

**Sunset City Corporation
City Council Minutes
February 17, 2009
Page 1 of 10**

Minutes of a regular meeting held February 17, 2009 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Gotchy presiding.

Mayor and Council Present:

Dan Gotchy	Mayor
James Bridges	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
Vicky Gold	Recreation Supervisor
James Weston	Asst. Fire Chief
Fire Fighters:	Amy Kippen
Ryan Rhoades	Justin Arbogast
Travis Jeffery	Annette Rhoades

Excused:

Mickey Hennessee	Public Works Director
------------------	-----------------------

Others Present:

Glenna Shirley	Sunset Community Theater
Bryan Cobb	Planning Chair
Jason Gabbert	Planning Commissioner
Chad Bangerter	CERT, VIPS, Planning Commission
James & Malina Stratton	

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

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

Approval of Minutes: Council Member Furniss made a motion to approve the minutes of February 3, 2009 as written. Council Member Budge seconded the motion. The motion passed unanimously.

Citizen Comments: There were none.

Council Member Budge made a motion to enter into the public hearing. Council Member Chapman seconded the motion. The motion passed unanimously.

PUBLIC HEARING

1. **Discuss changing the Sunset City Ordinance to allow a freeway billboard sign to be erected on City owned property located on the northwest corner of 1600 North and Main Street:** Mayor Gotchy handed the time over to Council Member Furniss to explain the reason for the public hearing.

Council Member Furniss used a power point presentation in his explanation of this issue. He advised there have been some businesses in Sunset close up or move out and he wanted to think of a way to bring back the lost revenue to the City. He knows that billboards are generally a touchy subject, but he hopes the location he has chosen to propose locating another billboard is the least offensive to the residents. He mentioned the disadvantages as the sign being an eyesore to residents, it may obstruct some residents' view of the mountains, other businesses may feel left out because they cannot have a billboard sign erected on their property to gain revenue and the Council will need to amend the City Code to allow another billboard sign. He then listed the benefits as being able to utilize a parcel of City-owned vacant property, it will bring revenue to the City therefore helping to keep residents' and businesses' property taxes lower and he believes it adds an asset to the commercially zoned parcel of property for when it is sold to a developer. He also believes, if a developer does not want the billboard there, they can buy up the lease and have the sign removed. The best bid right now is \$1,166 per month, which is \$14,000 a year extra revenue for the City. There are items in the City that need repairs and this revenue would help cover those costs. He has also been working with the Recreation Supervisor on perhaps developing an Adult Soccer League, but to accommodate those teams they would need to install lighting at South Park. Two of the bidding billboard companies have agreed to provide the use of their crane at no charge to install the lights, if they are installed within three years. That saves the City a lot of money. He would like the Council to make a decision on this issue tonight because the City needs money and this is one way to provide it. Their choices are to do nothing, let the property sit and wait for a developer to purchase it from the City sometime in the future or they can move forward with the billboard proposal and bring in some revenue until the property is sold. As a side note, he reported that in five years the City will have received \$70,000 and the lease will increase a certain percent every six years. He urged the Council to move on this issue tonight.

Mayor Gotchy asked if there were any citizen comments. There were none.

Council Member Furniss made a motion to go back into the regular session. Council Member Budge seconded the motion. The motion passed unanimously.

REGULAR SESSION

2. **Ordinance 2009-01 amending section 9-6-4 of the Sunset City Code:** Recorder Hale explained she had prepared two versions of this ordinance, A and B. She advised Reagan Outdoor Advertising had replaced their double-decker sign with a billboard sign so the ordinance needed to be changed to delete "one double-decker sign" and change "one billboard sign" to "two billboard signs". Also, City Attorney King had advised that the sentence "...the following permitted signs, which shall be considered as conditional uses..."

was confusing because it makes one wonder if the signs are permitted or conditional. The word “permitted” will be deleted. So, no matter if the Council decides to allow another freeway billboard sign to be erected in the City, the ordinance needs to be amended. Ordinance “A” is to also amend “three freeway signs” to “four freeway signs” and also deletes the words “the existence of” from the sentence “...there shall be recognized for the purposes of this chapter the existence of the following permitted signs...” because if another sign is added it was not in “existence” when the ordinance was amended. Ordinance “B” is just to make the changes mentioned earlier.

Council Member Carlson asked about the definitions of “freeway” and “billboard” signs. Recorder Hale replied the definitions in the code states freeway signs are meant to be seen from the freeway and billboard signs are signs that advertise for businesses other than for the business in which the sign is located. There was discussion about the definitions with Council Member Carlson stating maybe the size of each should be listed in the definitions. It was decided to leave the definitions as they are.

Mayor Gotchy asked if they were also going to consider giving others the opportunity to have the ordinance changed in the future so they can have a billboard sign on their property to gain the revenue. Council Member Furniss said this sign does not benefit just the City Corporation; it also benefits all property owners in Sunset because it helps keep the taxes down. Allowing another property owner to have a billboard erected does not benefit the whole City. He believes allowing this one is stretching the ordinance a bit, but he certainly does not want to see 50 billboards along Main Street.

Council Member Chapman is concerned about having a freeway sign erected on that property in the event a developer wants to put condominiums on the property due to the development of the Falcon Hill project. Council Member Furniss said there are always ways to get out of a lease and the City or developer could work that out and have the sign removed.

Council Member Budge asked if it had been decided where on the property the sign would be placed because if it is in the middle she would not want to allow it. Council Member Furniss said it would probably be placed as close to Main Street as the one at Al’s Furniture and he believes they will place it in the center of the frontage. It has not been decided, so they can designate the spot. The main issue tonight is if the Council wants the sign or not and they can negotiate placement later.

Council Member Carlson agreed with Council Member Chapman on future development of the property and he shares those concerns. He had brought up the idea of a different location at the last meeting, but unfortunately has not had time in the last two weeks to research it. He would also like to talk with Public Works Director Hennessee about what utilities run along there. He sees the area at approximately 1425 N. Main benefiting the City better because the sign wouldn’t have any impact on the larger vacant lot at 1600 N. Main. Council Member Furniss said he is a little frustrated that Council Member Carlson has not found out the details on the property he is referring to because he has had two weeks and this item has been on the agenda for a couple of months now. He believes it is unfair of him to criticize

the location now when he has been in favor of it in the past. He said he would take the assignment of contacting the Canal Company if Council Member Carlson would like him to, but he believes it is the wrong choice. Council Member Carlson said he would like to talk with Director Hennessee first because if the utility lines are in the way, there would be no point in talking with the Canal Company. He asked Council Member Furniss if he was opposed to a different location. Council Member Furniss replied he is because he believes the Canal Company is very hard to deal with. Mayor Gotchy brought the conversation back to the agenda item saying the location is not the subject; changing the ordinance is.

Council Member Furniss made a motion to adopt Ordinance 2009-01 version "A" amending section 9-6-4 of the City Code. Council Member Bridges seconded the motion. The motion passed 3 to 2 with a roll call vote. Council Member Bridges – aye, Council Member Carlson – nay, Council Member Budge – aye, Council Member Furniss – aye and Council Member Chapman – nay.

3. **Award bid to erect a freeway billboard sign on the City owned property at 1600 North and Main Street:** Mayor Gotchy stated this is where they could discuss where the sign could be located and opened the item up for discussion.

Council Member Furniss thanked Council Members Budge and Bridges for their votes on the last item. He believes it is a step forward in bringing in revenue. As to the location of the sign on the property, he believes that is a valid concern and they can make sure the location is agreed upon before the contract is signed.

Council Member Budge stated she would like to find out about the other location before proceeding. She would like to allow Council Member Carlson to check with Director Hennessee and the Canal Company. Council Member Furniss said he does not see the point in pursuing the other location. He said it is bothersome to him how a Council Member can work hard to bring in revenue; yet other Council Members can say not to bring in more money to the City. In the upcoming work session, the Council will be talking about the stimulus package and possibly a new fire station, but they oppose a proposal to bring in revenue. He is frustrated that Council Member Carlson did not have the time to contact the Canal Company and the way this is going. He guessed they could table everything, but they came here to vote. He believes if Council Member Carlson was serious about the other location the information would be here tonight. He has done his homework, knows his proposed location is good and is ready to move on it tonight. As they keep looking into this, it is another \$1,000 in lost revenue.

Council Member Furniss made a motion to approve awarding the freeway sign bid to Reagan Outdoor Advertising because it is the highest bid and they have agreed to provide the use of their crane at no charge to install the lights at South Park. Council Member Bridges seconded the motion. The motion did not pass with a vote of 2 to 3. Council Members Carlson, Budge and Chapman voted nay.

Council Member Furniss made a motion to table this issue. Council Member Budge seconded the motion. The motion passed with a vote of 4 to 1. Council Member Furniss voted nay.

4. Request to produce “Cactus Pass Jamboree” for the 2009 Sunset Community Theater:

Glenna Shirley said she was there representing Lori Eggleston, who was unable to attend tonight. Ms. Eggleston would like to produce the Community Play this year. It is a great opportunity to pull the community together, get to know your neighbors and have good, wholesome, family entertainment during the summer. The name of the musical this year is Cactus Pass Jamboree. She feels it is basically “Romeo & Juliet” set in the west with a twist. It is a western musical adventure featuring fighting, feuding, singing, dancing, a secret hidden identity, hog calling and romance. This will be a good fit for Sunset because of the age span of the characters. They estimate the total cost of producing the musical will be \$4,800. They have committed to earning a minimum of \$3,300 through program ads and ticket sales. The remainder would be the \$1,500 the City donates to the play. She asked if there were any questions.

Mayor Gotchy mentioned the previous plays have always been wonderful for the residents of the City.

Council Member Furniss stated he read an article not too long ago about Provo City and how their big play house started just like our program. This is a good idea and is how traditions are formed in cities.

Council Member Furniss made a motion to approve the production of Cactus Pass Jamboree. Council Member Chapman seconded the motion. The motion passed unanimously.

5. Discuss beginning an Adult Soccer League: Recreation Supervisor Gold passed out some information to the Mayor and Council and explained the estimated costs of starting an Adult Soccer League. The goals from Soccer Connection are \$3,900 for the Fusion and \$3,000 for the Deluxe European and those prices include two goals and the nets. The Gopher 2009 Magazine has steel goals for \$899 per pair. Public Works Director Hennessee said they could build the goals but did not have a price for her yet. Replacement nets cost between \$54.95 and \$169.00. She talked with Clearfield and the paint they use for the field is \$60 per gallon and the City would also need to purchase a striper. She thought they could probably just use the spray paint they use for the softball fields at \$45 per dozen cans. The Officials are \$25 each for an hour of play. The balls are \$20 to \$30 each. The lights for the field would cost about \$90,000 for the equipment only. They would be setting this up at South Park.

Council Member Chapman asked if part of the park belonged to the school district. This was discussed and left unanswered. Supervisor Gold said that is a concern of hers because before when they tried to have lights put up on school property the School District has not allowed them. She would like to get the program to the point of bringing in tournaments.

Council Member Budge made a motion to allow Supervisor Gold to go forward with researching the cost of putting together an Adult Soccer League. Council Member Bridges seconded the motion. The motion passed unanimously.

6. **Award security system bid for the Sunset Building:** Mayor Gotchy explained the Council had a copy of the bids and this item had been discussed during a previous session. He asked if there was any more discussion. There was none.

Council Member Budge made a motion to award the bid to Peak Alarm for the security system of the City Building. Council Member Chapman seconded the motion. The motion passed unanimously.

7. **Council Member reports and general information:** Council Member Budge stated her appreciation for all the fire fighters who attend the Council meetings. It is neat to look out there and see all the uniforms of those who support the Council. She let them know the Council supports them as well.

Council Member Chapman thanked Recreation Supervisor Gold for always bringing new ideas for programs to them and all those who are involved with the Community Theater. He advised Aric Haarala has officially stepped down as the Youth City Council Advisor. Tommy Miller has accepted the post, but he would like to have an assistant. They will be advertising for that post.

Council Member Furniss thanked Recreation Supervisor Gold for working with him on putting together an Adult Soccer League. He mentioned the lighting price was a “top of the line” price and he believes they don’t need to have NFL quality and they should be a little more frugal. He stated he was disappointed in the Council tonight for not allowing him to bring money into the City. It is disappointing when simple assignments are given and they don’t get done. He hopes that the Council Members will do their homework before coming to the meetings in the future and be ready to vote instead of tabling everything. He mentioned the Utah League of Cities and Towns Conference is coming up and he would like to be booked into the hotel that is closest to the Conference Center to make it easier for them. He reported the North Davis Sewer Board is looking into re-issuing their bonds, possibly saving the district \$0.5 million. The savings are mostly due to its forward thinking Board and District Manager.

Treasurer/Office Manager Youngdell said Mayor Gotchy had already asked her to book the closest hotel, so she asked the Mayor and Council to let her know by tomorrow morning who will be attending the conference so she can make the reservations. She reported the newsletter articles are due by Friday so the newsletters can go out by the first part of March. At the last Council meeting, the Council awarded the bid for the safety glass in the office and that should be installed this week.

Recreation Supervisor Gold reminded everyone that it was the Student of the Month Lunch with the Mayor event tomorrow at 11:45 am. She handed them a calendar of events for the

rest of the year. Mayor Gotchy asked if a Council Member could go to the lunch for him and Council Member Chapman said he would. Supervisor Gold advised there would be a five-week skate board class offered in the near future.

Mayor Gotchy stated his appreciation for all those in attendance.

Council Member Chapman made a motion to enter the work session. Council Member Budge seconded the motion. The motion passed unanimously.

- 8. Discuss amending the temporary business ordinance:** Mayor Gotchy advised there have been some problems in the past with two people obtaining a temporary business license to sell the same product one right after the other. The ordinance needs to be reviewed and amended.

Recorder Hale stated she had given them all a copy of her suggested amendments and asked if there were any changes or additions.

Council Member Furniss said there haven't been any huge problems. Recorder Hale has reviewed ordinances from other cities that are more efficient. He said he trusts Recorder Hale's judgment and opinion and urged the Council to accept the changes she has made. There are not huge changes, just changes to make the ordinance more efficient. He would like to have this item on the next regular agenda for adoption. That was agreed upon by the rest of the council.

- 9. Discuss projects to apply for when economic stimulus package is available:** Fire Chief Coker handed out information to the Mayor and Council. He stated the President's Economic Stimulus Package was passed and should be signed into law today. He received an email today that listed several items of the stimulus package that pertained to the Fire Department. \$210 million is allotted to fire station construction with no grant to exceed \$15 million. Approximately \$9 billion of the \$53.6 billion for the State Fiscal Stabilization Fund is designated for State Governors to fund public safety and other relevant services. It also includes elementary and secondary education and public institutions of higher education. Tying into the stimulus package, he proposed the Council allow them to apply for the City to have its own ambulance service. If they get the ambulance service they will have to have some place to house it. From information he received from the Clinton Fire Department, he estimated Clinton received approximately \$57,000 from ambulance calls to Sunset last year. He does not see any reason Sunset City could not be getting that money. He said the stimulus money for public safety would be handled by FEMA and, knowing FEMA, it will take at least two years to get the money given out. The \$57,000 figure he just gave was based on a 70% collection rate, which came from Clinton. Sunset has an unusually high rate of collection. Most cities only average between a 40% and 50% collection rate. An unexpected cost of running an ambulance might be purchasing air cards for the computer if they have to have one. If a paramedic rides on the ambulance to the hospital it is a "paramedic transport" and it would cost \$237. The ambulance rate has gone up to \$710 plus \$31.50 per mile to transport and charges for supplies and equipment used. The average

ambulance bill right now for intermediate service is between \$1,000 and \$1,400. He estimated there would be about \$1,500 a month in supplies used.

Council Member Furniss stated this is something he has wanted for the City since he moved here. He met with Chief Coker yesterday and while he was there a Delta response came over the radio and then a call came stating they were delayed by the train. He does not want residents to have to wait until the train goes by to receive help. He sees this as another piece of equipment to serve the citizens better. If the ambulance service just broke even with cost to revenues, he would be happy because it would be providing a needed service to the residents. He believes it will take some money to start it up, but that it will pay for itself and more in the long run. His biggest concern is if they will have the ambulance staffed, but from what he has seen he believes that will not be a problem. He believes it will be a win/win situation for the City and for the residents.

Council Member Budge stated she has felt for a long time that Sunset needed to have an ambulance and it would be one of the greatest benefits they could have. Chief Coker agreed, saying it would especially be beneficial if there were a major disaster because the other entities would be taking care of their own before Sunset's citizens. Council Member Furniss asked if having an ambulance would improve Sunset's ISO rating. Chief Coker said he believed it would. Mayor Gotchy said he could see no negatives to it. Council Member Furniss cautioned not to move too fast so it does not burden the citizens. He would like to have the cost reviewed more and included in the budget.

Chief Coker advised a new ambulance would cost approximately \$150,000 to \$180,000 not including the equipment on it. An ambulance dealer in Salt Lake City said he could sell Sunset a demo ambulance with 5,000 to 6,000 miles on it for about \$50,000 to \$80,000. The Riverdale Fire Chief told him they bought two older ambulances with a lot of miles on them for about \$20,000 each. Then they had to have them refurbished. Chief Coker said he believes the demo ambulance would be the best way to go. Mayor Gotchy said he would like this item on the next agenda.

Council Member Furniss said there was an article in the newspaper about MIDA contracting for emergency services and having an ambulance would put another feather in Sunset's cap.

Chief Coker stated the next item would be a place to house the ambulance. He believes they need to move on this as soon as possible, whether they receive a stimulus grant or not. He brought this item up to the Council in 2003 to see if a fire station could be built then and the cost would have been \$350,000. He has looked at the Smithfield Fire Station again and asked their fire fighters if they had it to build over again if they would do things differently and almost all of them said they would not. He would like some things added to their plan for Sunset. Their upper level is not finished and he would like Sunset's to be finished. He would like to add a back up generator. He also added a 20' x 30' emergency operations room to the back of the fire station. The total cost of this building now is \$1,014,000 which is only about 30% of the cost of Clinton's, Syracuse and North Davis' fire stations. If they could work out some type of funding in case the stimulus money does not come down soon it

would be a great benefit. Mayor Gotchy said without the stimulus package, it may be difficult to build the fire station right now and they have discussed before about maybe housing an ambulance in a garage type building. He believes options seriously need to be considered. Chief Coker said they could maybe look at some finance options before the decision was made, such as bonding or extending and adding on to the current City Building loan. He believes Sunset would never outgrow the building he is proposing and if they ever purchased a ladder truck, this building would also house that. The cost of the building would be \$752,000 without the additions he would like to have. Council Member Furniss said he believes the fire station is doable with creative financing. Another thing is that a lot of builders are hungry for business right now and this is a good time to build. He asked Treasurer/Office Manager Youngdell if the City has ever bonded before. She replied that it has not.

Mayor Gotchy told everyone not to forget that, with the 1800 North widening, they also have to plan for a new Public Works building. Therefore they have to look at the cost of everything, not just the fire station. Chief Coker said this building would probably have to go in the vacant field behind the City Building because if it is built behind the other fire station it will take out a lot of the park. They could then sell the other building or rent it out. Council Member Furniss advised he has talked with Congressman Bishop's Chief of Staff and he said they did not know how the money would be divided yet and he has had cities from all over Utah calling to ask for some of the money. They do not know how long it will take to even get it. Chief Coker said the word he got was that the money will be turned over to FEMA and be awarded as part of the Assistance to Fire Fighters grants. The last he heard they would be taking applications in March and April and it will be a competitive grant nationwide. Council Member Furniss asked, with the amount of money that will be made available, if it would benefit Sunset to hire a grant writer and possibly a lobbyist just for this item. Chief Coker said the FEMA Assistance to Fire Fighters people look down on professional grant writers. Council Member Chapman said Chief Coker has a good track record of receiving grants. Chief Coker said he needs to know if they are going for the ambulance service because if they are, they need a place to house it. He asked if they wanted to spend the money for a metal building to house the ambulance and then maybe not use it if they build a fire station later. Council Member Furniss believes the citizens should be asked their opinion on this since ultimately it will be them paying for it. Chief Coker said they are not looking for anything big and fancy; just what is needed. He has had engineers come in for free and do a seismic study of their present building and their report done in September of 2008 basically says the building could be brought up to code, but it wouldn't be worth it. They could wait to see if they get the grant, they could wait to see if the building would be taken out when 1800 North is widened or they could build the fire station and use the money paid by the State when they widen 1800 North and take the building to pay down the loan. Council Member Furniss said there is an idea he and Director Hennessee had been discussing and that is selling the some of ground behind the City Building to help fund the fire station. They could develop the land facing 250 West for homes. Chief Coker said being very conservative he believes \$1.2 million would pay for a fire station and an ambulance with everything they need to get started.

Sunset City Corporation
City Council Minutes
February 17, 2009
Page 10 of 10

Council Member Furniss suggested Chief Coker write an article about this for the upcoming newsletter so they can get the citizens' buy in. They need to pursue this cautiously.

Chief Coker asked for their permission to put out Request for Proposals with the stipulation the bid would only be awarded if the City receives funding or the stimulus grant. If Sunset does get the grant, it has to be ready to go. The Mayor and Council came to a consensus to go ahead with RFP's.

Council Member Budge made a motion to go back into the regular session. Council Member Bridges seconded the motion. The motion passed unanimously.

Council Member Budge made a motion to adjourn. Council Member Chapman 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 **March 3, 2009.**

Dan Gotchy, Mayor

Susan R. Hale, Recorder