

**Sunset City Corporation**  
**City Council Minutes**  
**May 6, 2014**  
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Minutes of a regular meeting held May 6, 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
Jake Peterson	Council Member
Kevin Snow	Council Member

**City Employees Present:**

Susan R. Hale	Recorder
Ken Eborn	Police Chief
Breen Lowman	Fire Chief
Norm Noyes	Public Works Director
Firefighters: Travis Carter, Scott Dawes, Dean Sloan	

**Excused:**

Trystal Peay	Council Member
Linda J. Youngdell	Treasurer/Office Manager

**Others Present:**

Susie Becker	Zions Bank Public Finance
Jennilyn William	Standard Examiner
Ellen Cutler	Wanema Butcher

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

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

**Approval of Minutes:** Council Member Furniss made a motion to approve the minutes of April 1, 2014, April 8, 2014 and April 15, 2014 as presented. Council Member Snow seconded the motion. The motion passed unanimously.

**Approval of Vouchers:** Council Member Hadley made a motion to approve the voucher for S.G. Custom in the amount of \$9,937.45. Council Member Peterson seconded the motion. The motion passed unanimously.

**Public Comments:** There were none.

1. **Consider awarding the bid to create a redevelopment plan for blighted commercial area with Sunset City:** Council Member Furniss was a member of the review committee. He explained this will help identify the most blighted areas in Sunset and will help the Council discover ways to improve the City. Bids were submitted by Better City, Ellsworth

Consulting, Lewis, Young, Robertson & Birmingham and Zions Bank. The four areas they were graded were scope of work, experience, references and cost. Zions Bank received the most points and the committee recommended the Council award the bid to Zions Bank. This will not exceed \$20,000.

Council Member Furniss made a motion to award the bid for creating a redevelopment plan for blighted commercial area to Zions Bank. Council Member Peterson asked what the Council will do with the data provided by Zions Bank. Mayor Macfarlane said they would try to be proactive and do a five-year plan to implement the recommendations. She asked Susie Becker from Zions Bank to explain what they will do. Ms. Becker, Vice President of Zions Bank Public Finance, said they have a municipal consulting group within Public Finance. She has done this for over 20 years and they provide cities with a wide range of consulting services, but economic development is one of their key focus areas along with redevelopment. To begin they will try to understand Sunset really well by GIS mapping and gathering data on demographics, infrastructure, traffic counts, property values, improvement values, etc. Then they will find the areas most critical for creating opportunity. They will review what is going on in the region with industry, job creation, etc. They will work with Workforce Services in getting some companies to locate here depending on land availability. They will talk to the Council about strengths, weaknesses, incentives, etc. and will seek public participation with a public open house, including exercises to get feedback. When they have gathered all the data, they will give the Council some recommendations, implementation items and funding sources if appropriate. Council Member Peterson said he still does not understand what they will do with the information. Mayor Macfarlane gave the example of her talking with Winegars who are hopeful they can find out how to develop their area a little more. Council Member Furniss hopes Zions Bank can help them form an RDA like Layton and Clearfield have, which is helping them bring in developments. Council Member Snow wondered if they were awarding this correctly. He read a section of the procurement code, "Award the contract as soon as practical to the lowest responsive and reasonable bidder who meets the objective criteria described in the invitation for bids." He wondered if they should get the opinion of the City Attorney or the ULCT. The item was discussed at length. The motion died for lack of a second.

Council Member Snow made a motion to amend Council Member Furniss' motion to state they approve the award pending confirmation Zions Bank was chosen correctly. The motion died for lack of a second.

Council Member Furniss made a motion to approve the bid award to Zions Bank because he knows they are doing it right. Council Member Hadley seconded the motion. The motion failed with a 2-2 vote. Council Member Furniss and Council Member Hadley voted yes. Council Member Snow and Council Member Peterson voted no.

Council Member Furniss said this bid is for \$20,000 and Council Member Snow wants it reviewed by the City Attorney, which will cost a lot, when it has been approved by the EDA grant providers. He read the email addressed to Treasurer/Office Manager Youngdell from Jodi Duncan, Program Specialist for the Economic Development Administration that was

required to review the top two proposals. It stated, "EDA received the top two proposals via attachment to email. I have conducted a review of both and I can see why the committee ranked Zions Bank's proposal higher than Lewis, Young, Robertson & Birmingham. Their proposal didn't address all the items in the scope of work, specifically..... Zions Bank more fully addresses the scope of work and appeared to have a better grasp of the planning concepts with regards to economic data analysis, cluster identification and redevelopment plan. I concur with the committee's rankings and possible selection." Council Member Snow said that makes a difference. He just wanted to make sure they were doing it right.

Council Member Furniss made another motion to approve the award to Zions Bank. Council Member Snow seconded the motion. The motion passed 3-1. Council Members Furniss, Snow and Hadley voted yes. Council Member Peterson voted no.

2. **Present and adopt FY2015 Tentative Budget and schedule the public hearing:** Recorder Hale presented the FY2015 Tentative Budget stating the General Budget is \$156,519 higher than FY14, The Utility Budget is \$549, 205 higher, the Class C Road Fund Budget is \$4,760 higher and the other smaller funds are about the same as the previous year. The total of all Sunset City budgets for FY2015 is \$4,582,114, which is \$392,915 higher than FY2014. She explained the tentative budget is required by State Code to be adopted so the City would have a budget to run on in case the Council decides to implement a tax increase, in which case the final budget does not have to be adopted until August. If no budget were adopted beforehand, that would leave the City unable to spend any money from July 1 until the budget is adopted.

Council Member Peterson made a motion to approve the FY15 Tentative Budget. Council Member Furniss seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson, Snow and Hadley voting yes.

After discussion it was decided to hold the public hearing for the FY14 amended budget and FY15 budget on June 3, 2014.

Council Member Hadley made a motion to hold the public hearing on the budgets June 3, 2014 at 6:30 p.m. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson, Snow and Hadley voting yes.

3. **Consider renewal of the refuse hauling contract between Sunset City and Econo Waste:** Mayor Macfarlane stated the contract is for a three-year term and she listed the amounts the City would pay Econo Waste for the different services.

Council Member Snow stated his concern with a lot of garbage being left on the ground by Econo Waste employees, his can has not been emptied completely several times and people have complained to him several times about the same issues. He has watched them emptying cans on his street and said they do so very fast and wondered if that was why some garbage gets missed. Another item was why they emptied the garbage cans so early. That was explained it was per Council request so they could be out of the area before children walk to

school. It was also mentioned if they did not renew the term, the City would be required to purchase the blue recycle cans per the contract amendment when Econo Waste began hauling the recycling and green waste. Council Member Furniss said he has had few complaints from people and would be good to go with them if they try to make sure the area is clean when they leave. Public Works Director Noyes said he has worked for the City a lot of years and they have had less complaints and damaged cans with this hauler than they have with any other hauler they have contracted with. Val Sanders, owner of Econo Waste, reminded them it is in the contract for them to complete their hauling by 7:00 a.m. around the schools. Sunset pays the lowest amount for hauling in the County, so he believes no one would underbid him. He has been out at 10:00 p.m. a few times, observed and took pictures of cans being way overfilled and there was garbage on the ground then, so it was way before the trucks came out. Council Member Snow had heard at the ULCT conference that the cities could get a kick back for recycling. Mr. Sanders clarified, Rocky Mountain Recycling is offering \$5 a ton back to the cities if the hauler takes the recycling there. He does not go there because Weber County is closer to his shop. He also visited Rocky Mountain's facility and feels it is not as safe as Weber County's facility. Weber County is also set to give the cities about \$10 a ton come July 1<sup>st</sup>, which is twice what Rocky Mountain is offering.

Council Member Furniss made a motion to approve renewing the contract with Econo Waste. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson, Snow and Hadley voting yes.

4. **Consider approval of Ordinance 2014-04 amending Sections 3-10-3 and 3-10-6 of the Sunset City Code regarding rental dwelling license applications:** Mayor Macfarlane explained they reviewed these amendments during the last Council meeting and asked if everyone had a chance to read the ordinance.

Council Member Furniss made a motion to adopt Ordinance 2014-04. Council Member Hadley seconded the motion. The motion passed unanimously with a roll call vote. Council Member Furniss – yes, Council Member Peterson – yes, Council Member Snow – yes, Council Member Hadley – yes.

5. **Consider joining the Kiwanis Club:** Mayor Macfarlane said they talked about joining the Kiwanis Club. They have a program where for \$25.00 the businesses get a flag to post each patriotic holiday. For the City to become a member, it would cost \$100 up front and \$65 per quarter. The money goes to Hope of America, which is for schools in the area, coats for children, etc. Recorder Hale mentioned when the City joined the Davis Chamber of Commerce the City gets something in return and asked what the City will get anything back from the Kiwanis Club. Where these dues are more of a donation, they have to be approved by the public in a public hearing. It was decided to table the item and discuss it during the public hearing for the budget.

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

6. **Council Member reports and general information:** Council Member Hadley said the Fire Department has been busy with calls and the second ambulance is now in service. The work on the door for bay two is still awaiting a response from a hardware company for funding. There has been no progress with the Citizens Corp.

Council Member Snow stated he has not heard if he was approved as a member of the DRC and Mayor Macfarlane said he had been approved. Council Member Snow stated he would like to eliminate the boundaries used in judging the beautification awards for Christmas lighting and beautiful yards. There would still be three first places and six honorable mentions, but they would not be restricted to sections of town. The yard awards will be judged the first week of August of each year and the Christmas lighting awards will be judged the second week of December. A household can only win once every five years so it is not always the same people who receive the awards. The Council, City Employees and Beautification Committee members cannot win awards. These are rules he has come up with and he will talk to the Committee about them. During the ULCT conference, David Church said 80% of residents will keep their yards up, 15% are in between and 5% of the residents will not clean up their yards. If they don't work on the problems, the 15% and 5% will increase until the 80% basically erodes away. He also said every contract the City enters into has to have a roll call vote by the Council. He has been gone for the last two weeks so he has not done anything with the City Clean up day. A Mosquito Abatement Board meeting was also held while he was gone so he was unable to attend that. The next meeting will be in two weeks.

Council Member Peterson advised ever since the joint meeting, the Planning Commission has been asking him for input from the Council as to what the Council would like them to work on. If the Council does not have input, they'll just keep working the way they've been going. Commissioner Weller told him he now has a weather station at his residence so Sunset can get real time weather data. He thanked everyone for attending the meeting.

Council Member Furniss reported he is meeting this week with Planning Chair Stevenson to compare the General Plan to a live map so they can start visualizing what the Council wants the City to look like. He will meet with the Planning Commission to get it on paper and then he would like to have another joint Council Planning Commission meeting to work on it. The Youth City Council did not meet tonight due to several members being sick. The Division of Water Quality met last week and decided they would implement nutrient limits that North Davis Sewer District has never had to meet before. Due to the District flowing into the Great Salt Lake, they feel the level shouldn't be as strict as those Districts flowing into fisheries. They are hoping to produce data showing dumping phosphorous in the Great Salt Lake is not having the same effect as if they were dumping into a fresh water lake. It will cost millions and millions of dollars to implement those nutrient limits. They have hired scientists to research and combat the issue. He again stated the NDSF fee will go up this year and subsequent years by \$3.00 a month per connection due to infrastructure maintenance and upgrades. The NDSF has offered to mail out flyers explaining the increase, which the Council Members agreed the City wanted them to do.

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Mayor Macfarlane thanked Jenny Williams from the Standard Examiner for attending the meeting and writing such good articles for Sunset. She has met with Winegars representatives who agreed to do a face lift on their buildings, clean up and install some xeriscape. They are also looking forward to working with Zions Bank for redevelopment. She has talked several times with Sunset Square's representatives and they are waiting for parts on their lights, then they will finish replacing them. They are also planning to do some xeriscaping and resurfacing their parking lot in the future. She attended a retreat with Wasatch Integrated Systems and they are waiting for the HAFB steam contract to be finalized.

Police Chief Eborn reported the Citizens Police Academy was held in the Sunset Room on the other side of law enforcement from the spouse's point of view. Two Saturdays ago was the Prescription Drug Take Back event and the Sunset area took in 139 lbs. He is checking in with his emails, etc. but his wife is really sick and in the hospital, so he will not be in a lot this week. He appreciated a complaint about an ordinance violation from Council Member Furniss because they don't always see the rear yards of residences. Mayor Macfarlane read a letter from Lt. Arbogast thanking her for nominating Chief Eborn for the annual Utah Chiefs of Police Association Small Agency Chief of the Year award although he was not selected. She also read a letter Chief Eborn received from the UTA Commuter Rail Division thanking his Department for their professionalism when investigating the suicide at the 2300 North railroad crossing on April 15, 2014. The letter also stated the counsel Lt. Arbogast offered their Engineer was instrumental in his recovery from the horrific incident. Chief Eborn said it was unfortunate the letter did not mention the Fire Department that was also there. He thanked Fire Chief Lowman for his help with one of the witnesses that was really distraught.

Public Works Director Noyes advised the CDBG open house was held a week ago in which several residents attended. The pre-construction meeting on the project will be on May 14<sup>th</sup> and construction will begin shortly after that. They only had about 40 residents utilized the shop yard for dumping during April, which is less than half of what they normally get.

Fire Chief Lowman said they have been catching up on the annual fire inspections for businesses in Sunset. The owners have been good about working with them to get their buildings up to code with safety issues. There has never been a multi-fatality fire in the United States in a building that had a working sprinkling system. They had a great turn out for the Easter Egg Hunt, which started with an all-you-can-eat pancake breakfast put on by the Auxiliary.

Mayor Macfarlane mentioned Kathy Gittins was nominated by Council Member Snow and chosen as Mother of the Year for Sunset by the Clipper newspaper. She is unable to attend the lunch at the White House in Bountiful, so Mayor Macfarlane will go to accept the award for her.

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

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Minutes of a work meeting held May 6, 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
Jake Peterson	Council Member
Kevin Snow	Council Member

**City Employees Present:**

Susan R. Hale	Recorder
Ken Eborn	Police Chief
Breen Lowman	Fire Chief
Norm Noyes	Public Works Director

**Excused:**

Trystal Peay	Council Member
Linda J. Youngdell	Treasurer/Office Manager

**Discuss FY2015 budget requests:** Mayor Macfarlane reported the Cost of Living in 2014 is 1.5 and in 2013 it was 1.7 as reported in the Social Security website. Last year the City employees were given a 2% cost of living increase. The employees did not receive a raise for five years prior to that, but in two of those years no one in the whole County got a raise. Based on the Assessors Office reporting, Sunset has the highest city factor tax rate in Davis County and the third highest overall tax rate, however the City has the lowest revenues from property taxes. In 2010 the City's property tax increased from \$191,000 to \$300,000. She hoped this information helps the Council in their decision making for the budget. After Council Member Furniss and the Planning Commission meets on what the City will look like, they can begin to prioritize what's important.

Public Works Director Noyes mentioned, just like the Sewer District, Sunset has mandates to keep up with. Sunset only charges \$1.80 per resident for storm water, where other cities charge \$4 to \$6 per residence. Sunset is also \$8.49 lower than the state average on water charges. Maybe raising rates a little would help and a serious evaluation may need to be done.

Beginning with the General Fund, Recorder Hale explained the changes to the prior revenue estimates and non-departmental type expenditures. Each Department Head presented their department's expenditure request changes in each of the funds they are over. Park bowery/field rental was split out from the other special service fees. It was decided the Mayor's cell phone bill would be paid in full instead of a portion like is done now. One of the police vehicles was cut and Chief Eborn was asked to come to the next meeting with options on vehicles. Radio fees, medical control and immunizations were split out from the general department expense line

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items in fire and EMS. The pick up, compressor and some smaller items were cut from Public Works. The restroom for North Park or Central Park was discussed at length.

Council Member Furniss made a motion to go back into the regular session. Council Member Hadley 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 11:05 p.m.

Approved – May 6, 2014

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder