

Sunset City Corporation
City Council Minutes
May 3, 2011
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Minutes of a regular meeting held May 3, 2010 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Bangerter presiding.

Mayor and Council Present:

Chad Bangerter	Mayor
Brent Andrews	Council Member
Cheyrl Budge	Council Member
Ricky Carlson	Council Member
Ray Chapman	Council Member
Ryan Furniss	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Neil Coker	Fire Chief
Mickey Hennessee	Public Works Director
Jerald Jensen	Judge
Bruce Arbogast	Police Sgt.
Doug Garcia	Police Cpl.
Marcus Garcia	Public Works/Recreation

Fire Fighters: Amy Kippen, Matt Gardner, Jeremy Kaufman, Adam Scott

Others Present:

Citizen Corps Members: Terry Avondet, Jaime Meredith, John Blaylock, Heidi Blaylock

Tena Hale	Planning Chair
Jason Gabbert	Alt. Planning Chair
Traci Garcia	Nadean Gabbert
Dorothy Weston	Beverly Macfarlane
Jake Peterson	Wanema Butcher

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

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

Approval of Minutes: Council Member Chapman made a motion to approve the minutes of April 19, 2011 as presented. Council Member Budge seconded the motion. The motion passed unanimously.

Approval of Vouchers: Council Member Budge made a motion to approve the voucher for the Davis County Government in the amount of \$20,411.15. Council Member Furniss seconded the motion. The motion passed unanimously.

Citizen Comments: Allen Burch introduced himself as the Sunset City Fire Corps Chair and said he is addressing the Council tonight as a resident. He expressed his support for the ambulance. He is an aircraft mechanic and worked 23 years for the U.S. Air Force. As a

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mechanic he was given the best training and tools money could buy because the Air Force understood the importance of well trained and outfitted mechanics. He does not believe the Mayor, as a mechanic, would attempt to assemble an engine without a good torque wrench. The Fire Department is looking for a good torque wrench. He believes that is what an ambulance would do for them. It allows them to use the best tools, along with their best training to give the City the best they have. He urged the Mayor to place the addition of an ambulance on the agenda for a vote.

Jaime Meredith introduced herself as the Vice Chair of the Citizens Corp and expressed some concern about recent events that have afflicted the City. As citizens of the U.S., they participate in a democratic process which allows them to vote for candidates that parallel their dreams and ideals. It also allows citizens to make their elected leaders aware of their opinions on issues and to ensure they represent those that elected them. She read a Wikipedia article on transparency in politics, "When government meetings are open to the press and the public, when budgets and financial statements may be reviewed by anyone, when laws, rules and decisions are open to discussion, they are seen as transparent and there is less opportunity for the authorities to abuse the system in their own interest." She believes for anyone to attempt to strip away the right that allows citizens to participate in political matters without fear of recrimination violates the ideals this country was founded on. To rebuke a citizen through email after their comments in a city meeting because their voice does not echo your own or to entertain ideas of removing discussions or dissenting opinions from a public social forum is abhorrent and they as voters should not allow it. She urged the Mayor to ensure that all communication is open within the city, especially on issues that directly affect the citizens and to continue to be transparent with regards to the budget and not to shrink from public forums by asking citizens to speak to him one on one where statements can be made that are unable to stand up to scrutiny. There are matters before the City Council that will either lift Sunset up and prove to its citizens that it is a great place to live or bog it down into political turmoil. She urged that the ambulance be listed on the agenda to be voted for.

REGULAR SESSION

1. Appoint Joe Maylin as an alternate member on the Restoration Advisory Board (RAB):

Council Member Furniss stated Public Works Director Hennessee has been the City government representative on RAB with an alternate, but the alternate has been having some difficulty with other commitments. He and Director Hennessee would like to have Joe Maylin, a public works employee, be appointed as the alternate.

Council Member Furniss made a motion to appoint Joe Maylin as the alternate representative on the Restoration Advisory Board. Council Member Budge seconded the motion. The motion passed unanimously.

2. Present and adopt the FY2012 tentative budget: Recorder Hale gave the summary of the FY12 budget. The general fund budget includes the estimated \$70,000 revenue and the \$31,000 in extra expenses for the proposed ambulance. The fund is \$88,250 higher than the previous year and includes using \$187,360 of the fund balance. The utility fund is about \$55,000 higher than the previous year and will use \$59,000 of its retained earnings. The total budget for FY12 is \$3,783,576, with is approximately \$276,500 more than the previous year.

She explained the tentative budget is state mandated so there is a budget to work from in case a final budget is not adopted by July 1st. This budget will be amended before a final budget is adopted.

Council Member Furniss made a motion to approve the FY12 tentative budget with stipulation there will be changes. Council Member Carlson seconded the motion. The motion passed unanimously.

- 3. Discussion and possible approval of employee retirement proposal:** Mayor Bangerter said he hoped to have the figures put together to discuss this issue, but he was unable to have them finished. He knows what the cost will be, but not the potential savings yet. Public safety employees can retire at 20 years and public employees can retire at 30 years. He would like to come up with ideas for an incentive for employees to retire. Over the long run it would save the City money. One idea was to pay the insurance premiums for one year for the 20 year retirees and maybe two years for the 30 year retirees. The cost savings would come because the retiring employee would be making more money than the employee hired to take the retiree's place. He asked the Council Members for any comments or suggestions.

The Council discussed the issue. It was brought up that some people may be eligible for retirement, but can't retire because they wouldn't have medical insurance. Another idea of giving one month of insurance for each year worked was suggested. Only doing it if the City can afford it without increased taxes was mentioned. The issue was voiced that the incentive may be offered to retire at 20 or 30 years, depending on eligibility, and that the incentive would not be provided if the retiree chose to work longer. When someone works 20 or 30 years a lot of institutional knowledge would be lost, but new ideas may be offered by new employees. They will continue this discussion as more information is gathered.

- 4. Council Member Reports and General Information:** Council Member Chapman said the Planning Commissioners talked about the general plan at their last meeting. He believes the Council needs to review the general plan and talk about it at a future meeting. The Youth City Council is moving forward with obtaining new advisors. They meet on the first Thursday of each month in the Council chambers at 7:00 pm.

Council Member Carlson mentioned MIDA and the DRC are moving slowly right now. The Mosquito Abatement District is gearing up for the season. Residents are to register their ponds with the District and can still receive the mosquito larvae eating fish for them.

Council Member Andrews reported a Boy Scout started his Eagle project in the city garden last Saturday. He had a pretty good turn out and got a lot of rocks and things cleared. A few of the youth there were interested in the Youth City Council so they may be contacting Council Member Chapman. He saw a program on television about AARP and he would like to have a representative come to the City and talk to the senior citizens about what AARP has to offer. He again mentioned the miniature golf course he would like to build to help the City raise revenue.

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Council Member Budge reported on what she learned at the Utah League of Cities and Towns Conference. One topic was the Transparency Act. By May 15th governmental entities have to post their financial records on the State website. Then anyone can see how their City or the State spends money. The City currently posts all the Council minutes on the website so the residents can see what is going on. Another subject was Justice Courts and how they are not operating to create revenue, but to make the community a safer place. The police are also looking out for the public's safety. She asked the residents to remember, if a police officer writes a ticket for speeding in a school zone, it is to try to keep the children safe. They taught the Politics is the Art of the Possible subject using the Hungry Hippos game and said that game is like what government leaders do. They try to gather as much information as possible from the residents to help them make plans for their communities. She learned that Social Security is now paying out more than the fund is taking in. The Treasury has spent the money that was put into the fund years ago and there is no money left. They now have \$45,000 per person in debt and are incurring \$1,400 per person more each month. GRAMA (Government Records Access Management Act) was discussed. Anything put on a cell phone paid for by a government entity is subject to GRAMA. The public is not entitled to information on a personal cell phone. The legislature will discuss GRAMA again in their next session. The Mayor and Council are accountable for what they say during Council meetings because it is recorded. Recorder Hale mentioned that audio recordings are only required to be kept for one year. Also, the audio recording is posted on the City's website after each Council meeting, but it is only on there until the next one is posted because there is not enough space to post all of them. However, all the written minutes are posted on the website. Council Member Budge said they also talked about the age of transformation because we live in a world that is constantly changing and City leaders need to change with the times. She cautioned people to be aware that what they post on Facebook is read by a lot of people. There are over 700,000 people who use Facebook. Terry Bradshaw was an excellent speaker and he talked about small town values. She believes Sunset residents have high values. A few years ago there was a controversy over fiber optics and the cost. Most small towns decided not to hook up with fiber optics because the costs for the updates, etc. are very high. New innovations need to be watched because they are so expensive. She thanked the Council and citizens allowed her to attend the conference.

Council Member Furniss referred to Council Member Budge's reference to courts not being about revenue. He can say he has never heard Sunset's Judge talk about revenue; it is always compliance. The North Davis Sewer District has put out for bid a \$10 million major sewer line that will go along Bluff Road in Syracuse. They anticipate the bid coming in lower than budgeted due to the economy and seeing what other projects in the State have cost. He thanked the fire and police departments for attending a call where a resident died from a fall out of a tree. He said \$5,000 has been budgeted for the beautification of Main Street and he would like to divide the street into five sections and have neighborhoods designing their assigned sections and doing the work, with the help of public works equipment and police for traffic control. Each section would be given \$1,000 and the contest would be to see which neighborhood does the best improvement. He would like to see them doing xeriscape. He envisions starting with a breakfast and ending with a hot dog roast; maybe even invite the County Commissioners or maybe the Lt. Governor to do the judging. They could maybe put a plaque at the site or in the City Building to commemorate it. If the Council is okay with

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this he would like to have something ready by August or maybe June. They would need to set some standards for the neighborhoods to work with so there are not several different styles along the street. The Council agreed for Council Member Furniss to oversee it.

Police Chief Eborn reported on the prescription take back conducted at Smith's Food & Drug. There were seven different locations throughout the County. Sunset's location collected the third highest amount of prescriptions. Mayor Bangerter noted the drugs were incinerated at the burn plant, which is the only burn facility in the western states equipped to burn medications. Chief Eborn thanked the public works department for helping with the barricades, the fire department for allowing them the use of a big tent and the police and sheriff's departments who helped man it. He handed a copy of the department's warrant report to the Mayor and Council Members.

Treasurer/Office Manager Youngdell said at the last Planning Commission meeting Jonathan Ellsworth was interviewed to become an alternate commissioner and she failed to have Recorder Hale put his appointment on the Council agenda. Therefore it will be on the next agenda.

Fire Chief Coker reported there was a good turn out at the Easter Egg Hunt on Saturday. He mentioned at the Governor's Public Safety Summit, he learned Mississippi was without electricity for 12 days after that disaster and it cost about \$350 million and 12,000 linemen from other states to get the power back on.

Recorder Hale stated she attended the Utah Municipal Clerks Conference and the vendors there do drawings for prizes. She won a \$1,000 recording system for the City to be used to record meeting minutes.

Mayor Bangerter pointed out that he has been misunderstood in his feelings about the ambulance. His job is to research every avenue when issues come up in the City. The ambulance is just one issue he is dealing with. He thought it would be good for residents to talk to him personally about their concerns. Now he is thinking maybe it would be best to broadcast the information. He doesn't know how to best deal with the situation, but he is in no way trying to hide or misrepresent what he is trying to do as Mayor. He is just trying to get a full understanding as to what this ambulance will do to the community, both positive and negative, and making sure the Council receives that information. He has no vote either way. It is the same with the budget. He will be doing things some people like and some people do not, but it is his job to make the budget work for the community and ask the Council to support it or not. They make the decision. With the ambulance being about public safety, some people tend to take it more to heart and some don't. He has been fairly supportive of the ambulance. He is the one who gave permission to the firefighters to purchase it and license it. He could have told them to leave it in the garage until they got the State license, but didn't. Now that it comes down to figures and facts, he is trying to make sure they are doing the right thing for the community both financially and service-wise. He does not believe it will be a great advantage service-wise to what the City is receiving now so they are looking at it financially as a way of bringing revenue into the City, helping the deficit and taking some tax burden off residents. He has tried to take stance on it one way or

another, but he believes it has been understood that he is totally against it. He is not against the ambulance. Four years ago, he would have said yes and they'd be done with it. But due to the financial state of the City, he wants to take more time and make sure it will work out for the good of the residents. He does not want to be like the legislature and the GRAMA bill, pushing it through fast only to have the residents ask why they allowed it. It will be on the agenda and a public meeting will be held on it so they can hear resident comments. It was brought to his attention that he asked for the comments on Facebook to be removed. That is not true. There were so many people requesting friendship status that Facebook thought it was spamming and froze the page for days. The person who does the Facebook page made a copy of all the comments, which is in his office if anyone wants to see them. He apologized if it appears he is against the ambulance, but it is his duty to gather all the facts to present to the Council. Then it is their decision.

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

WORK SESSION

5. Discuss FY2011 budget amendments and FY2012 budget requests: Even though it is late, it was decided to go through the budget thoroughly because as it stands the general fund is still set to put the City in the red and it is the most important thing the Council does.

After 2 ½ hours of discussion the following cuts were made:

General Fund: Mayor & Council - \$2,100; court - \$300; administration - \$400; planning & zoning - \$500; non-departmental - \$3,300; Police – \$10,100; fire – \$6,350; public works - \$6,540; recreation - \$2,720.

Utility Fund: Mayor & Council - \$2,100; administration - \$400; non-departmental - \$4,185; public works - \$22,840.

Class C - \$5,000; Emergency Preparedness - \$700; DARE – transfer \$2,000 to general fund to reimburse for DARE officer; CDBG - \$20,000.

Council Member Chapman made a motion to go out of the work session and back into the regular session. Council Member Budge seconded the motion. The motion passed unanimously.

Council Member Chapman made a motion to adjourn. Council Member Budge seconded the motion. The motion passed unanimously.

The meeting adjourned at 10:40 p.m.

These minutes have been read and approved at the regular City Council meeting held **May 17, 2011.**