program. Police Chief Eborn replied that he is working on a report which he can send out to the Mayor and Council. With regards to the Questar proposal that was presented during the February 2nd Council Meeting, Council Member Bangerter stated that he has been in contact with Kevin Bowers, of KR Bowers, LLC. He reported that he has not yet been able to meet with David Ingleby from Questar. Council Member Bangerter explained that it will be difficult to put a fair market value price on the piece of property that Questar has proposed for their project site, as it is one of the last developable piece of property in Sunset. He stated that once he visits with Mr. Bowers and Mr. Ingleby, he will relay the details of their discussion to the Mayor and City Council. The Mayor and Council further discussed this item. Council Member Bangerter reported that he recently attended a production at the CenterPoint Legacy Theater as a representative of the City and said it is a great place to take families. He appreciated the opportunity to mingle with other elected officials and sponsors.

Police Chief Eborn reported that the old patrol car has been returned and they are currently in the process of stripping out the old equipment so that the vehicle can be sold. They will be taking closed bids for the sale. Council Member Peay mentioned that she had asked Officer Arbogast about possibly getting the crossing guard at 1800 North a flashing stop sign. Police Chief Eborn responded that he is looking into this matter and noted that there are several different models. However, statistics have shown that when flashing signs are placed at a street light, drivers are more apt to focus on the flashing lights than the steady traffic light, thereby causing more accidents. Therefore, UDOT has been adamant about not allowing flashing signs. At a minimum, they can provide the crossing guard at 1800 North with an upgraded sign. Police Chief Eborn reported that UTA installed cameras on 2300 North and his Department has been asking for access to those cameras for quite some time. They will be having a meeting this Friday, at which point they should have access to those cameras. Once that access is granted, officers will be able to access the camera footage as well. He believes eventually the cameras may be installed at all crossings and on all Frontrunner trains.

Public Works Director Monroe reported he has budgeted funds for roads, so he and Council Member Noyes will assess which roads need to be prioritized. This raises the question of whether or not projects need to be coordinated with Questar. He reported that the park restrooms are ready to go to bid and that will be advertised on the next two Sundays. He invited the Council to review the plans, which are available in the office. Public Works Director Monroe stated he has been in contact with Ms. Runyan regarding the Rachael Runyan Memorial Park where she is looking to put in a memorial made out of sandstone. Public Works Director Monroe expressed concerns with this proposal because the restrooms at that park are tagged with graffiti about every three weeks. If sandstone is tagged with graffiti, a pressure washer will destroy it. The proposed memorial will be 5 x 5 feet, which is a very large piece of sandstone. Therefore he is trying to convince Ms. Runyan to go with a different, harder material. Mayor Macfarlane relayed some of the correspondence that she has had with Ms. Runyan on the matter, as well as some of the costs associated with this

request. She noted that Ms. Runyan will likely be approaching the City for funding, but is has not been budgeted for. She believes the land will also need to be surveyed to see where the border is between the City owned and LDS Church owned lands and the cost would have to be paid by Ms. Runyan. Public Works Director Monroe reported that sewers have been cleaned and water shutoffs will be next week. Operations Manager Maylin is currently working on getting certified to perform storm water inspections. He provided a brief overview of certifications other members of his department are currently working on. They are currently building shelves in an alcove of the basement to store the City records. It will become a lockable room that is fire proof.

Fire Chief Weston reported that he met with the CERT Team recently on their budget. The firefighters trained at a donated house in Riverdale. He provided an overview of a pre-fire plan on a City office building and the only deficiency that was found was the elevator. There aren't any keys to get anyone out of the elevator if it gets stuck. He is working with Treasurer/Office Manager Youngdell to fix this problem.

Treasurer/Office Manager Youngdell announced that the Utah League of Cities and Towns training will be April 6th – 8th. She asked the Mayor and Council let her know whether or not they plan on attending. At the next City Council meeting, the City Auditor will be in attendance to present the Annual Financial Statement to the Council. Treasurer/Office Manager Youngdell reported last Wednesday the Planning Commission selected a Chair and an Alternate Chair to present to the Council to make official appointments. The item was accidentally left off of tonight's agenda and will be placed on the next meeting agenda. Treasurer/Office Manager Youngdell reported the Department Heads and the Mayor are working on revamping the employee evaluation forms, which will be presented to the Council for review and approval. Mayor Macfarlane mentioned that the Court Clerk has been gone recently for medical reasons and the City Administration employees have been extremely busy. Council Member Peay asked Treasurer/Office Manager Youngdell if the business license for Olympic Auto Sales only permits indoor sales or if outdoor sales are also permitted. Treasurer/Office Manager Youngdell responded that the license only permits outdoor sales for special sales events. Police Chief Eborn said he had also noticed them and has taken pictures of them for Recorder Hale when she gets back from vacation. Mayor Macfarlane commented that the City needs to keep an eye on the car sales businesses to make sure that they remain in compliance with their licenses.

Mayor Macfarlane announced that Wasatch Integrated will be having a ribbon cutting on Monday, March 14th for the Parc Thrift Store. She also relayed that a safety award was given to an employee of Wasatch Integrated, Eric Stevenson, who designed a refrigerator transport box that could allow one person to safely transport refrigerators. They had a second waste composition study performed in which 50 samples were taken, for a total of 100 samples. Mayor Macfarlane noted that the Utah Valley Solid Waste District is investigating the potential of buying additional land that is located in the south end of Utah County. She stated if any of the Council Members would like to tour Wasatch Integrated, she would be happy to arrange the tour. The Council voiced interested in touring the facility, along with

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the sewer and water districts and the Mosquito Abatement facility. She is just learning about the North Davis Sewer Board and is finding it pretty interesting.

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

The meeting adjourned at 8:10 p.m.

Approved – March 15, 2016

Beverly K. Macfarlane, Mayor

Susan R. Hale, Recorder