

Sunset City Corporation
City Council Minutes
April 7, 2015
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Minutes of a regular meeting held April 7, 2015 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Macfarlane presiding.

REGULAR SESSION

Mayor and Council Present:

| | |
|--------------------|----------------|
| Beverly Macfarlane | Mayor |
| Ryan Furniss | Council Member |
| Trystal Peay | Council Member |
| Jake Peterson | Council Member |
| Kevin Snow | Council Member |

City Employees Present:

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

Others Present:

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| Joseph Cook | Sunset Townhomes |
| Curtis Mitchell | MB Auto & Performance |
| Jonathan Ellsworth | Planning Chair |
| Scott Stevenson | Planning Commissioner |
| Terry Avondet | Sunset Citizen Corps |
| Ricky Carlson | Norm Noyes |
| Dan Ripple | Scott Wiggill |
| Joyce King | Janet Lujan |
| Ellen Cutler | Wanema Butcher |

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

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

Approval of Minutes: Council Member Furniss made a motion to approve the minutes of February 26, 2015, March 3, 2015 and March 17, 2015 as presented. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson and Snow voting yes.

Approval of Vouchers: Council Member Snow made a motion to approve the voucher for Hinklease in the amount of \$9,949.99. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson and Snow voting yes.

Public Comments: There were none.

1. Interview Council Member Candidates and appoint the selected Council Member:

Mayor Macfarlane explained in alphabetical order, each applicant would have five minutes to tell the Council about themselves and why they would like to become a Council Member. The Council Members will then vote for their top two candidates by writing their names down on a slip of paper. They will be collected by Recorder Hale, who will read the votes out loud. The top two will then have 3 additional minutes to state why they should be chosen. The Council Members will then vote for one candidate and Recorder Hale will again read the votes out loud. A motion will be made to appoint the selected candidate, seconded and voted on. If there is a tie Mayor Macfarlane will vote to break it.

Ricky Carlson said he is a former two-term Council Member. He enjoyed serving the City and residents and tried to do what was best for the City without a personal agenda. He has lived in the City for 22 years, raised 5 kids and is really invested in this City. When he was on the Council, he had assignments such as the Youth City Council, Public Works/Recreation, the Mosquito Abatement Board, HAFB, Utah Defense Alliance and the Development Review Committee of MIDA. Council Member Furniss asked him what the Council has done that he disagrees with and why, what the Council has done that he agrees with and why and what he hopes to accomplish in nine months. Mr. Carlson responded did not agree with the purchase of the iPads because it was not in the budget at the time. He is not against the technology, just that they should have waited and put them in the budget the following year. He agreed with building the skate park. He believes it is really good for the kids to have someplace to skate, keeping them off the churches, schools, etc. properties. He would like to accomplish getting the budget balanced, continue being involved with MIDA and watching Falcon Hill, continue being involved with the 1800 North project, support City events, answer the residents concerns and try to attend all the meetings. Mayor Macfarlane asked Mr. Carlson if he ran in the last Council Election, to which he replied that he did, but lost the race by 30 votes. Council Member Snow asked what he would take into consideration when voting on an item. Mr. Carlson replied it would be how the residents feel about the issue, what he believes is best for the City and his own personal views as he is also a resident. Council Member Peterson asked if he plans to run in the next Election, to which Mr. Carlson replied yes.

Joyce King stated she has been a resident and property owner just shy of three years. She loves the City and believes it is a wonderful place to live and has felt very safe here. She has been a Manager of a Credit Union, a Regional Manager for the Oregon Department of Justice Support Division, a Loan Officer for U.S. Bank, a Financial Analyst in Equipment Leasing for Pitney Bowes, a Financial Analyst in Equipment Leasing for GE Capital and a Credit Supervisor of 30 people for GE Capital. She owned a business for five years in Boise, Idaho. When she sold it, she moved to Sunset. She is retired, has held positions of trust in the past and would like to serve on the Council. Council Member Furniss asked her what the Council has done that she disagrees with and why, what the Council has done that she agrees with and why and what she hopes to accomplish in nine months. Mrs. King said she disagreed with the tenor of the meeting and believes they should be more civilized and dislikes the disrespect shown toward the Mayor. She would always refer to the Mayor as Mayor, not she or he. She agreed with the great work they have been doing on the new subdivision going in

at the bottom of 475 West. She lives on that street and even though there may be 150 more cars a day on the street, she believes it should be developed. She hopes to accomplish whatever it is she is assigned to do. As to what Council Member Peterson asked earlier, she does believe she will run this year. Council Member Snow asked what she would take into consideration when voting on an item. Mrs. King replied she has held positions where she has had to think things through and she would always vote for what is good for the City.

Norm Noyes stated he has been a resident for 30 years and his wife is a lifelong resident. His children attended school here and he currently has grandchildren in the Elementary and Jr. High schools. He has just retired after 31 years from the Public Works Department. One of the reasons he wanted to get involved again is that he loves Sunset and wants to make sure they are doing the right things for the community. Council Member Furniss asked him what the Council has done that he disagrees with and why, what the Council has done that he agrees with and why and what he hopes to accomplish in nine months. Mr. Noyes said one of the biggest mistakes a previous Council made was the skate park because they should have replaced restrooms and upgraded the infrastructure before installing the skate park. He said it was tough to pick just one good thing the Council has done because they do a lot of good things. He would like to accomplish putting more emphasis on improving the parks with new restrooms to make the parks more enjoyable for the community. He answered Council Member Peterson's earlier question by saying yes, he plans to run. To answer Council Member Snow's voting question, he has to ask how the decision is going to affect his children and grandchildren.

Dan Ripple said he has been a resident for seven years and he and his wife have four children between ages 6 months and 7 years. Due to that, he is heavily invested in the City and would like to help make sure it is a good, clean community so they can feel safe and happy. He has an extensive background in customer service and management. He has worked in a lot of leadership positions and knows how to accomplish a lot in a short amount of time. That is why he was excited to apply for this nine month term. He currently works at HAFB doing computer support. He constantly talks to Colonels and Majors and has a good relationship with the Mayor of Clearfield as well. He is excited to work with the Council and see what he can do to help progress the City and make it the best they can. To answer Council Member Furniss' questions, he disagreed with how they implemented the recycling program. He agrees with recycling, but was opposed to the mandatory nature with the option to opt out. He likes the idea of upgrading the park restrooms and believes there should be more street lighting in some neighborhoods. If he is selected he will try to support everyone as much as he can to make sure they can make the City move forward with a friendly and clean atmosphere. One thing the Council has done well is how clean the parks have become and how well maintained they are. He does not plan to run for Council this year, but said that may change depending on what happens tonight. When he votes he will take into consideration what is best for his family; if it is going to be good for the City, it is probably going to be good for his family. He is a fan of budgets and has a strict personal budget so his wife doesn't have to work. He likes finding ways to live within his means and believes very strongly that is possible. He would like to work hard to accomplish goals and succeed as a City.

Scott Wiggill apologized for his hoarse voice and introduced himself. He said Sunset is home to over 5,000 citizens, all of whom are on an individual journey for life, love, success and prosperity. He has lived in Sunset all his life, learned the value of integrity, respect and commitment as a Boy Scout, married and began his family in Sunset. He has watched his children graduate from the local schools and accept their first jobs right here. He has coached sports and exercises here in Sunset. He attended Weber State Police Academy and helped establish the Sunset City Reserve Police Officer Program and participated in the program for over six years. He later graduated from Phillips Jr. College with a degree in Paralegal Studies and worked first with the Legal Aid Society of Salt Lake City. For the past 30 years he has worked at HAFB, currently as a Radiographer and Tomography Specialist to make sure the components used by the armed forces are safely constructed. He is not a seasoned politician, but he is a proud citizen, neighbor and man for the job. Many residents trust him because he is a man of community, integrity and accountability. He has a vested interest in this City and believes it is time for him to serve as a representative of Sunset. Council Member Furniss asked him what the Council has done that he disagrees with and why, what the Council has done that he agrees with and why and what he hopes to accomplish in nine months. Mr. Wiggill replied he was against the skate park because he believed North Park was one of the nicest parks in the area for baseball, football and other activities. He didn't know if the skate park would attract the type of element he wanted there. He is in support of the new housing development to put an effective use to empty space and he has a vested interest in the 1800 North project because he lives nearby. He believes nine months would be a good opportunity to get his feet wet and see what he can offer. He has positions at HAFB where he works with emergency programs and safety. As to Council Member Peterson's question, if he is selected tonight the nine months would give him a forum to run on in the future. When voting on an item, he would take into consideration the people of the community because his friends and neighbors are continually telling him of ideas, interests and negative things as well. Those items would weigh heavily on his decision.

The Council Members each wrote their top two choices on a piece of paper and handed them to Recorder Hale, who read them aloud. The top two were Norm Noyes and Dan Ripple. They were each given three minutes to express why they should be chosen.

