

**Sunset City Corporation
City Council Minutes
April 21, 2015
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Minutes of a regular meeting held April 21, 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
Dan Ripple	Council Member
Kevin Snow	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
James Weston	Fire Chief
Joe Maylin	Public Works Operations Manager
Fire Fighters: Marc Sacco, Brody Ward, Joni Goodman, Tyler Atkinson	

Excused:

Jason Monroe	Public Works Director
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The meeting was called to order at 6:30 p.m. by Mayor Macfarlane.

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

Public Comments: Youth City Council Advisor Peggy Stevenson reported all of the Youth City Councils from Nibley to Spanish Fork will be participating in a Youth City Council Day of Service on Saturday from 9:00 a.m. until noon. The Sunset Youth City Council will be teaming up with a local LDS Church Ward to do projects like quilting, painting, yard work, etc. They will be representing the City as a Youth Council helping the Church. The Youth City Council is also planning a mud volleyball tournament for Fun Days. They would like to get a team from the City Council, Fire and Police Departments and the Youth Council parents.

- 1. Consider locating a Verizon Wireless cell tower in the Public Works yard at 473 W. 1800 N.:** Nefi Garcia stated he presented the cell tower plan to the Planning Commission on Thursday and they approved it. He is now here for Council approval. Council Member Peterson reported the Planning Commissioners were unanimous in their approval. Council Member Furniss appreciates Verizon allowing Sunset's public safety to place an antenna on it free of charge. Mayor Macfarlane would like the City Engineer to review the plans before they build.

Council Member Furniss made a motion to approve the Verizon Wireless cell tower site plan pending the City Engineer's approval. Council Member Snow asked if the tower will be set

up to hold more users than Verizon. Mr. Garcia replied the structure will be designed to hold more users and the agreement will state the other user(s) would have to obtain a land lease agreement with Sunset City. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson, Ripple and Snow voting yes.

2. **Consider proposed letter to West Davis Corridor regarding their plan:** Mayor Macfarlane explained they had previously submitted an opinion letter to Shared Solutions with the Wasatch Front Regional Council. West Davis Corridor has now requested an opinion letter. She read the letter drafted by Planning Chair Ellsworth.

Council Member Ripple made a motion to submit the letter as read to the West Davis Corridor. Council Member Furniss seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson, Ripple and Snow voting yes.

3. **Consider future of Sunset City owned rental house located at 34 W. 1600 N.:** Council Member Furniss said the Council has been talking about this for a while and it began with a site tour of the home. The house is in need of extensive repair if it is to be rented, so he believes they should either sell it as is or demolish the house and maintain the land. The estimate is about \$25,000 to bring the home up to code and up to a good living standard and it would be about \$7,200 to demolish it. He would prefer keeping the land because the City also owns the parcel next to it with the billboard on it. He sees value in the land for economic development as the land is already zoned commercial. It was stated there was one bid for demolition and one or two bids for remodeling. The house would have to be brought up to code to make it safe for families to live in.

Council Member Peterson does not want the City to be slum lords, so if they are going to remodel and rent it, he would like to hire a management company to take care of the property, find tenants, etc. so the City employees would not have to do those things. He would also like to fix the landscaping and garage if they are going to keep it. Council Member Snow would like to sell it because they purchased it for about \$95,000 and now they will either put \$25,000 or \$7,000 more into it. They may as well just sell it to try and get their money back out of it. Council Member Furniss said he will work on getting actual estimates of work needed and he'll contact a realtor to see how much work they would need to do before selling it. If they sell it as is they will take a huge loss on it. Right now they are citing citizens' homes for looking like this property does so they have to do something with it. Council Member Ripple likes the idea of demolishing it if they have money in the budget to cover it.

Council Member Furniss made a motion to demolish the house and hire Grant Mackay to do it. Council Member Ripple seconded the motion. The motion passed 3 to 1. Council Members Furniss, Peay, Ripple and Snow voted yes and Council Member Peterson voted no.

Fire Chief Weston said he has talked with Public Works Director Monroe about using the house for fire training if it is decided to demolish it. He would need it for a month.

Council Member Furniss made a motion to allow the Sunset Fire Department to train on it until it can be demolished. The demo company would need a couple weeks for asbestos testing before demolishing. Council Member Ripple was concerned about traffic along Main Street slowing down to see what going on at the house. Council Member Peterson wanted to check with the neighbors first, to see how it was when the last house was used for fire training. Council Member Furniss restated his motion to allow the Fire Department to train on the house beginning no later than May 25, 2015, that they notify all the neighbors and work with the Police Department on any traffic concerns. He would also like him to notify the press that it is training and not a real fire. Council Member Ripple seconded the motion. The motion passed four to one with Council Members Furniss, Snow, Peay and Ripple voting yes and Council Member Peterson voting no.

4. **Consider contractor for removal of City owned rental house located at 34 W. 1600 N.:** Council Member Furniss made a motion to table this item until they get clarification and receive more bids. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson, Ripple and Snow voting yes.

5. **Consider Council assignments for Council Member Ripple:** Mayor Macfarlane advised Council Member Ripple will be a Council Member for seven months unless he runs for office. She would like him to take over the assignments Council Member Hadley had, which are Citizen Corp and Emergency Preparedness. She would also like to add an assignment of Communications because the citizens are always asking what is going on and maybe he can figure out more ways to distribute information to the citizens. She attended a class at the Utah League of Cities and Towns Conference that talked about marketing and feasibility information such as traffic count, population and a lot more. She would like him to look into these types of things.

Council Member Furniss made a motion to approve the assignments of Citizens Corp, Emergency Preparedness and Communications for Council Member Ripple. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson, Ripple and Snow voting yes.

6. **Discuss request for proposals for Sunset City contracted services:** Mayor Macfarlane believes it is good to do an RFP on a regular basis to make sure the services the City receives is competitive. Some of the services the City contracts out are ambulance billing, City Attorney, Auditor, Building Inspector, City Building cleaning, I.T., Engineer, garbage hauling, insurance, medical doctor for ambulance and ordinance codifier. Some cities contract with a couple companies for the same thing so they can use each for their specialty. The services were discussed and it was decided to do an RFP for the City Attorney and Prosecutor, Auditor, building cleaning, Engineer and the general liability, vehicle and workers comp insurance. The contracted services should go out for bid as their contracts expire or at least every two to four years.

7. **Mayor and Council Reports:** Council Member Furniss said at least six Youth City Council Members attended their meeting tonight, so it's doing better. He brought up the

subject of the townhome project and said the way he reads the ordinance, the escrow issue specifically applies to subdivisions where the streets and infrastructure become owned by the City. The HOA is a private property issue and sufficient funds should be in place so if they go under, the City can repair any damage that may have been done to the City's street leading into the PRUD. Mayor Macfarlane explained the Engineer feels the way the agreement is written does not protect the City if they do not finish the project. Council Member Furniss does not see the benefit of a lien because he does not want the City to have to develop the rest of the property. He would like to have a meeting between himself, Mayor Macfarlane, City Attorney King and Joseph Cook to see about a resolution. Treasurer/Office Manager Youngdell said Mr. Holbrook has a PRUD on the property to build x amount of buildings and it is recorded with Davis County. He has not finished it; he has built one building at a time and now has four completed. He still maintained the vacant property. The new PRUD is about the same thing and is not the City's infrastructure. Council Member Furniss advised the North Davis Sewer District's construction is still moving along at a rapid pace. He would like to take the Council on another tour of the plant in September. He said the new Police car is very comfortable and has a better view than the Charger does. A resident in back of the new Maverik and Tanner Transmission wondered if the City can work with them so his back fence is not half vinyl and half whatever Tanner Transmission has.

Council Member Peterson thanked the employees for what they do. He sees that the Police Officers are writing a lot of ordinance violation citations. He asked the townhome developer to make sure they do the best building standards possible so everything doesn't go downhill.

Council Member Peay reported she will be getting with Joe Maylin on Fun Days and the Senior Citizen event that was on the City website turned out great.

Council Member Snow said he attended a conference with the Mosquito Abatement Board and they are really worried about the chikungunya virus that has infiltrated countries around the world. It has arrived on the United States coasts now. It spreads through mosquito bites, causes headaches, nausea, a rash and causes a person's joints to swell. Most people don't die, but the virus is very painful. The bids have come in for the building expansion and a contractor was chosen, but not approved by the Board yet. He reminded everyone they can request a neighborhood spray on their website. They also have fish to combat the mosquitoes in home ponds. He asked Police Chief Eborn how the Better Landlord Program was going. Chief Eborn replied he and Recorder Hale are pretty active with it and it is a lot of work. When asked, Recorder Hale reported there are still four licenses that have not been renewed. Council Member Snow reported there is a Starbucks going in close to the HAFB gate off 650 North. The DRC had a meeting about the advertising signs, but he doesn't know what happened with it when it got to MIDA. He asked Recorder Hale about the donation requests that were not included in last year's budget, to which she responded she has a list of them to discuss during the budget sessions. Council Member Snow said he was driving around yesterday and today. There is a truck by the church on 300 West that has been parked the wrong way and half blocking their driveway. On 400 West just off of 2400

North, there was a truck that the registration expired 8 years ago. Another resident has a huge RV taken apart in his front yard across the street from Council Member Peterson. There were also a lot of vehicles parked the wrong way on the street or on sidewalks. Overnight parking and unsigned citations were discussed. Council Member Snow noted the street lights are up on Main Street. LEDs are now available, so he will get the costs on those. He is trying to obtain a map of the street lights and power poles from Rocky Mountain Power to make it easier to plan.

Mayor Macfarlane asked Council Member Furniss and Council Member Snow to report on some of the items they learned about at the ULCT Conference. Council Member Furniss reported it was said newsletters mailed out are the most read form of city communication in the nation. He would like to readdress the newsletters during budget sessions. For those who did not attend the Conference, Mayor Macfarlane is required by State law to make sure they receive Open and Public Meetings training. A lot of the cities are going away from using a Board of Adjustment and contracting with a non-resident who is usually an Attorney for the Appeal Authority instead. Sunset's Board of Adjustment has not met for 8 years, so that is something he would like to look at. A quote he heard was "Our role should be, 'How can I help you in developing your land?'" That should be how it is looked at from City Staff to Governing Body and try to remove any roadblocks. They talked about municipal water and 100,000 per year are moving to Utah or growing up here and need water. He is happy the Council is letting Weber Basin Water improve the City well so it can be used. The Council is required by State law to hold at least one Council meeting per month and the agenda must be placed on the State Public Meeting Notice website. Body cameras for Police Officers were talked about and storage is a big problem. If it is mandated by the State, storage is going to cost the agencies a lot of money. Communication was another good subject. Council Member Snow said Wes Moore talked about how two people with the same name and had the same type of upbringing can take such different paths due to little decisions they make. One went to prison for the rest of his life and one became very successful. It is said people are a product of their environment, but they are really a product of their choices. Mayor Macfarlane attended the sales tax forecasting essentials class and part of that was communicating and advertising the City on the different medias. She went to the Utah Wildfire Policy because of the City receiving the brush truck. They have an opening on their policy committee so she volunteered someone from the Sunset Fire Department to be on the committee. The Building Better Communities through Collaboration class was about working with non profits and businesses when the City does not have the resources. She attended a parks and recreation session to learn more about what they could do with the parks in Sunset. Part of that was a tour of St. George where she was introduced to pickleball. Since Sunset is going to redo the tennis courts shortly, she would like pickleball courts set up as well because it brings people out to the parks. When she met with the Kiwanis Club, she brought home some old flags to have the Boy Scouts retire. Wasatch Integrated created a new Board and nominated her to be an alternate member. She attended a Wasatch Front Regional Council meeting on the letter of intent for landscaping. The letter was denied, but it will be resubmitted next year because it was a good letter, but they only have so much money. She hosted the Council of Governments this month. The Board of Education, UTA, UDOT and all of the Mayors were there. They

loved the City and City Building. It was interesting how many of them were from Sunset or have family who live in Sunset. She attended the retirement of Lt. Gen. Bruce Litchford at HAFB. Due to her being the Honorary Commander of the 388th Fighter Wing, she'll be going out in a helicopter to Dugway with other Honorary Commanders.

8. **Department Reports:** Police Chief Eborn reported on a couple homes he had been asked about. One house's owner died and the house has been foreclosed. He does not foresee anyone taking care of the house until the foreclosure is finished. He has tried to contact the owner of the other house several times, but has never received an answer. However, someone mowed the lawn today. He thanked the Council for allowing him to purchase a patrol car. Three of his cars are in serious shape. He will be out of town for a couple of days and his cell phone will be in and out of service. Lt. Bruce Arbogast will be in charge.

Treasurer/Office Manager Youngdell has emailed the final EDA draft to the Mayor and Council Members. She asked them to review it and get any comments back to her by Friday so Zions Bank can send it off. Representatives of Costo and Aflac will be in the City Building tomorrow at about noon, so if anyone is interested in their services they may visit with them.

Fire Chief Weston reported the Chief's truck and the brush truck has been stickered. The monthly Fire Department report will be in the Mayor and Council's boxes in a week or two. He referred to the email he had sent to the Mayor and Council with his proposal for a four-man engine crew, along with the two Chief positions. He thanked those who have called him, emailed him or met with him to talk about it. He and Asst. Chief Carter are willing to cut their pay to make this work. He has shown them how the four-man crew would benefit the City and how much it is needed because the fire suppression is not that great right now. It will not cost the City anything more than their current budget. If it doesn't work, they will go back to how they're doing things now and come up with a better solution. He would like to move the pay funds from one GL to another one and asked for permission to cut his and Asst. Chief Carter's pay to create that position. Mayor Macfarlane asked the Council Members if they approved of his proposal. Council Member Furniss said absolutely. Council Member Peterson clarified Chief Weston was increasing his firefighters to 50 and asked how likely it was he could keep 50 firefighters around. Chief Weston said about the same as keeping the present 36 around. Sunset Fire Department will always be a training facility and they address it in their training plan. Council Member Peterson gave his approval, along with Council Member Snow, Council Member Peay and Council Member Ripple.

Public Works Operations Manager Maylin reported the suspension on the 300 West CDBG project will be lifted tomorrow. Public Works Director Monroe and the Contractor walked the whole project yesterday and marked all the concrete that needed to be replaced. The contractor will start on it either Thursday or Monday. After the concrete, they will do the landscaping. The new Public Works employee, Casey, will begin in two weeks. Manager Maylin advised Director Monroe had moved him to Operations Manager and Marcus Garcia to Parks/Recreation Supervisor.

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Council Member Snow made a motion to go into a work session after a 15 minute break. Council Member Furniss seconded the motion. The motion passed unanimously with Council Members Furniss, Peay, Peterson, Ripple and Snow voting yes.

WORK SESSION

To discuss fiscal year 2015 budget amendments:

Present – Mayor Macfarlane, Council Member Furniss, Council Member Peay, Council Member Peterson, Council Member Snow, Council Member Ripple, Recorder Hale, Treasurer/Office Manager Youngdell, Police Chief Eborn, Fire Chief Weston and Public Works Operations Manager Maylin.

This is a first draft of amendments and may change before being finally adopted in June. Recorder Hale began the discussion with the projected revenues and each Department Head explained the amendments for their departments. The General Fund may come in only using about \$35,000 of the fund balance, when it was \$139,231 in the original budget. At the end of FY14, the Fund Balance was larger than the 25% allowed by State Statute, so more should be used or transferred to Capital Project Funds to save for large projects or vehicles. The Utility Fund's revenues were not coming in as anticipated so about \$40,000 may be used of the retained earnings, when \$18,605 was budgeted. The Class C Road Fund is expected to come in about \$13,000 better than budgeted. All of the smaller funds were expected to come in within a couple thousand dollars plus or minus their budgets, except the Economic Development Capital Project Fund. It is being increased about \$11,000 due to an EDA grant received and spent.

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

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

The meeting adjourned at 10:10 p.m.

Approved – May 19, 2015

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder