

Sunset City Corporation
City Council Minutes
April 15, 2014
Page 1 of 7

Minutes of a work meeting held April 15, 2014 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Macfarlane presiding.

5:30 P.M. WORK SESSION

Mayor and Council Present:

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

City Employees Present:

| | |
|--------------------|--------------------------|
| Susan R. Hale | Recorder |
| Linda J. Youngdell | Treasurer/Office Manager |
| Ken Eborn | Police Chief |
| Norm Noyes | Public Works Director |

Excused:

| | |
|--------------|----------------|
| Chris Hadley | Council Member |
| Kevin Snow | Council Member |

The meeting was called to order at 5:30 p.m. by Mayor Macfarlane.

Discuss portions of the Better Landlord Ordinance: Recorder Hale explained she had presented the proposed changes during the Council meeting of March 4, 2014. After all discussion it was decided to have an ordinance written with the following amendments:

3-10-3: LICENSE APPLICATION:

- I. Property Ownership information which shall include the following:
 1. The name, address, telephone number, and valid e-mail of each of the following, if applicable:
 - a. The owner of the fee title interest,
 - b. The owner of any equitable interest,
 - c. The manager/local operating agent, residing in the state of Utah, who is authorized by the owner for service of process, [and]
[d. The Agency the manager/local operating agent is employed by]
 - ~~d. For each corporate and out of state residential rental dwelling owner, the designation of a legal representative and agent for service of process as provided in section 3-10-6.A;~~
 2. The owner[(s)] ~~of the fee title interest or owner of any equitable interest~~ shall provide the following: [a government issued form of identification that bears a photograph]
 - a. ~~Social Security Number~~
 - b. ~~Birth Date~~
 - e. ~~Citizenship~~

~~3. The Driver's License Number or State ID Card of each of the following:~~

- ~~a. The owner of the fee title interest,~~
- ~~b. The manager/local operating agent, if any,~~

4 [3]. The business entity type (Corp., partnership, LLC, etc.)

5 [4]. Names of Business Officers/Partners/Members

6 [J]. Attached Self-Inspection Form(s) that includes a signed statement certifying, to the best of the owner's [or manager's] knowledge or belief that the use and occupancy of all such rental dwellings comply with safety, building, and other applicable ordinances.

3-10-6: LICENSE ISSUANCE RESTRICTIONS:

~~A. Power of Attorney. No business license shall be issued or renewed for a city nonresident applicant unless such applicant formally designates in writing with a power of attorney in the name of the applicant's resident agent for receipt of service for notice of violation of the provisions of this chapter or any other applicable ordinances, and for service of process pursuant to this chapter, acknowledged by said agent.~~

~~B. Inspections. No business license shall be issued or renewed for a rental dwelling unless the owner, or the owner's agent, agrees as a condition precedent, by signing the license application, to such initial inspections or inspections for cause as the city may require pursuant to section 3-10-7 et seq., of this chapter, or its successor, to determine whether the rental dwelling is in compliance with applicable requirements. The failure of the owner, or the owner's agent, to consent to such inspections shall be grounds for the denial and/or revocation of the renewal of a regulatory license.~~

Council Member Peay made a motion to adjourn. Council Member Furniss seconded the motion. The motion passed unanimously.

The work session adjourned at 6:10 p.m.

Minutes of a regular meeting held April 15, 2014 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 |
| Chris Hadley | Council Member |
| Trystal Peay | Council Member |
| Jake Peterson | Council Member |

City Employees Present:

| | |
|--|--------------------------|
| Susan R. Hale | Recorder |
| Linda J. Youngdell | Treasurer/Office Manager |
| Ken Eborn | Police Chief |
| Breen Lowman | Fire Chief |
| Norm Noyes | Public Works Director |
| Firefighters: Travis Carter, Scott Dawes, Josh Drahein | |

Excused:

| | |
|------------|----------------|
| Kevin Snow | Council Member |
|------------|----------------|

Others Present:

| | |
|-------------------|-------------------|
| Terry Avondet | Citizens Corp |
| Jennilyn Williams | Standard Examiner |
| Neil Coker | Spring Carter |
| Susan Ropelato | |

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

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

Approval of Vouchers: Council Member Peterson made a motion to approve the voucher for CEC Engineering in the amount of \$5,619.70. Council Member Peay seconded the motion. The motion passed unanimously.

Public Comments: There were none.

- 1. Request by Susan Ropelato to opt out of the recycling/green waste program:** Susan Ropelato said when she received the recycling and green waste cans she hung the schedule up in her garage and faithfully put the cans out to be dumped, although they were never very full. As one person she does not believe she needs three garbage cans. In the summer she likes to plant a garden and have green grass so her water bill can go up to about \$120.00. She cannot afford the cost of the recycling and green waste cans on top of that. She called Econo Waste in January, February and March because they continually missed dumping her cans. They kept telling her she must not have put them out in time, so she left it out for three continuous weeks and they never got dumped. She feels hers are the only cans on her street and said they told her that was why they didn't go down that street. Due to that and she

really only needs one garbage can, she asked the Council to allow her to opt out of the green waste and recycling programs early.

Mayor Macfarlane explained when the programs rolled out there was a period for residents to opt out of the programs. After that time or if they opted in, they had to keep the can(s) for at least one year. In June, residents will be allowed to opt out. That means they would be looking at waiving one month for Ms. Ropelato, if they so decide. Ms. Ropelato feels it will take until July before the City quits billing her for the cans because nothing is done very quickly. Treasurer/Office Manager Youngdell advised as soon as a resident opts out, pick up orders will be issued for the cans and immediately the cans would be taken off her utility bill.

Council Member Furniss made a motion to allow Ms. Ropelato to opt out early. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson, Hadley and Peay voting yes.

- 2. Award bid for the 300 West CDBG Improvement Project:** Public Works Director Noyes advised he received six bids for this project. The highest bid was \$521,644 and the lowest bid was \$382,599. The City Engineer has reviewed all the bids and recommends the bid be awarded to Braker Construction at \$382,599. The company is located in Lehi, Utah and City Engineer Scott Nelson has checked their references from several projects and feels confident they have everything in line to do the project. The projected start date is the middle of next month, with a completion date 90 days from the time the project is finalized, which will be after about three weeks of paper work. There will be a public open house before the project begins.

With Braker Construction's bid being about \$50,000 lower than the next lowest bid, Council Member Hadley asked if quality would be sacrificed. Director Noyes replied it would be hard for them to skimp because with a CDBG project they are required to use certain products and the work is inspected every day by himself and the City Engineer. One of the reasons their bid is so low is they really thought this job would fit what they do and it is a father/son company. Council Member Furniss said sometimes the bigger companies will bid higher because they are already busy, but will rearrange their work to take the job if their bid is accepted.

Council Member Furniss made a motion to approve awarding the bid to Braker Construction in the amount of \$382,599. Council Member Hadley seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson, Hadley and Peay voting yes.

- 3. Approve restroom proposal for Central Park:** Public Works Director Noyes would like to have this item tabled until he can do more research for the proposal.

Council Member Peay made a motion to table this item. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson, Hadley and Peay voting yes.

4. **Approve the amendment to the agreement for Animal Control Services:** Treasurer / Office Manager Youngdell advised the agreement is amended each year for the cost of receiving the services and it looks to be a little lower this year.

Council Member Hadley made a motion to approve the amendment to the agreement for Animal Control Services. Council Member Furniss seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson, Hadley and Peay voting yes.

5. **Consider approval of Ordinance 2014-03 adopting procurement provisions:** Recorder Hale explained municipalities are required by the State to have a procurement ordinance that is similar in nature to the State code by May 1st or the municipality will be required to follow the State's procurement code, which is much more detailed than a small city like Sunset would need. City Attorney King drafted the ordinance.

Council Member Furniss made a motion to approve Ordinance 2014-03. Council Member Peay seconded the motion. The motion passed unanimously with a roll call vote. Council Member Peay – yes, Council Member Hadley – yes, Council Member Peterson – yes and Council Member Furniss – yes.

6. **Council Member reports and general information:** Council Member Hadley said not a lot has happened in the last two weeks and he will leave the Fire Department reporting to the Fire Chief. The Utah Shake Out earthquake drill will be held on April 17th at 10:15 a.m. This is Utah's largest earthquake drill with governments, volunteers, public safety agencies, schools and businesses practicing their emergency plans. Macy's grocery stores provide an area for emergency ideas, foods, tips and information. He is going to try to get those materials available at the City Building as well. The Citizens Corp is still trying to get a meeting scheduled.

Council Member Peay advised the skate park issues are coming closer to being resolved. The Manager of Blind Side, a skateboarding company, has requested a meeting with her and that will take place later this week. They are still working on Fun Days preparation and she will be contacting Christy Hole to see if she needs help with the parade and/or baby contest and how she can help with Kids Club. She has not done much with the senior program these last two weeks. She is on the committee to review the EDA blight study proposals, which she just completed. She is still doing the Citizens Police Academy and recommends everyone experience the class.

Council Member Peterson reported the Public Works Department is working hard. The Planning Commission will meet on Thursday. He has talked with former Mayor Bangerter about the parts he has to fix the skate park.

Council Member Furniss made a motion to move into the work session after a short break. Council Member Peterson seconded the motion. The motion passed unanimously.

Sunset City Corporation
City Council Minutes
April 15, 2014
Page 6 of 7

Minutes of a work meeting held April 15, 2014 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Macfarlane presiding.

WORK SESSION

Mayor and Council Present:

| | |
|--------------------|----------------|
| Beverly Macfarlane | Mayor |
| Ryan Furniss | Council Member |
| Chris Hadley | Council Member |
| Trystal Peay | Council Member |
| Jake Peterson | Council Member |

City Employees Present:

| | |
|--|--------------------------|
| Susan R. Hale | Recorder |
| Linda J. Youngdell | Treasurer/Office Manager |
| Ken Eborn | Police Chief |
| Breen Lowman | Fire Chief |
| Norm Noyes | Public Works Director |
| Firefighters: Travis Carter, Scott Dawes, Josh Drahein | |

Excused:

| | |
|------------|----------------|
| Kevin Snow | Council Member |
|------------|----------------|

Others Present:

| | |
|---------------|---------------|
| Terry Avondet | Citizens Corp |
|---------------|---------------|

Discuss FY2015 budget requests: Beginning with the General Fund, Recorder Hale explained the revenue estimates and non-departmental type expenditures. Each Department Head presented their department's expenditure requests in each of the funds they are over. It was mentioned maybe the Mayor's cell phone bill could be paid in full instead of a portion like is done now. Two desktop scanners were requested from the Court and the retirement amount was questioned because it was lower than the previous year. When asking for a business licensing module for Caselle and a new fax machine for Administration, it was asked that adding a fax module to the printer be checked into. The amount to be transferred into the Retirement Insurance Premium Fund was increased from \$500 each from Non-Departmental in the General and Utility Funds to \$1,000 each. It was asked that another codification company be looked into to see if the ordinances could be codified cheaper. Two new Dodge Durangos were requested for the Police Department. A replacement for the Fire Chief's vehicle was requested. It was asked that the Fire and EMS Department Expense line items be broken out more. Public Works requested items such as street light replacements, a new front door for the City Building, riding lawn mower replacement, restroom restoration at North Park, new pick up truck and a compressor. \$2,000 was added to the Economic Development Fund expenditure for Mayor Macfarlane and Council Member Peay for travel expenses when seeking to bring businesses into Sunset. The grand total of expenditure requests were \$4,703,782, which includes a CDBG project in the amount of \$400,000.

Sunset City Corporation
City Council Minutes
April 15, 2014
Page 7 of 7

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

Council Member Furniss made a motion to adjourn. Council Member Peterson seconded the motion. The motion passed unanimously.

The meeting adjourned at 10:35 p.m.

Approved – May 6, 2014

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder