

Sunset City Corporation
City Council Minutes
May 2, 2017
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Minutes of a regular meeting held May 2, 2017 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Pro-Tempore Bangerter presiding.

REGULAR SESSION

Mayor and Council Present:

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|----------------|----------------|
| Chad Bangerter | Mayor Pro-Tem |
| Ricky Carlson | Council Member |
| Norm Noyes | Council Member |
| Jake Peterson | Council Member |
| Scott Wiggill | Council Member |

City Employees Present:

| | |
|--------------------|--------------------------|
| Susan R. Hale | Recorder |
| Linda J. Youngdell | Treasurer/Office Manager |
| Jason Monroe | Public Works Director |
| Ken Eborn | Police Chief |
| Anthony Bott | Interim Fire Chief |

Excused:

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| Beverly Macfarlane | Mayor |
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Others Present:

| | |
|-----------------|-------------------|
| Neil Coker | Dale Mikesell |
| Howard Trotter | Kirk S. Kendall |
| Janet Lujan | Shirley Griffiths |
| Joyce King | Wanema Butcher |
| Devin Kasadeema | William Young |
| Neena Young | Barbara Gorringer |
| Dave VanHoff | Howard Madsen |
| Arnold Frecker | |

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

Mayor Pro-Tem Bangerter gave the invocation and led the Pledge of Allegiance.

Public Comments: Dirk Kendall just heard the Fire Department is on the line and doesn't know all the circumstances, but believes it should be kept here even if they have to spend a little more money. He believes if they give away all the agencies in Sunset they will no longer be Sunset.

Dave VanHoff believes it would be a big mistake to go with North Davis. He said if they do go with them they may as well set a match to their homes and let them burn down because, with the traffic on Main Street, there is no way they could make it to Sunset in time to save anything. They should do their best to get the equipment Sunset Fire needs. When the I-15 interchange comes in, there will be more accidents and if there is a disaster, he believes North Davis isn't going to be here to help them because they will be helping their own residents first. If there is a

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call to Sunset the same time North Davis has a call, they won't be able to respond to Sunset and Clinton won't be able to either if there is a train on the tracks. Keep the Fire Department and the Police Department.

Wanema Butcher respects the Council and all they do, but said those she's talked to would be willing to have their taxes go up and said, instead of them telling people their taxes would go up \$100 a year and tell them the monthly cost, it would be easier to accept. She is in support of keeping the Fire Department.

Howard Madsen said they need to pay the fire fighters, give them good equipment and support them. He would rather pay their own people instead of Clearfield or someone else. If he was a businessman and looking to locate somewhere, he would rather locate in a city that is not dependant on another city for services. He believes the response time would be slower. They need to keep their Fire and Police where they are.

Dale Mikesell commended all the volunteers and said they do a great job. To go without those people would be a terrible miscarriage of justice. The City needs the Fire and Police Departments. If they don't have those and the administration they have right now, they may just as well let Clinton, Roy or Clearfield annex Sunset and no longer exist.

Neil Coker agrees with those who have spoken before him. The Fire Department is a necessary agency of the City, not only for fire and medical emergencies, but for natural disaster as well. If the Council would have listened 12 or 15 years ago, a new fire station would have only been \$350,000, instead of the \$1.5 to \$2 million it would be now. Even if Sunset contracts with another city it is not going to lower taxes or help any of the other departments in the City because he believes State Law requires them to lower their tax rate the same amount the other agency would levy. He said the Council should also check City Code 10-10-4 on another matter he's been dealing with them about.

Joyce King believes they need to keep the Fire and Police Departments. She was held up by a train today and would hate to think a resident in need would have to wait for help. There will be an exit at 1800 North and the City will grow, so they need to keep the Fire Department. She believes it is short-sighted to even think about getting rid of it.

Barbara Gorringer has resided in Sunset since 1959. She supports the Fire Department. She realizes the Council is in a hard spot. Being a small City they don't have a lot of revenue, but they do have the new Maverik and she is hoping someone is doing something about the trailer place to bring in more revenue to support the departments of the City. She hopes they will consider the residents' wishes. They have a lot of pride in the City and want to keep their own Fire and Police Departments. The youth program is doing good things. She knows it is all tied around finances, but wonders what they're doing on the east side of the freeway with Falcon Hill and said Sunset should get something from that as it was originally Sunset City. She wondered why there was nothing in the last newsletter telling the residents what the Council was proposing to do. More information needs to be perpetuated throughout the City. She supports the Fire

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Department and hopes they can find a creative way to finance it through this slow period until more revenue starts coming in.

Devin Karadeena grew up in Sunset and has spent most of his life here. He has watched the Fire Department grow from guys with pagers being called out in the middle of the night to what they are now. He loves this job and the people he works with. He knows the Fire Department costs money, but there are a lot of them doing a very stressful job because they love their jobs and helping the people in Sunset. He asked that the Council consider their feelings as well.

Howard Trotter thanked the Council for the great job they've done and are trying to do. This is a tough situation they're faced with. They might want to consider how the recent tragic house fire was handled in determining if Sunset is better or if other agencies are better, because Sunset citizens deserve the best. The train is another consideration. He wished them luck with their decision.

Bill Young has lived in the City since 1989 and has pride in Sunset. He said anything good has to have pride and sacrifice. If it has that, it is worth keeping. He believes they need to sacrifice, if it comes to that, and keep the Fire Department because every city needs their own.

Dave VanHoff added that when that tragic fire happened, he was getting his son from school and noticed Roy's fire truck was lost while trying to get there. He believes if they get rid of Sunset Fire and Roy comes, it might take them a long time to find the house. Sunset has been a safe place to live due to the Fire and Police Departments. They deserve to be recognized and stood behind.

Arnold Frecker has lived here for 40 plus years. He said he didn't know what caused this issue to come up. Although the 'Public Comment' period is for public comments and the Council is not supposed to interject, Council Member Noyes told Mr. Frecker to call him and they can discuss it. Mr. Frecker said he supports the Fire Department and wants to keep it.

There were no more comments, so Mayor Pro-Tem Bangerter closed the public comment period and advised there will be a work meeting here tomorrow to ask questions and get information from the North Davis Fire District Board. It will a work meeting, so the public will not be able to comment, but they are invited to come and listen so they can get information. A lot of the public's questions are answered by coming to Council meeting and budget meetings, but has heard people say the Council was elected to represent the City and they do. If they have questions, they can always call the Council Members or Mayor for answers. He also advised a lot of the figures the public spoke of tonight are not accurate and they could receive more accurate information at tomorrow's meeting or by calling the Council.

- 1. Consider Resolution 2017-07 adopting the Fiscal Year 2018 Tentative Budget:** Recorder Hale explained, by State Statute, the Council is required to adopt a tentative budget during the first meeting in May of every year, just in case a final budget is not adopted by July 1st, when the fiscal year begins. That should only happen if the Council needs to increase property taxes or if there are other extenuating circumstances. The total of each fund of the

FY2018 Tentative Budget is as follows: General Fund - \$2,455,358; Utility Fund - \$830,285; Class C Road Fund - \$168,500; Dispatch Fee Fund - \$37,100; Emergency Preparedness - \$5,000; Liquor Control - \$6,800; DARE - \$1,500; Youth City Council - \$4,100; Miscellaneous Grants - \$137,715; Fire Department Fund Raising - \$1,000; Arts Fund - \$2,000; Retirement Insurance Premiums - \$10,000; CDBG Capital Project Fund - \$367,400; Fire/EMS Vehicle Capital Project - \$27,280; Public Works Capital Project Fund - \$16,100; and Economic Development Capital Project - \$1,500 for a total Budget of \$5,071,638.

Council Member Noyes made a motion to approve Resolution 2017-07 adopting the FY2018 Tentative Budget as presented. Council Member Peterson seconded the motion. The motion passed unanimously with a roll call vote: Council Member Peterson - yes, Council Member Carlson - yes, Council Member Wiggill - yes, Council Member Noyes - yes.

- 2. Discuss legislation regarding Sunset City's Better Landlord Program and Home Occupation businesses:** Recorder Hale explained legislation was passed during the last session that prohibits municipalities from charging a fee for home based businesses that do not have an impact on the neighborhood, such as an office or running their business online. They need to now figure out if out what would constitute an impact in Sunset neighborhoods and also if they still want to license those types of businesses they can't charge a fee for because resources of the City would still be expended to license them. This portion of legislation (SB81) could cost the City a loss in revenue of about \$800 to \$900 a year. SB178 mandates that municipalities can no longer prohibit landlords from renting to tenants based on their criminal background, which is one component of the Good Landlord Program. If someone commits a crime while renting from a landlord in the program, the landlord can still be required to evict them. Since the Better Landlord Program has been used in Sunset, there have been very few evictions. A decision needs to be made if the program is even worth keeping now. If the program is not kept, the City would lose about \$15,000 in revenue.

The Council discussed these mandates and it was mentioned the other components of the Better Landlord Program are taken care of with other ordinances. The time and effort of the Police Department and Administration was taken into consideration. There hasn't been a big difference in crime in the City and the Police Department's caseload has not decreased with the program. The Council leaned towards abolishing the Better Landlord Program. It was decided to have Recorder Hale and Council Member Noyes work on the ordinance for this and bring it back before the Council.

- 3. Mayor, Council and Department Head reports:** Council Member Noyes said he was serious about calling him and the other Council Members to find out the information on the Fire Department issue. They're not sure what their decision is going to be at this time.

Council Member Peterson advised the Sunset Youth City Council is looking for new members and to contact him or the Office to get more information. They will be doing a fund raising car wash on May 20th from 11 a.m. to 2 p.m. in the lower parking lot, by the

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ball diamonds of Central Park. There are a lot of seniors graduating and will not be in the group come June.

Council Member Wiggill said the Emergency Preparedness members are working on the list of items needed for the trailers and will have it shortly.

Police Chief Eborn understands the hard decision the Council has to make, as the Police Department has been at issue before. He commended the citizens present for their support of the City.

Treasurer/Office Manager Youngdell stated the local LDS Stake normally holds a dance in their gym, but the floor is being refinished, so they will be holding the dance at Rachael Runyan Park. It will be luau themed so they asked if they could have tiki torches and they would like to be allowed to use the park until midnight. Normally the park is closed at 10:00 p.m. The dance will end at 10:00, but they need some time to clean up. The Department Heads were asked for their concerns. Police Chief Eborn said he could use some state money and see if they would like to have an Officer there. Interim Chief Bott said the tiki torches would be fine as long as they didn't place them under the bowery. The Council concurred it would be fine. Treasurer/Office Manager Youngdell then said a group of citizens will be holding an open house in the Sunset Room to honor the Police Officers and Fire Fighters on June 24th with some activities. They asked her to see if the City would supply the paper products for it. The Council would like to meet those residents and have them appear before the Council to tell them about the open house and make their request.

Public Works Director Monroe reported the bi-annual month where residents are allowed to dump their yard waste or garbage in the dumpster in the public works shop yard is now over and they ended up dumping the big trailer three times, so it was pretty successful. They are dealing with vandalism of the new restrooms, which are not even open yet, so he hopes the newness wears off soon. He has left several messages at the company doing the new marquee sign, but has not had heard from them.

Interim Fire Chief Bott thanked the residents for their support. He reported Engine 13 is in the shop to have the breaks replaced due to an oil leak in the hub. Five new recruit candidates were tested on Saturday and he will begin their interviews next week. They received three new applications today. Last night he put Sunset on the Davis County Fire Departments Hiring Consortium. The orientation was last night and there were 58 candidates. The next step is physical agility test on the 11th. If they pass that, then on the 12th they will take a fire skills and EMS skills test. The candidates who pass those tests will be given cards for interviews. Int. Chief Bott will receive a list of those who want to work for Sunset Fire. The Fire Departments who are involved in this consortium are Sunset, South Weber, Clinton, Syracuse, North Davis, Kaysville and Farmington. Layton will get in on it next time. Right now it is projected to do this only once per year. He has submitted an application for a State fire grant for 8 new bunkers that is 100% matching, however they have the option to use volunteer training and fire prevention hours for the match, instead of money. He will be placing the financing contract for the ambulance on the next Council

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agenda. They will be financing \$58,468, with \$500 being financing fees. Half of the cost has already been paid to Firetrucks Unlimited. The ambulance is predicted to be finished in July. He told the Council, he took a step back and revised the Fire Department Part-time plan he presented previously. He passed out a copy of the plan to the Council Members and said he was able to trim \$50,000 off of the first proposal. He broke it up into four years with the increase for the first year being \$164,000 and increasing \$14,000 each year for the next three years. Instead of 21 part-time firefighters, there would only be 16, with 16 volunteers still and it would eliminate the Assistant Fire Chief. that would be a total of 34 members on the Fire Department, instead of 50. It would still be adequately staffed, give the part-timers a week off and give the volunteers time off as well.

Mayor Pro-Tem Bangerter is concerned about the trash on the east side of the I-15 fence, but understands it has been raining a lot. There is a business coming before the Planning Commission soon regarding the Sierra RV property; he just can't say yet what it is.

Council Member Carlson made a motion to adjourn. Council Member Noyes seconded the motion. The motion passed unanimously with Council Members Carlson, Noyes, Peterson and Wiggill voting yes.

The meeting adjourned at 7:35 p.m.

Approved – June 6, 2017

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder