

**Sunset City Corporation**  
**City Council Minutes**  
**March 7, 2017**  
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Minutes of a regular meeting held March 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
Anthony Bott	Interim Fire Chief

**Others Present:**

James Smith	Davis County Commissioner
Randy Elliott	Davis County Commissioner
Wanema Butcher	Janet LuJan
Michael Love	

The meeting was called to order at 6:35 p.m. by Mayor Macfarlane.

Mayor Macfarlane gave the invocation and led the Pledge of Allegiance.

**Approval of Minutes:** Council Member Noyes made a motion to approve the minutes of February 21, 2017 as presented. Council Member Wiggill seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

**Approval of Vouchers:** Council Member Bangerter made a motion to approve the vouchers for Davis County Government and Zions Bank totaling \$113,979.67. Council Member Carlson seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

**Public Comments:** Wanema Butcher said she is a proud resident of Sunset City even though when she was going to move into this area she was told not to move to Sunset. She publicly thanked the Public Works Director Monroe and his crew for the tremendous job they did this winter with all the snow. They're doing a great job and she is proud of them.

Michael Love thanked the Council and said he believes the City is doing well.

1. **Davis County Commissioners will receive information from citizens and provide a question and answer forum for Davis County matters:** Commissioners Smith and Elliott were present to answer questions. Commissioner Milburn was not able to attend.

Mayor Macfarlane asked if the Commissioners were entertaining ideas such as video taping their meetings so people can watch them in the evenings, streaming their meetings or holding the meetings in the evenings so more people can attend. Commissioner Smith replied the Commissioners held their meetings in the evenings for two years, but no residents attended and they had to pay the staff overtime so they decided to hold them during the daytime. They have talked about streaming, but their meetings are already recorded and people can listen to their meetings whenever they want. However, they are meeting with someone next week to learn more about streaming and they'll decide then if it's worth spending money on.

Council Member Bangerter said Sunset is preparing for one of the biggest projects they've had, which is the redevelopment of 1800 North Street. With the plan of 5 lanes, they don't know whether this will rip the City in half or unite the City. Coming from the north, Sunset is the entrance to Davis County, so the Council is asking for support from Davis County for a beautiful and beautifully landscaped overpass, similar to Ogden, Salt Lake City and St. George. He would like them to stress the importance of this overpass entering into Davis County, as well as Sunset, in any discussions with UDOT, HAFB and others. He asked for their feelings on this. Commissioner Smith said they can be confident he will be supporting Sunset's involvement. He cannot say how it will turn out, but he can make sure Sunset's voice is heard. Commissioner Elliott said he just envisioned a buffalo and possible a jet carved into the overpass. Right now the Commission is working hard to get a great company to locate in Clearfield. If it does locate in Clearfield, the company said they would be also bringing companies that want to locate near this company. The Sierra R.V. property is one site they mentioned one of those companies might want to locate to.

Council Member Bangerter is concerned about the closure of the burn plant. He expressed his concern that the County has three votes on the Board, where all the cities only have one and wondered what the County thought about that and if they believe the right choice was made. Commissioner Smith said he does believe they made the right choice, but it was a very, very difficult 60 days coming to that choice. He explained in December, they were making plans to expand the burn plant for about \$8 million. At that time they received notice from HAFB they would be cutting their steam purchase in half. Since that's been said before they met with Mr. Breezmaster, the Civilian Representative of HAFB, and was told HAFB does not need the steam because they were building their own plant. That gave them 60 days to decide if they were going to put \$8 million into the burn plant to bring it up to EPA standards; and with more standards rumored they didn't know if they would have to put even more money into it next year, which would also require a higher fee for residents if they didn't have the steam contract. In light of all the uncertainty, he couldn't say it was good to put all that money into it. This was not a decision they took lightly; it was decided by a 13 to 4 vote. On the County having three votes, Commissioner Smith said he had not thought about it until now, but believes it is because the District is County-wide. He will bring this up in a future Board meeting because it does seem to send a message that the County is more

important than the cities, which they're not; they're all in this together. Mayor Macfarlane asked if they would explain what closing the burn plant will mean for the residents. Commissioner Smith said the citizens will not see anything different; they'll still pick up the trash. In fact, even if the recyclables are not placed in the blue can, Wasatch Integrated still recycles it. They anticipate not having the burn plant will generate about \$5 million in excess revenues. They will use that to re-think and remodel a transfer station, which will allow them to be more efficient in pulling recyclables and choosing what is buried in their landfill and what is shipped out to the other site. They thought about keeping the burn plant to burn their trash and bury the ashes, but that is not financially feasible. Council Member Carlson said he wished he had those 60 days to be lobbying, instead of just the two they had. HAFB cutting back their steam was not a sure thing and he did not like the Board making a decision on an uncertainty. Also, the EPA has a new head under a new administration that is pulling back on regulations, so he believes the chances are good the EPA was not going to get stricter. He has a hard time now burying the trash, when they have been burning it. Talking about pollution, he wondered about all the truck pollution caused by hauling the trash to Utah County. He sits on the Davis County Mosquito Abatement Board where the County only has one vote, so he also wondered why they have three on the Wasatch Integrated Systems Board. Commissioner Smith said the Board looked at all those things and came up with a different decision. Uncertainty is a big deal when wondering if they should spend \$8 million or not. When asked about providing the steam during the time HAFB's plant was being built, Commissioner Smith said Mr. Breezmaster told them HAFB could produce their own steam now.

Council Member Bangerter is very happy with the work the Davis County Paramedics do, but he has heard Davis County is one of the very few counties that still have their own paramedics. Generally most paramedics are in Fire Districts or Fire Stations within cities. He asked if there have been discussions about reducing or eliminating the County Paramedics from the Sheriff's Department. With the Sheriff's Department being 50% of the County's budget, Commissioner Smith said they have put funds in the budget to do a study on public safety. He has drafted an RFP for someone to perform a comprehensive study on law enforcement, fire, dispatch and attorneys in Davis County and in the cities of Davis County. They do not have a preconceived idea of the outcome. They just want to know where any inefficiencies are, such as if they are overstaffed or if they are providing services already being provided by cities and districts. Council Member Bangerter thanked the Commissioners for all their hard work. He asked that they email him with any answers they find out about the questions he has asked.

Michael Love stated he does not understand why they closed the burn plant when they had an opportunity to generate power from the steam for the County. Now they are filling up the landfills with trash that could be burned and transferring to the one down south also creates air pollution by the trucks. The power grids could use the electricity they could generate. Commissioner Smith said they talked about all that, but still had to make a difficult decision. This is tricky because they're just not going to make everyone happy. Mr. Love asked why the property taxes had to go up so much in one year. Commissioner Smith replied they waited until they absolutely needed it. The Taxpayers Association told them they did it right

because they waited. They also said when they wait until it's painful for the residents, it will get them to come out and get involved in the discussion. The present Commissioners do not want to do that; they would rather raise it a little bit at a time. The Commission is looking at ways to use County properties more efficiently. If they can use the properties to bring in a stream of revenue, they won't need to increase taxes for several years. Mr. Love asked where he can find out when their meetings are and Commissioner Smith replied he can go to the Davis County website. Council Member Carlson explained there has to be a need to increase taxes, not just because it was not done in a while, so he understands a big increase when something comes up. Commissioner Smith said they eliminated over 20 positions from the County and they are trying to be as efficient as possible, but they also have to be careful don't cut necessary things.

Mayor Macfarlane asked, as each Commissioner is over certain departments, how they oversee them. Commissioner Elliott replied they do a performance audit with each of their departments. As he is newly elected, he has periodically taken some donuts up and met with employees to see how things are going and he will be attending their staff meeting tomorrow. Every year they meet with their Department Heads and go over their budgets to make them as frugal as they can. Commissioner Smith commented the County's budget process is quite onerous and Curtis Koch, the Clerk/Auditor, is very frugal. He is not unreasonable, but makes the departments plead their case on why they need certain things.

Mayor Macfarlane advised Sunset has aging infrastructure and has different economic issues the Council is working on. She asked what the County can do to help the Council that they may not be taking advantage of. Commissioner Smith said for streets, one of the most important places the City needs to be represented is on the Chamber of Commerce Transportation Committee, which meets the fourth Wednesday of every month at 9:00 a.m. For Economic Development, they should meet with Davis County's Economic Development Department.

Commissioner Smith thanked the Council and residents for being vocal and asking them questions. He appreciates them. Commissioner Elliott thanked the Council for their service and mentioned he was in the City's Fun Days parade and it was great. Sunset is on their radar and they want to bring businesses to the City. The business project they are currently working on will benefit the County and Sunset as well.

- 2. Discuss discontinuing City-provided services for the privately owned streets of 40 West and 1540 North:** Council Member Bangerter stated this was brought up a while ago and didn't want it to be forgotten so he put it on the agenda. The City maintaining private property needs to be eliminated.

Public Works Director Monroe asked if there were any questions or concerns. The Council discussed this is not just about snow plowing; it is also about asphalt, concrete, sewer, water, storm water, fire hydrants, etc. Because they have established precedence over the past decades, they might want to make sure the City Attorney is okay with them discontinuing those services. The City should give the owners ample notice so they have time to begin

providing for their own road. Most of the owners are not the original owners and perhaps purchased the apartment buildings under the assumption the road was City owned. They need to handle this carefully and do their due diligence. They discussed possibly having the City Attorney reviewing all the specific issues and sending a letter to the owners. The street does not meet City street width requirements and the carports are built right up to the roadway so the owners could not deed the roadway to the City. The Council discussed alternatives, but the road is private and the owners should take care of it.

Council Member Bangerter made a motion to proceed with the process of handing the private streets of 40 West and 1540 North and all City-provided services to those streets back to the property owners after review by City Attorney King and his recommendation is given. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

3. **View video “Deadly Delay: Distracted drivers a problem for Utah’s first responders”:** Council Member Wiggill stated there has been a lot of talk about distracted drivers and that is a huge problem for first responders. The “Deadly Delay: Distracted drivers a problem for Utah’s first responders” video, located on the Sunset Fire Department webpage, was viewed. Interim Fire Chief Bott said he has almost been involved in collisions caused by distracted drivers. Even in the small community of Sunset it is a problem.
4. **Mayor, Council and Department Head reports:** Council Member Bangerter advised there have been a couple of interested parties in the Sierra R.V. property, but the uses are not in line with what they have discussed in the past. There is an owner of property on 250 West looking to sell the back piece of his property which abuts the City’s Central Park and Council Member Bangerter will be meeting with him. With the car show during Fun Days and the Under the Stars car show in August, Sunset is being put on the map. As they work towards the 1800 North project, they need to keep the City Celebration and car shows in mind and maybe expand the park area. He will begin attending the Chamber of Commerce Transportation Committee more often. Commissioner Smith was Chamber President at one time so he understands the importance of attending. The comments stemming from the Military Affairs Committee are about moving forward with the projects.

Council Member Carlson advised there is a Davis County Mosquito Abatement Board meeting this week. With the burn plant closing, he believes they need to think about the future of their recycling cans. He also believes the closing of the burn plant is going to affect more than people realize. For example, the company he works for has been sending a lot to them for destruction and now they have to purchase an industrial size shredder to destroy it before sending it to the landfill.

Council Member Noyes reported there is a bill before the legislature dealing with guidelines of the Good Landlord Program and it has a good chance of passing. Cities will no longer be able to require landlords to deny tenancy to an individual based on their criminal history. That defeats one of the major purposes of the City’s Better Landlord Program, so they will

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have to make some changes in the City's ordinance or possibly consider disbanding the program entirely.

Council Member Peterson received an email about 'March for Meals' where they can donate their time to help serve the senior citizens a meal or go out delivering meals. Sunset has approximately 19 seniors who participate in the Davis County Senior Services so it would take about 2 or 3 hours. If anyone is interested they can get with him. He met with the Veterans Committee today, they have some ideas they are moving forward with and will meet again in a month. The Sunset Youth City Council is going to the Annual Conference in Logan and the banquet some of the Council will be attending is on Friday at 7:00 p.m. in the Union Building.

Council Member Wiggill mentioned, now that is it almost springtime, he believes the Citizen Corps and emergency preparedness will start up again.

Treasurer/Office Manager Youngdell read a thank you card from the Nicholas family. The Utah League of Cities and Towns conference agenda has been posted so she printed a copy for each of Member of the Council so they can decide if they will attend or not. She asked them to let her know as soon as possible if they will be going or not so she can get the reservations made. The next Planning Commission meeting is tomorrow. A gentleman came to the Office today inquiring about the Sierra R.V. property and she talked with him about zoning and what he wanted to do with the property. She told him to call if he had any other questions and they would also put him in contact with Council Member Bangerter.

Police Chief Eborn stated in 2015 the Legislature passed HB288, which requires cities to provide health insurance for the surviving spouse and children of a Police Officer or full-time Firefighter who is killed in the line of duty. The health insurance is to be provided for the spouse until the spouse either marries or obtains health insurance another way and for the children until they are 26 years old. The bill went into effect this year. They have the opportunity to buy into a State trust fund. After two years of paying the health insurance, the City can then request reimbursement. The cost to join is \$95.00 a year per qualifying employee. He does not believe he qualifies, so that would be seven qualifying employees for a total cost of \$665 per year or \$760 if he does qualify. He is bringing this up because they have to make a decision prior to July 1, 2017. He advised joining because they could be paying out \$1,400 a month for 20 plus years if they don't. Hopefully it never happens, but if it does it could be huge expense. This is an unbudgeted item, but he believes he can cover it because it's a fairly small amount. He would like to join as soon as possible just in case it happens before budget time. He read two paragraphs of the letter he received. All of the Council Members agreed for Chief Eborn to submit the paperwork to join.

Interim Fire Chief Bott reported the lights on Ambulance 12 are out again, so it will be taken in again tomorrow to be fixed. Ambulance 11 was put in service. He is also going to have the LED lights on Ambulance 11 transferred to Ambulance 12 to upgrade it since Ambulance 11 is going to be upgraded during the cab & chassis remount. They responded to a smoke scare at the Jr. High in the special needs area, but they did not find the origin. They also

responded to two roll-overs and one accident on I-15 on the same day. During budget sessions, prior Chief Weston was approved to purchase a drug safe and some radios and pagers using the Capital Outlay line item. He has purchased the drug safe, but he would like to use the rest of the money to purchase just radios instead of some pagers because the pagers are all in good shape. The radios the firefighters were using during the Jr. High smoke scare are older and they were having a hard time communicating with Command while inside the school. It was mentioned pagers should not have been asked for if they were not needed. The Council passes the budget based on needs, not wants. The Council agreed to allow Interim Chief Bott to do as he asked. Mayor Macfarlane mentioned she looked at the Fire Department's web page and was amazed at the number of incidents they respond to.

Public Works Director Monroe advised Public Works repaired another water leak today. They are working on Fun Days and asked how the Council felt about ordering port-a-potties since they have a new restroom facility plus the lower softball field restrooms. It was discussed and decided they were no longer needed. He will double check on State regulations for ratio. The Youth City Council will still be doing the mud volleyball tournament. Within the next 4-5 weeks they will do another walk-through on the restrooms. He has received three favorable responses from Council Members to allow UTA to put in sidewalks in a couple places used by residents to get to the bus stops. One of the locations has a power pole in the way so the sidewalk will wind around it. A letter has been sent to Rocky Mountain Power about moving the pole, but they will see about doing that at a later date so as not to hold up the project now. Weber Basin is in the process of bidding out the construction of the new building. He believes it will be finished by Fun Days.

Mayor Macfarlane went back to Interim Chief Bott because she, Council Member Bangerter and Int. Chief Bott met with the appraiser about the fire station. Int. Chief Bott told the appraiser what had been changed in the fire station since it was the City Building and answered questions the appraiser had. It will take a couple weeks for the appraisal to come back. There was discussion about the appraisal including property farther back than what UDOT will be taking, but they believe UDOT will catch it.

Mayor Macfarlane appreciated Council Members Bangerter and Carlson for attending the Wasatch Integrated Systems Board meeting and expressing their opinions on closing the burn plant because it will affect the residents. She read a thank you note from Carl & Joy Trussel for the firefighters installing a smoke alarm for them. She met with Madeline MacDonald, Executive Director of American Red Cross, who Int. Chief Bott is working with in obtaining the free smoke alarms for residents. She and Council Member Bangerter will be attending a meeting held by Zions and West Point City about the economic outlook for 2017 March 30<sup>th</sup> at 11:45 a.m. She is proud of the Council Members taking their assignments personally and professionally in representing Sunset. She reminded everyone they need to think about the General Plan when making decisions so they all have the same vision. She had previously sent the Council an email advising them of a meeting she had with a representative of Questar, who wants to put up a chain link fence at their new location instead of the stamped concrete wall he presented when the Planning Commission and Council gave their approval. Since that time, he came back and said they would install the concrete wall as approved.

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That shows her they really need to stick to what they want for the City. She thanked the employees for all the hard work they do and the Standard Examiner reporter for his attendance at this meeting.

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

The meeting adjourned at 9:00 p.m.

Approved – March 21, 2017

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder