

Sunset City Corporation
City Council Minutes
April 5, 2011
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Minutes of a regular meeting held April 5, 2010 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Bangerter presiding.

Mayor and Council Present:

Chad Bangerter	Mayor
Brent Andrews	Council Member
Cheyrl Budge	Council Member
Ricky Carlson	Council Member
Ray Chapman	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Neil Coker	Fire Chief
Mickey Hennessee	Public Works Director
Shawn Valdez	Police Lt.
Bruce Arbogast	Police Sgt.
Duane Arbogast	Police Officer
Christina Arbogast	Court Clerk

Fire Fighters: James Weston, Matt Gardner, Adam Scott, Landon roach, Anthony Bott, Amy Kippen, D. Nelson, Travis Carter, Ryan Rhoades, Travis Jeffery, Jennifer Moore, Steven Sykes, Justin Arbogast, Jeremy Kaufman

Excused:

Ryan Furniss	Council Member
Ken Eborn	Police Chief

Others Present:

Tena Hale	Planning Chair
Jason Gabbert	Planning Commission
Brian Parker	Planning Commission
Terry Avondet	Citizen Corps
Jaime Meredith	Citizen Corps
John Blaylock	Citizen Corps
Jonathan Ellsworth	Brian Hale
Kelly Campbell	Boyd & Linda Smith
Thomas Love	Spring Carter
Dakota Nu.....	David Child
Chavez Sloan	Tiffany Arbogast
Jake Peterson	

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

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

Approval of Minutes: Council Member Chapman made a motion to approve the minutes of March 15, 2011 as presented. Council Member Andrews seconded the motion. The motion passed unanimously.

Citizen Comments: John Blaylock said he was concerned about the Council not approving the ambulance. He believes it is silly that Sunset does not have an ambulance and relies on Clinton. If the ambulance is held up by the railroad tracks in a dire emergency it is silly not to have an ambulance in the City. He supports having an ambulance in Sunset.

David Child said he was here under the assumption they could discuss the community garden. If they do he is here. Mayor Bangerter said they could talk about it in general information if he wanted to stay until then. Mr. Child said he would and is in support of a community garden.

Boyd Smith said his son was parking his semi at the side of his house and they found out there is a fee for parking there. He never received any notice of it. It costs \$120 a year for him to park on his property. He wondered if the fee could be changed to \$10 a month for a monthly permit because he is only in town 2 or 3 days every 2 or 3 months. Mayor Bangerter encouraged him to talk with a Council Member about it to see if they would like it on the agenda. The Council has discussed it several times already. Recorder Hale said it was hard to enforce a monthly permit. Mayor Bangerter explained the permit is visible from the street, so if there is one in the window they know it is good for the year. Otherwise they'd have to go up to the truck to see if it was good for that month. That doesn't mean it can't happen; he would need to bring a proposal to the Council or have a Council Member do it.

REGULAR SESSION

1. **Appoint Planning Commission Chair and Alternate Chair:** Planning Chair Gabbert stated the Planning Commissioners had selected Tena Hale as the Chair and himself as the Alternate Chair. They would like their selection approved by the Council.

Council Member Chapman made a motion to appoint Tena Hale as the Chair and Jason Gabbert as the Alternate Chair. Council Member Andrews seconded the motion. The motion passed unanimously.

2. **Appoint an Alternate Commissioner as a regular Commissioner:** Planning Chair Hale said the Planning Commission is short a member and they would like Brian Parker moved from an Alternate Commissioner to a full Commissioner.

Council Member Budge made a motion to appoint Brian Parker as a full Commissioner. Council Member Chapman seconded the motion. The motion passed unanimously.

3. **Approve interlocal cooperation agreement between Davis County cities and Davis County for Utah Pollutant Discharge Elimination System General Permit:** Public Works Director Hennessee explained the Davis County Storm Water Coalition renews this agreement every five years and it covers items such as the standards, public outreach commercials, training, etc. It is EPA mandated and State administered. When asked if the City's storm water infrastructure was adequate, he answered that it is adequate until Falcon

Hill constructs the planned buildings. Then it will be at a failure point. He explained the storm water fees are about \$2,000 per year.

Council Member Budge made a motion to approve the interlocal cooperation agreement. Council Member Andrews seconded the motion. The motion passed unanimously.

4. **Proposal for a miniature golf course:** Council Member Andrews handed out some papers and explained he proposes to have it built on the vacant City owned property behind Century 21-Golden Spike Realty. He told of two companies they can get the pencils, putters, balls and other supplies from. He has left messages with four miniature golf businesses and is waiting for their return calls to find out their yearly net profits. He said some of the businesses won't want to get back with him because he would be competing with them.

Council Member Chapman asked how much it would cost to build if nothing was donated because he has been told what the revenue could be, but does not know the cost. Council Member Andrews said it would not cost anything because the City would build it. Mayor Bangerter reminded him that would cost money. Council Member Andrews said he could get some people to donate the labor and get the materials donated. He has talked to a company who was going to donate \$2,500 worth of carpet and \$1,500 worth of labor. When told the Council needs to know what the cost for building it would be, Council Member Andrews said he does not understand why everyone wants to keep talking about cost because he has already told them he is getting it all donated. He is talking to a concrete company and they would give him the concrete for \$20 a yard, but he is trying to get it all donated.

Council Member Chapman made a motion to table this item until Council Member Andrews has a proper proposal and a site plan with measurements. Council Member Budge asked who will level the ground and clear the weeds. Council Member Andrews said he will get some help to clear it. Council Member Budge seconded the motion to table. The motion passed three to one. Council Member Andrews voted no.

Council Member Andrews said he was laughed at during the last meeting when he said Sunset broke off from Clinton. He conducted some research and found that the area used to be known as Clinton until this portion broke off and was renamed Sunset.

5. **Ambulance proposal and discussion:** Fire Chief Coker and Asst. Chief Weston presented slides and updated the Council on their ambulance proposal. They were questioned as to the legality of paying the firefighters the way they will be proposing and still have them remain volunteer status. They believe it is legal according to Code of Federal Regulations Title 29, section 553.106B&C. The Mayor and Council asked for a copy of the code. Currently, the fire department is allowed to have 28 personnel, they run a quick response program and the Bureau of EMS does not allow them to charge for this service. When a medical page is received from 6:00 am to 6:00 pm everyone responds to the station, the first two respond to the scene and they are the only two that get paid. From 6:00 pm to 6:00 am two personnel are on call so everyone does not have to get out of bed to respond. They are paid \$6.00 for being on that 12 hour shift. If they respond to a call they are paid an hourly rate on top of the \$6.00. They applied for the ambulance license last October and during the public comment

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period four fire departments contested the application. The State contested the application because the fire station is not staffed 24/7 and the State Code states the fire department has to provide the same level of service the City is presently receiving. In order to get the license they had to come up with a plan to staff the station 24/7. The proposal is to staff the station with six hour shifts, two people each. The intermediate personnel would be paid \$15.00 per shift and basic personnel would be paid \$10-12.50 per shift. They have to have at least one intermediate on staff to run the ambulance. On Christmas, New Year's and Thanksgiving the pay per shift would increase by \$10.00. Right now the department has 18 intermediates, 8 basics and 2 who are in school. To staff the station 24/7 they would need to increase from 28 to 35 firefighters and each firefighter would need to pull seven six-hour shifts per month. The monthly payroll would be the same no matter if there are 28 or 35 total firefighters because only two firefighters each shift would be paid. The FY2011 budget for pay and FICA is \$87,816. If they did the proposed shifts and kept the pay as it is now, it would increase the payroll budget to \$124,528. If they pay the proposed \$15 per shift, the payroll budget would only increase to \$101,286. These increases are the worst-case scenarios. They believe this will give the citizens a much better service. The average response time for Davis County is six minutes. He believes the Sunset response time with the station staffed 24/7 will be two to three minutes on medicals. The chiefs had several meetings with the firefighters and their wives. They voted to cut training pay from their hourly rate for two hours to \$5 per training. Council Member Chapman, who is also an Assistant Chief, has offered to make a drastic change to help the budget and he will let him tell what that change is privately if he wishes to do so. The Chiefs also cut their pay to help make it work.

The amount on their slide was the last information they received from Clinton City on amounts billed for 2010 before they received the updated version he handed out to the Mayor and Council. That amount billed was about \$154,000 for 171 transports. The collection rate on that amount billed was 54% or about \$83,000. On average only about \$250 per call is collected from Medicare/Medicaid. The rest has to be written off. The figures they have are from Iris Medical, the company that Clinton City uses for billing. The updated sheet shows \$175,790 being billed for 206 runs. Of that \$86,420 has been collected, \$53,885 is Medicare/Medicaid write offs and \$3,017 is in collections. That leaves \$32,468 that has not been collected yet. At 50% collection rate, it would make the total collected for 2010 about \$102,600. Clinton paid their personnel \$31,545 including benefits for the Sunset calls and the chiefs believe Sunset would have only had to pay \$855 for the 171 transports. A control physician is required by the State and this medical doctor does the oversight of the agency. Sunset found one that only charges \$1,000 per year because the fire department doesn't have many medical calls. Mayor Bangerter said that is a little deceptive because if something happened to that doctor, another would probably charge closer to the average of \$4,000 to \$10,000. He would like them to use an average figure in this proposal. When asked if they anticipate the \$1,000 to go up once he is used more for the ambulance service, it was answered that the doctor said it might go up sometime in the future, but not now.

The ISO rating would get a little better because the station would be staffed 24/7 and that may mean a little cheaper fire insurance for the residents. The rating is ten being worst and one being best. Sunset's rating is 5 right now, which is what most other fire departments are around Sunset. The 24/7 staffing would allow them to have a McGruff House and they

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would be seen around the community more than they are now. They feel they could lighten the load on the administrative office because they would be able to answer their phone more and public works because they would be there to fix minor items around the station.

Asst. Chief Weston said there have been rumors or gossip going around about the ambulance and he asked everyone including employees to speak with him if they have any concerns. One of the rumors were about why they put "Pride and Ownership" on the front of the ambulance. It was put on their because their motto is "Pride is Our Pay" and "Pride and Ownership" came from a full-time fire chief in Texas who has been Asst. Chief Weston's mentor. They feel pride and ownership in the ambulance and want it for themselves and the residents. They also feel the money going to another city from ambulance charges should stay in Sunset. The State sets the rate, plus they can charge for mileage and supplies. If they get the ambulance, they would no longer be running the squad, so that would help offset the gas cost, and they would probably turn the Chief's car back in.

Council Member Carlson asked what the turnover rate is on the volunteer firefighters because adding more firefighters will up the turnover rate. Chief Coker replied Sunset's department probably doesn't have any higher turnover rate than any other volunteer fire department, but raising the turnover rate is a chance any small volunteer department has to take. People are looking for full-time jobs. Lt. Adam Scott said it is that pride and ownership that keeps him here. If the ambulance is approved he can now come up and work a full shift. If he wants to pick up a full 24-hour shift on his day off he can. He can say he is now officially part of something bigger. He believes having shift work could reduce their turnover. Chief Coker said most full time firefighters have a part-time job and he would rather have them here than anywhere else. Asst. Chief Weston said with the shift work, they can hire a certain percentage of people who live outside of Sunset City and they have many applications from outlying areas that they can't hire right now.

Kristin Weston said she works for a lady who works for North View Fire Department. When they wanted an ambulance, the Council was scared, but they did it and within a year they bought a second ambulance and they're now servicing North Ogden, Pleasant View and part of Weber County. Asst. Chief Weston wondered, if ambulance service does not make money, why fire departments are not giving up their ambulance services and why some opposed Sunset getting one.

Mayor Bangerter cannot believe the Council has not brought up any questions. One of the concerns he has is that most of the fire departments he spoke with said it took up to four years before their ambulance service started making a profit. He asked if Chief Coker believes they will see immediate profit from this. Chief Coker said yes. Council Member Furniss said in a Council meeting a couple years ago that they shouldn't move too fast with this and create an unfair burden to the residents and he would like to have the costs reviewed more and included in the budget. Mayor Bangerter has called for an independent study on this because he has received so many different figures and the figures have changed from the first proposal. He would like the Council to review the study once it has been completed before making a decision. He believes it is important to go into this cautiously. A while back they received information stating it would be beneficial to have a unified ambulance

response program on large scale incidents involving multiple patients. He does not want the residents to be under the impression that having an ambulance in the City during a major disaster will make a difference because his study and training suggests the ambulance can only transport one or two at a time and in an earthquake the hospital may even be damaged. They are only looking at the ambulance as a revenue making source. He asked when they would want a second ambulance. Chief Coker said they would have to wait and see if they will be able to afford one. Right now a fire truck is stationed at the public works shops and he believes that slows the response time of that truck because the firefighters go to the station first, suit up and then drive down to the shops. That makes him ask when they will need a new fire station, what the average cost will be and how the cost will be absorbed by the residents. Chief Coker said he thinks they will need one in 3 to 4 years, the cost would be around \$2.5 to 3 million and the cost absorption would be up to the Council. Mayor Bangerter said taxes would have to be increased. He said he is not against the ambulance. It is very hard for him to sit in front of all the firefighters and bring up the concerns and questions that have been brought up to him. He wants to understand everything fully before they jump into this and then he'll have to explain to the residents why they need to build a \$2.5 million building. Council Member Chapman said they're looking at helping to support Falcon Hill in the future, so they want a new station so they can house 1 or 2 ambulances, a ladder truck and maybe another engine. Mayor Bangerter said this is what he wants the Council to look at, every potential issue. He believes they would only be a support to Falcon Hill and wants to know if they want to burden the residents with that potential. Everything he is getting from Falcon Hill makes him believe Sunset will not be covering them. Chief Coker said he is only looking at it from the point of view that right now the fire department does not bring in any revenue and an ambulance would be a way to bring some in and help the overall budget. Mayor Bangerter wants to make sure everyone understands that they are not doing this for improved services, but for revenue. He is curious about the nation-wide difficulty in recruiting volunteer firefighters that was brought up in the past. It was answered that national and local organizations realized there was a problem with recruitment and retention and those items have been addressed over several years. As an example, at the bio fuel fire in Clearfield a few weeks ago the Sunset department had 13 firefighters there and the other agencies only averaged four or five. Mayor Bangerter said he is not trying to take anything away from anyone, but he has a job to do and that is to bring up these concerns and questions the residents have brought to him. It is important they don't move too fast and they have to look closely at the upcoming budget. He stated the presentation was done very well.

Council Member Budge expressed her gratitude to all of the firefighters for working so closely with CERT so they can all help the residents in a disaster.

- 6. Council Member Reports and General Information:** Council Member Carlson stated he attended the American Mosquito Control Association National Conference where they talked about the threat of terrorism through mosquitoes. It is easy to raise and infect them so they can infect a whole population with a disease and it is a real possibility. Chief Coker said there will be an exercise in May that Sunset has been invited to participate in and it will help them prepare for that type of situation. Council Member Carlson said he appreciates the firefighters' dedication.

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Council Member Andrews said he told people while he was campaigning that he would try to raise money for the City because the City does not have money makers. He told them he would not raise taxes, but he had to do it to balance the budget. He would like a different way to raise money. He is on the SR37 Board and he feels they should bill Falcon Hill for the impact they will have on the City.

Council Member Budge thanked Treasurer/Office Manager Youngdell and Recorder Hale for getting the City payment report to the Council Members. She stated her appreciation for the firefighters and their wives for attending the meeting tonight and for what they do for the City.

Public Works Director Hennessee said he forwarded an email to the Mayor and Council regarding the 1800 North project and the alternatives. He asked them to review the email and get their comments to him so he can draft a letter to UDOT by April 29th. Mayor Bangerter said he would like a copy of their comments as well. Director Hennessee said the garbage contract is up in June and just plans to renew it with Econo Waste unless there are concerns. The cost will stay the same. The City's fuel costs are coming in under budget.

Treasurer/Office Manager Youngdell said the City has changed its medical insurance broker to Spectra, but it can be changed at any time. She passed out a page detailing the new medical insurance rates. Single and double plan rates are decreasing and the family plan is increasing slightly. The total increase last year was \$32,000 and this year it is only \$2,300. The insurance can still be shopped if the Council does not feel comfortable with these rates.

Fire Chief Coker said the Easter Egg Hunt will be on April 23rd at 9:00 am. They will not be serving breakfast this year.

Recorder Hale advised they will have their first budget work meeting after the regular Council session on April 19th.

Mayor Bangerter thanked the firefighters, Citizen Corps and Planning Commissioners for their attendance. He stated his concern about the Youth City Council not having an advisor and has talked to a couple of people. Mr. & Mrs. Ryan Schultz are interested in doing it. He would like the Youth Council Members to work on the City-owned rental home. He would like them to scrape and paint the window frames and sills so they don't rot. He has not been to a Youth City Council meeting for a while, so if Council Member Chapman believes he needs to come to one, he will because he does not want to lose any kids due to some playing rather than doing what they should be doing. Council Member Chapman said he does not think that is necessary right now. Mayor Bangerter said it is really important for the Council Members to get their comments to Public Works Director Hennessee and Mayor Bangerter on the 1800 North project. If they don't make the right decision on this, they could potential lose future revenues. He asked anyone who has questions that need answering or people she should see to get those questions, etc. to Council Member Budge so she can contact people at the Utah League of Cities and Towns conference next week.

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John Blaylock was present to give the NIMS 700 class to the Council Members after the Council meeting. Chief Coker said three or four Council Members need to take the training. In 2002 President Bush put out a Presidential Directive requiring certain NIMS training. If a City is not NIMS compliant, it cannot get federal grants. Due to the lateness of the Council meeting, they decided not to do the NIMS training tonight. It can be done individually, but if they don't do it, they will have to do it in a class. Jamie Meredith believes the class is more beneficial because some of the terminology makes it difficult to comprehend and a teacher can explain. Mayor Bangerter reminded everyone that has not attended the sexual harassment training, there will be another one held on Thursday, April 7th at 6:30 in the Council chambers.

Council Member Chapman made a motion to adjourn. Council Member Andrews seconded the motion. The motion passed unanimously.

The meeting adjourned at 9:10 p.m.

These minutes have been read and approved at the regular City Council meeting held **April 19, 2011.**

Chad Bangerter, Mayor

Susan R. Hale, Recorder