

**Sunset City Corporation**  
**City Council Minutes**  
**April 17, 2012**  
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Minutes of a regular meeting held April 17, 2012 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Bangerter presiding.

**Mayor and Council Present:**

Chad Bangerter	Mayor
Brent Andrews	Council Member
Ricky Carlson	Council Member
Jake Peterson	Council Member
Kevin Snow	Council Member

**City Employees Present:**

Susan R. Hale	Recorder
Linda Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Norm Noyes	Interim Public Works Director
James Weston	Asst. Fire Chief

**Excused:**

Ryan Furniss	Council Member
Neil Coker	Fire Chief

**Others Present:**

Lt. Col. Juris Jansons	HAFB Air Show
Kevin Ireland	HAFB Air Show
Alan Jones	Hill AFB
Mark Loucks	Hill AFB
Valerie Burke	Hill AFB
Terry Avondet	Citizen Corps
Ray Chapman	Brad Asay
Kathleen Gurule	Joe Gurule

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

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

**Approval of Minutes:** Council Member Andrews made a motion to approve the minutes of April 3, 2012 and April 10, 2012 as presented. Council Member Peterson seconded the motion. The motion passed unanimously.

**Approval of Vouchers:** Council Member Carlson made a motion to approve the voucher for Maw Equipment in the amount of \$8,000. Council Member Andrews seconded the motion.

**Citizen Comments:** There were none.

1. **Brief on the 2012 Hill AFB Open House and Air Show:** Lt. Col. Jansons introduced himself as representing Hill AFB and Mr. Kevin Ireland who is with the Utah Military

Affairs Council. The 2012 Open House and Air Show will be held on May 26<sup>th</sup> and 27<sup>th</sup>, Memorial Day weekend, and it is free to the public. They are restricting coolers this year, unless there is a medicinal need; however there will be free water available. They are not restricting nonperishable foods. The Thunder Birds will be there as the headliner. The show will now be called "Warriors Over the Wasatch" and due to it being held on Memorial weekend, this year they added the tag line of "Legacy of Valor" to highlight the sacrifices of comrades now and those who came before them. There is more information on performers, etc. by clicking on the "Warriors Over the Wasatch" graphic in the middle of the webpage at [www.hill.af.mil](http://www.hill.af.mil). This is also a way for them to say thank you because they get great support from the community here. Council Member Carlson asked if there will be a practice on Friday the Council may attend as in previous years. Lt. Col. Jansons replied there will be a practice Friday, but VIPs will not be able to attend this year.

Kevin Ireland said he is the Air Show Coordinator on the civilian side of the Air Show. The Air Force has had major cut backs and cannot fund the Air Show, so the Military Affairs Committee (MAC) in the last five years has tried to get donations to finance as much of the Air Show as possible. This year they were fortunate to get money from the State Legislature and have raised several thousand dollars to support the show. In all likelihood, it will be the sole supporter of the show in 2014. He outlined some of the aerial and other performers. The MAC funding is mostly donations. He gave the website of [theutahairshow.com](http://theutahairshow.com) that outlines the planes, pilots, sponsors, etc. It also has a link back to the HAFB site and has a place for people to donate money for the air shows. There will be some free shuttling on base, but there will not be any buses running off base.

Mayor Bangerter asked that donating to the air show be placed on the next agenda.

- 2. HAFB environmental restoration update:** Alan Jones is the Site Manager over Operable Unit 5. He said the last update they gave Sunset was in August 2009. He gave a little background and began the update stating they will continue to use the aeration curtain on Main Street and the ground water extraction trench in Clinton. They have sampled about 50% of the homes in the plume areas and only about 10% have had any type of detection and only 2% have had detection at or above action levels. For those 2% they install a vapor removal system. Currently in the EPA, TCE is considered a known carcinogen. Theoretically, long period of exposure to TCE could cause cancers related to the liver and kidney, typically. The more prevalent ties science can make to TCE are non cancerous effects on the nervous system and those typically occur with very high concentrations, such as people working with the chemical. It was estimated that the aeration curtain would be completely plugged by the year 2020 and would have to be replaced. In 2010, they drilled in the aeration curtain and it was discovered nothing was plugging it yet, so it looks as though it will make it that far and possibly beyond. They have changed the way the blowers in the system operate, saving 60% of their energy costs. In 2009 there were eight wells drilled in the area the source was drifting and they were filled with iron filings to create a permeable reactive barrier to help break down the chemicals. They have not been able to look at those yet so see if they are working like they hoped it would.

3. **Report on Doxey Elementary School holding a 5K fundraiser for their reading program:** No one representing Doxey Elementary School was present so this item was skipped.
4. **Discussion and possible approval of Ordinance 2012-01 amending the Sunset City Code 10-5A-6 entitled Household Pets:** No one was present from the Planning Commission so Council Member Peterson relayed the information that the Commissioners would like to see the ordinance passed as drafted. The ordinance was read.

Council Member Andrews made a motion to adopt Ordinance 2012-01. Council Member Snow seconded the motion. The motion passed three to one. Council Member Carlson – no, Council Member Snow – yes, Council Member Peterson – yes, Council Member Andrews – yes.

5. **Discussion and possible approval of a hold harmless agreement between Sunset City and Davis County for the use of the Sunset Room during the 2012 Elections:** Mayor Bangerter explained any time Davis County spends money for a service they are required to draft a hold harmless agreement. The County will be renting the Sunset Room at \$50 per day for the Elections.

Council Member Andrews made a motion to pass the hold harmless agreement between Sunset City and Davis County. Council Member Carlson seconded the motion. The motion passed unanimously.

6. **Report from Council Member Andrews on items learned from the ULCT conference that are beneficial to Sunset:** Council Member Andrews stated he attended training on general powers and duties given by David Church, a ULCT Attorney. The next day he attended a class on how to rebrand your community by Prior Ogden Mayor Matthew Godfrey. He told of how much money they spent to promote Ogden in a positive way. The general public has to be on board or the City wouldn't go anywhere. He then attended a class entitled Telling Your Story part 1 and part 2 by reporters Dick Noris, Shelley Osterlow and Terry Wood. They explained how to get a message out to the public by using simple terms so people can understand it. The entertainment on Thursday night was Keys on Main and they were fantastic. He would like to get them to perform during Fun Days. Another class was Water's Worth It by Rhonda Thiel, John Kennington and LeAnn Lamb. He obtained some handouts from the classes. When questioned by Mayor Bangerter about the classes he attended, Council Member Andrews further explained if they try to rebrand Sunset they should hold a public hearing to get the public involved. With getting the message out, he learned they should give press releases with the information in simple terms. They talked about the people they had interviewed from famous people to everyday people.
7. **Report from Council Member Furniss on items learned from the ULCT conference that are beneficial to Sunset:** Council Member Furniss was excused and this item will be on the next agenda.

8. **Report from Council Member Snow on items learned from the ULCT conference that are beneficial to Sunset:** Council Member Snow liked what he learned from the Getting Your Message Out. They showed a clip from Ogden City where they have put cameras throughout the City to watch for criminal activity. Ogden spent a lot of money to install the system and has offered to give other cities who want to do this the software and training for free. The clip was thought provoking on what people thought about it because some thought it was an invasion of privacy, but they only use it if a crime has been committed. He attended a class on How to Make Your Small Town Successful by Dave Ivin and he talked about not dwelling on the past mistakes, but on what can be done now to succeed. Sometimes it is thought something failed before so they are not going to try it again, when maybe it was the way they went about it or the timing was not right. The Open and Public Meeting Act was discussed and he talked to David Church afterward for some clarification. The ordinance on special meetings should be changed to give a 24 hour notice because the three hour rule was changed years ago. Three hours notice is required for an emergency meeting and 24 hours for a special meeting. In the session headed by the press, they said not to give “no comment” because it makes a person look guilty and to give a quick response to their questions because they are always on a deadline.
  
9. **Discuss whether or not to increase the City’s liability insurance:** Council Member Snow said he talked with the Trust representatives at the ULGT and they are pushing for every city to have \$5 million in liability insurance, but Sunset does not have many claims. Treasurer/Office Manager Youngdell said she sent the Council an email telling them the status of the issue and hoped everyone had a chance to read it. Only Blue Cross Blue Shield wants the City to increase its liability insurance to \$2-\$3 million, but the Trust does not offer that coverage. That is why the increase would be to \$2-\$5 million coverage. In order to become a provider for Blue Cross Blue Shield to pay the ambulance charges, the City would need to be covered for \$3 million. The email she sent told the Council the City does not have to become a provider. There is a chance the City can become a non-participating provider, which means Blue Cross would pay with a check rather than paying with an ACH transfer. There would then be a small chance they would mail the check to the person who used the ambulance rather than to our billing company. The lady spoken to at Blue Cross Blue Shield is out of town until April 23<sup>rd</sup> and asked us to give her time to review it before obtaining the higher coverage insurance. The City’s loss ratio is exceptional with the Trust, it would cost \$12,000 per year for the increase and the City has only transported six patients that have Blue Cross Blue Shield so far. Council Member Snow said he learned the City’s rate is pretty much locked in for three years and no other insurance is going to do that.
  
10. **Council Member Reports and General Information:** Due to the new policy that a Council Member can place anything they want on the agenda, Mayor Bangerter asked if they still wanted this item on the agenda at every meeting. It was decided they did.

Council Member Snow said the Youth City Council has handed out about 400 flyers and about 40 people have signed up for their flag fund raising program. They will continue passing them out throughout April and May. He believes they can do about 200 homes.

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Council Member Andrews thanked the employees and citizens for attending the meetings. He commented on the Great Shake Out today and asked more people to become CERT trained so they can help. He thanked the City for allowing him to attend the ULCT conference. He is working on getting Questar and Rocky Mountain Power to demonstrate how to turn off your gas and power in case of an earthquake at the May 1st Council meeting and would like the item placed on the agenda. He thanked Brad Asay, who is running against Paul Ray, for being here. He also thanked HAFB for their update. He is planning to sign up for the Youth City Council flag program.

Asst. Fire Chief Weston reported during the Great Shake Out the Fire Department set up their EOC then went out surveying damage according to policy. On May 19<sup>th</sup> at 8:00 am, the Davis County Fire Officers will hold a symposium at Davis High School. The Keynote speaker is Fire Chief Rick Lasky from Texas who will talk about pride and ownership.

Police Chief Eborn reminded everyone that tomorrow is the "Lunch with the Mayor" for Doxey Elementary students. On April 28<sup>th</sup>, they will be holding the prescription take back event held at Smith's Food & Drug.

Mayor Bangerter said the Utah Great Shake Out was held today and he will be working with the Department Heads to finalize some protocol for these types of events.

Council Member Carlson made a motion to go into the work session after a five minute break. Council Member Andrews seconded the motion. The motion passed unanimously.

**WORK SESSION**

**11. Discuss the fiscal year 2013 budgets:** Recorder Hale explained, as Public Works Director Hennessee is no longer with the City, Clearfield City is going to cover the building inspections and plan checks until it is decided who will be doing them. Both Clinton and Clearfield may be giving Sunset a proposal for them to do it from now on. She believes they will be charging Sunset a fee per inspection and the plan check fees will be collected by Sunset and paid to them. Sunset's building permit fees may need to be increased because the minimum fee now it \$24.00 and Clearfield's fees are \$47.00 per inspection.

Recorder Hale outlined the changes made per the last budget meeting and a few others. She has found out State Code says the prosecuting and defending attorneys should not be in the same budget as the court to prevent the perception that the court oversees and could therefore sway the attorneys. She has now separated the two line items into their own department labeled "Prosecution / Defense". She added an estimate for the building inspection fees and moved that department from the Public Works area to follow Planning & Zoning. Cutting the remaining \$10,000 in the lease purchase line item in the Fire Department was discussed and it was decided to leave it in until Chief Coker could be here to discuss it with. Recorder Hale had been asked to put an increase in the budget for a new Public Works Director. She added amounts to streets, class C and water as if Asst. Director Noyes were given the appointment. Mayor Bangerter headed a discussion of maintaining or rebuilding the park restrooms. With the amendments made to the General Fund, it has gone from having to use about \$292,000 from the fund balance to about \$46,000.

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Moving on to the Utility Fund, nothing changed in revenues and the only added change was in the Director's wage and benefits in the water department. With the amendments made, about \$139,000 will be added to the retained earnings. The retained earnings are used to save for water, sewer and storm sewer repairs and emergencies. It does not have a State mandated cap and she estimated they should try to have close to \$1 million in it for a major emergency.

In the Class C Road Fund it was said at the last meeting the \$75,000 budgeted in Capital – Slurry Seals for FY12 is not going to be used in FY12 and \$50,000 will be added to it in FY13 to do a \$125,000 job. Therefore, she changed the budgeted \$50,000 to \$125,000 to reflect the actual amount to be used in FY2013. Some of the Directors wage and benefits was also added to this fund. About \$101,000 will be used from the Fund Balance.

The Dispatch Fees Fund was recalculated based on FY2012 projections. The Liquor Control Fund expenditures were reduced \$1,500 to match available revenues plus fund balance. When discussing the Youth City Council Fund, it was decided to increase the contributions to \$6,000, add \$3,000 to supplies to purchase flags and add a scholarship line item so the outgoing members may apply for a small scholarship. The rest of the small funds were only adjusted as discussed at the previous budget session.

Interim Public Works Director Noyes opened a discussion on employee COLAs always being last on the budget. It was explained that the employees cannot expect a COLA if there is no money left in the budget. If a COLA is put in first and then cut because there is not enough money, there would be an expectation at the beginning and then perhaps a greater disappointment.

Council Member Carlson made a motion to back into the regular session. Council Member Andrews seconded the motion. The motion passed unanimously.

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

The meeting adjourned at 9:40 p.m.

These minutes have been read and approved at the regular City Council meeting held **May 1, 2012.**

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Chad Bangerter, Mayor

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Susan R. Hale, Recorder