Norm Noyes said he can be an immediate help to the Council because of his numerous years of experience. He knows what is going on, the needs of the community, budget, the decision making process and protocols. He believes that is the biggest thing in his favor. There will be no training curve. The opportunity to serve with this Council would be a great adventure.

Dan Ripple feels honored to receive all the votes. He doesn't have the experience Mr. Noyes does, but he has energy and enthusiasm. When he is assigned duties, learns them well and succeeds in accomplishing them. He loves to set high goals and ambitions because he works towards those and achieves them. He loves to learn and excel from learning and he likes to have the chance to try new things. This is that type of opportunity and he is excited to learn what the duties are, how he can best help support each of them in their assignments and how he can help better the City of Sunset. He believes he would be a terrific addition to the

Council. He is very good at counseling and helping to see the other side of things when tough decisions are needed.

The Council Members each wrote their choice on a piece of paper and handed them to Recorder Hale, who read them aloud. The vote was three to one in favor of Dan Ripple.

Council Member Furniss made a motion to appoint Dan Ripple as a Council Member for the rest of this year. Council Member Peay seconded the motion. The motion passed 3 to 1 with a roll call vote. Council Member Peay – yes, Council Member Snow – yes, Council Member Peterson – no, Council Member Furniss – yes.

Council Member Ripple was asked if he would like to wait for the oath of office until his family could be present or if he would like to do it tonight so he could participate in the rest of the meeting. He chose to be sworn in immediately. Recorder Hale swore him in. He was congratulated and participated with the Council the rest of the meeting.

2. **Consider conditional use request for MB Auto & Performance to be located at 2441 N. Main, #7:** Curtis Mitchell said he would like to open his business here in Sunset and believes he can serve the community well. His business is an automotive repair shop to service simple oil changes all the way to engine replacements or whatever needs to be done. All repairs will be done inside the unit, with only parking outside. Planning Chair Ellsworth reported the Planning Commissioners recommended the business be approved as it was applied for, without any additional conditions added. When asked about the hours of operation, Mr. Mitchell explained he will be transitioning from his current job, so he will be working at his shop after he gets off work until about 9:00 p.m. Once his business is established and he can quit his current job, the hours will be normal working hours. Client vehicles will be housed inside the shop unless it happens to be a vehicle that is dropped off after hours or a vehicle left out for a customer to pick up. He has been given permission to use the parking directly in front of his unit and across from his unit, which is the back of the other building. There will be no dismantled project cars at that location. He plans to have three hoists and the shop is 2,300 square feet so he can fit quite a few cars in there. It was mentioned that area can be quite busy with traffic and pedestrians due to the dance and preschool located in the area, so he was asked to make sure the parking area stays safe. Mr. Mitchell said he might have to park two to three cars outside once in a while. He will mostly fit all the cars inside. Because the Council does not want it to morph into a something unsightly, a limit on vehicles being parked outside the shop was discussed and the consensus was a limit of 10.

Council Member Snow made a motion to approve the conditional use business license with a limit of 10 customer vehicles to be parked outside at any one time. This does not include owner/employee vehicles. Council Member Ripple seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson, Ripple and Snow voting yes.

Council Member Snow asked to be excused for the rest of the meeting.

- 3. Consider an agreement with Davis County to assist Sunset City in conducting the Municipal Primary and General Elections in 2015:** Mayor Macfarlane read the email from Brian McKenzie, Davis County Elections Manager stating the agreement was for administering the 2015 Sunset City Municipal Election and will allow them to begin some of their preliminary work. Once the School District has decided if they will have an issue on the ballot, the administrative option can be chosen.

Council Member Ripple made a motion to approve the agreement with Davis County to assist in conducting the 2015 Elections. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson and Ripple voting yes.

- 4. Consider Resolution 2015-02 amending the Sunset City fee schedule to include storm water inspection fees:** Public Works Director Monroe explained when a new development larger than one acre is being done, State and Federal regulations require the City to complete monthly inspections of the sites. There are two developments coming into Sunset and he believes the developers should pay for those inspections. He has to keep records for five years. Right now he is the only one certified to conduct the inspections so the fee should be based on his wages. Once someone with a lower pay grade is trained, the Council can review the fee. The Storm Water Pollution Protection Plan (SWPPP) is about 180 pages and it takes one to two hours to review, so the developer should pay for that also. The fees suggested are \$50 for the review of a single lot, \$50 per acre for the review of multiple lots, a large commercial lot or a subdivision and \$40 per monthly inspection. When asked how much it would cost to contract it out, Director Monroe said it would cost \$35 to \$185 per inspection.

Council Member Furniss made a motion to approve Resolution 2015-02. Council Member Ripple seconded the motion. The motion passed unanimously with a roll call vote. Council Member Furniss – yes, Council Member Peterson – yes, Council Member Peay – yes, Council Member Ripple – yes.

- 5. Mayor and Council Reports:** Council Member Furniss said tonight's vote was the toughest he has ever made as there were some very qualified Council candidates. He welcomed Council Member Ripple. The North Davis Sewer construction is moving along well. There was a little hiccup on the Antelope Dr. line because Cache Valley Construction was putting up a new sign and drilled into one of their main sewer pipes. The Board is continuing to be progressive in re-lining the old sewer pipes before they fail. The Youth City Council did not meet today and he is still looking for someone to replace Youth City Council Advisor Stevenson when she steps down later this summer. He would like to have the rental house issue put on the next Council agenda. He explained the City owns a rental house that has become run down to the point they have to decide if it would be more feasible to tear it down and just maintain the land or renovate it to continue renting it. He is leaning towards demolishing it.

Council Member Peay advised Recreation Supervisor Maylin is planning Fun Days and they have some new ideas for it. She mentioned putting the Night of Hope and

Appreciation for our Veterans on the City's Facebook page. It will be held on April 11th at 6:30 p.m. at Layton Christian Academy. All funds received will go towards Operation Warrior Reconnect. She will be giving Craig Johnson of the Utah Honor Flight her list of about 20-25 Sunset veterans. Mayor Macfarlane asked her to make a push for names for veteran appreciation on the upcoming Veteran's Day. Council Member Peay said she has not been to the Senior Center lately, but plans to help with their meals one day this summer and will try to get the Youth City Council involved. The \$50 reward the Youth City Council received during the Conference was for a challenge they participated in. They placed in the top 10 out of 29 Councils.

Council Member Peterson thanked the employees for all they do and the Planning Commissioner for their hard work. He urged people to apply for one of the three alternate positions that are available. He has been talking to Public Works Director Monroe, who has a lot of good ideas and he said he is doing a good job.

Mayor Macfarlane stated her appreciation for all of the Council Members' work on their assignments. It really makes a difference in the City. She welcomed Council Member Ripple and thanked all those who applied for the position. She hopes they all run for the open Council seats this year. She asked Planning Commissioner Stevenson to address the Council on the Shared Solutions request. Commissioner Stevenson said Shared Solutions would like buy in on their land use and transportation assessment. It only affects Main Street and 1800 North in Sunset with a higher density commercial and mixed use. Essentially, the Planning Commission believes they are not wrong. Chair Ellsworth drafted a letter stating the City believes they're on the right track. They believe Shared Solutions underestimated Sunset's growth potential, but gives the City's endorsement that if Shared Solutions goes forward they're willing to make the land use changes in the General Plan to match what is in the Shared Solution plan. This is not an endorsement of the Shared Solution; it is just saying their model is correct for Sunset City. Mayor Macfarlane said the Shared Solution involves the West Davis Corridor, mixed use and density, among other items and said the transportation meetings have been very educational. She attended the Wasatch Energy Systems Board meeting and they signed the contract with HAFB to use the District's steam for their electricity. She has talked to several businesses about expansion. She has been working a little bit more with Zions Bank on economic development and blighted areas. She's worked quite a bit with the Kiwanis Club on getting the businesses to purchase flags to fly on patriotic holidays. She thanked the residents for their support because it is hard to take on these extra responsibilities for the community.

- 6. Department Reports:** Treasurer/Office Manager Youngdell reported they had received the \$10,000 reimbursement for the EDA grant so everything financially is done, but they still need to submit the final plan in June, which Zions is working on. The EDA people said the preliminary plan was one of the best they've ever seen. She reminded everyone that representatives from Costco and Aflac will be here on April 27th in anyone is interested in talking with them.

Fire Chief Weston said the Department currently has one cell phone and one air card for use in the ambulance. They were paying for 3 gigs of data, but only using less than 1 gig, so he talked with T-Mobile, adjusted the plan and lowered the cost. He has inventoried the pagers and what he does with them depends on what the Council does with a proposal to restructure the Department he is planning to send to them in a couple weeks. He asked if the format of the monthly report he sent was acceptable and the Council said it was. He said the run times have been down and his goal is to get them up to 1 minute 30 seconds from the time of tone to out the door. There has been a delay getting the brush truck in service because he has to go to Kaysville to get the inspection and registration done. He thanked them for approving the six new hires and said they will be getting their drug screens done asap. There will be a live fire training at HAFB on the 25th and the Council is invited to attend.

Police Chief Eborn explained the new vehicle was approved in the budget, but he held off purchasing as long as he could. Now one of the patrol cars has some major issues. He received an email voicing a citizen's concern with speeders on a certain street. He has Officers on the street as often as possible. They are keeping a log of when they are there and are monitoring the speeds. So far there have been at least three speeding citations issued. The Council will begin seeing more ordinance enforcement on the reports due to it being spring, although he expects to have a little less this year because of how strict they were last year. He welcomed Council Member Ripple and told him if he has any questions about the Police Department he was welcome to visit with him any time.

Public Works Director Monroe reported the shop area will be open on May 2nd so any residents can bring their spring clean up items and the employees will help them unload them. Also, the shop dumpster is available Monday through Friday until 5:00 pm and Saturdays from 8:00 am to noon by appointments through the office. He and Chief Weston have worked together on the two employees who work for public works and fire. As long as the Public Works employees are not on a water line break or snow plowing he will allow them to clock out to go on a fire call. The employees won't be paid from Public Works while they are on the fire call, but they can make up their hours if they want to. The Department is working on the parks now and they have had to replace or repair a ton of valves and lines. They are down to three sprinklers and one valve to fix at the Fire Department and they will be done tomorrow. A full-time position is open for public works and one is open for a seasonal employee. When he finishes the revamped job description he will email the Council for their approval to advertise the positions.

Mayor Macfarlane told Council Member Ripple it might help him if he contacted the other Council Members and went over their assignments. She asked the Council Members to make their selves available to him. She thanked the Council, employees and community for their thoughts and help during the past couple of weeks on the passing of her brother. She read a letter from a daughter of Ray and Abby Joens, who passed away recently. It thanked her for the thoughtful card on their passing and gave a little history of their lives in Sunset.

Council Member Furniss made a motion to go into a work session after a five minute break. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson and Ripple voting yes.

WORK SESSION

To discuss the development agreement for the Sunset Place Townhouses:

Present – Mayor Macfarlane, Council Member Furniss, Council Member Peay, Council Member Peterson, Council Member Ripple, Recorder Hale, Treasurer/Office Manager Youngdell, Police Chief Eborn, Fire Chief Weston, Public Works Director Monroe, Joseph Cook, Jess Curtis and Ricky Carlson.

Joseph Cook explained the corrections they made to the plat and said he would email the HOA Covenants to Recorder Hale when they were finished. Elements of the agreement were discussed. Each unit will have separate water meters and one meter for the open space. The HOA Covenants outline the HOA maintaining all the grounds with snow removal, fertilizer, mowed, edged, etc. There will be no fences between the backyards so the landscapers will be able to access all the grounds. It has restrictions on pets. The entire fire loop and three hydrants will be installed up front. There are seven phases to the plan, but depending on demand, they may build more than one phase at a time. They will install a hammer head for a fire truck at the end of each phase. They discussed asking UTA if they would help with the sound barrier along that side of the property. Mr. Cook would like to pay the impact fees for the sewer as the units are completed instead of with the building permit issuance, which is the way it normally is done. Council Member Furniss said he would meet with him and speak to the North Davis Sewer District Board on his behalf to see if that was possible. They discussed painted crosswalks on the streets instead of a speed bump as the Planning Commission had asked for. There will be a tree and shrubs in the front yards of each unit and the rear yard will be landscaped as well. The playground will have rubberized mats under the equipment instead of sand. The monument sign will conform to Sunset Standards. A six foot vinyl fence will be placed along the property boundaries, with vertical vegetation for a sound barrier along the UTA border. The gate at the entrance would be for vehicles, but people could still walk or bike in. They discussed access for fire and police. After the draft is redlined, it will be reviewed by the City Attorney before going before the Council. The form of guarantee of infrastructure installation was discussed. There are three options; bond, escrow and lien. They cannot afford a bond for this type of development because it would cost about 4%-5% of contract price. They cannot afford to fund an escrow to complete the infrastructure, but they could maybe fund an escrow to install a cul-de-sac at the end of a phase if they cannot continue the project. They would like to have a lien placed on the buildings, to be taken off upon selling the units. Their intent is to completely landscape and make each phase fully functional and maintainable by the HOA. Mr. Cook and Mr. Curtis will take some time to review the ordinance to see what their options are. The HOA will maintain the water line that runs through the development, but the City will own the water meters.

Council Member Peay made a motion to go back into the regular session. Council Member Ripple seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson and Ripple voting yes.

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Council Member Furniss made a motion to adjourn. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson and Ripple voting yes

The meeting adjourned at 9:35 p.m.

Approved – May 19, 2015

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder