

Sunset City Corporation
City Council Minutes
May 15, 2012
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Minutes of a regular meeting held May 15, 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
Ryan Furniss	Council Member
Jake Peterson	Council Member
Kevin Snow	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda Youngdell	Treasurer/Office Manager
Neil Coker	Fire Chief
Ken Eborn	Police Chief
Norm Noyes	Interim Public Works Director
Fire Fighters: Adam Scott, Jeremy Kaufman, Dave Powers & Chris Gerdes	

Others Present:

Don McKinnon	Davis Behavioral Health
Terry Avondet	Citizen Corps

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

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

Approval of Minutes: Council Member Andrews made a motion to approve the minutes of May 1, 2012 as amended. Council Member Snow seconded the motion. The motion passed unanimously.

Citizen Comments: Don McKinnon introduced himself as the Facilities Director for Davis Behavioral Health, which is a substance abuse and mental health provider for Davis County. A couple of years ago they purchased two 4-plexes in Sunset with a CDBG grant. They have now been awarded another CDBG grant. There is a bankruptcy sale on some property at 78 W., 116 W., and 128 W. 800 N. and they are in the due diligence portion of the negotiations. They were under the misconception the property was zoned R-3 until just recently when they found out it had been changed to R-1. He needs to know if it is a deal breaker for them. As their clients are in recovery, if they don't have a place to live and a job they're not going to get better. There are currently about 85 people living in their housing and they have had pretty good success. Their vision for the properties in question are to rent the 4-plex units to their people as the units become available and continue to rent the houses to their current inhabitants until they become vacant, then they would put their people in them. The houses are not in very good condition. In the future, they would like to turn the properties into low income apartments. They are not slum lords; they keep their properties up. There are currently 17 people living in the two 4-plexes they own in Sunset. Mayor Bangerter said Mr. McKinnon approached him about this last week. These properties have been discussed in the past and there was a concern about the 4-plex when

it was built there. Mr. McKinnon needs to get something figured out fairly soon, so he has asked Mr. McKinnon to contact each of the Council Members so he might get a feeling for what the residents in their areas think about this issue. If this is to happen, there will need to be a zoning change and that includes a public hearing before the Planning Commission. Council Member Andrews asked why this area was changed to R-1. Mayor Bangerter said he could be given the minutes so he would have a clear understanding. Mr. McKinnon said he is not looking for an approval of his proposal; he is willing to go through the process, but if the City is set against multi-family housing he will need to find some property somewhere else. He believes they will be spending \$1.5 million to develop it right.

REGULAR SESSION

1. Discussion and possible approval of I-15 corridor maintenance issues: Council Member Furniss said there is a huge amount of trash on the I-15 side of the fence along Main Street. He called Region One Director Chris Peterson about it and was basically told they couldn't do anything about the litter because they were low on money. Council Member Furniss understands that because it is tight everywhere. However, he was not satisfied with that answer so he emailed Director Carlos Braceras with pictures of the garbage. He believes the pictures showed them it is not the normal amount of garbage; it is an unusual circumstance. There is a rumor it may have something to do with a garbage truck opening up or something similar. Region One Director Peterson sent an email saying they would clean it up as soon as they could and that Davis County has agreed to send out a prison crew to clean it up. He also suggested having the City clean it up. Council Member Furniss commended the City's public works crew for keeping the City's side picked up and mowed. He does not believe either of the first two items will happen soon enough for the Air Show, so he would like to have some of the City's part-time crew who are covered by the City's insurance to clean up the garbage. Region One Director Peterson is willing to provide the safety signage and permit them access. The other option is the Adopt-A-Highway program. He is at the point he is willing to do that, but he cannot do it alone. Something needs to be done and he would like public works to do it. He knows it is a risk, but he believes it is a risk worth taking to keep Main Street looking nice.

Council Member Andrews said he would like to do the Adopt-A-Highway and get people to help him clean up. Interim Public Works Director Noyes said he spoke with someone who oversees people cleaning highways and people cannot just show up to clean. They need to provide UDOT with ample notice so they can put up safety signs. They will also supply the bags and pick them up once their filled.

Mayor Bangerter agreed that I-15 needs cleaning and feels the overall solution would be the Adopt-A-Highway program with follow through. He is concerned about the safety of the City employees on the freeway with 65-80 mph traffic because things happen quickly and it is very dangerous. It also sounds like the Sheriff's Department is going to take care of the problem.

Council Member Carlson said he just exchanged texts with Sheriff Richardson and they are actually out cleaning in the Clearfield area right now and he would have them do Sunset

next. ¹[Council Member Carlson: There is talk about one of your cleaning crews picking up trash along Sunset's side of I-15 in Council meeting as I type this. Sheriff Richardson: I hope it is good. Council Member Carlson: Council Member Furniss says he is waiting for it to happen. Sheriff Richardson: I have them out right now. They have been cleaning all over. If there is a place that needs to be picked up have them tell me. Clearfield the most right now due to the air show. Council Member Carlson: It is bad through Sunset right now. Sheriff Richardson: Ok, I will have them hit it next. Council Member Carlson: Especially the west side on the slope down to the fence. Sheriff Richardson: Ok. I just sent a text to my Chief to put it next on the list.]

Council Member Furniss said it seems the current problem is going to be fixed and he would like to see an Adopt-A-Highway program started for the long term solution. He will give the information to Council Member Andrews when he receives it. It was decided to put the issue back on the agenda if it is not cleaned up by the next meeting.

- 2. Discussion of Sunset City Fun Days 2012:** Council Member Furniss reported he had met with Interim Public Works Director Noyes and the carnival will not be at the Sunset City Fun Days this year. He asked Interim Director Noyes to give an update on Fun Days.

Interim Director Noyes has assigned each public works employee a portion of Fun Days to oversee. For example, Blaine Dickson will be over the car show and breakfast. Joe Maylin is still trying to work on a carnival with another company and he'll be over the vendors. Summer hire Christy Holt will be over the parade and baby contest. Corey Wilson is over the 5K and set up of the whole thing and Marcus Garcia will be over the skateboard contest, flyers, music and entertainment. They have put out some flyers for the car show. In the past they have spent about \$12,000 on Fun Days and it should be the same this year. It was decided the Mayor and Council will all get their own cars for the parade. It was asked that the military be contacted for the climbing wall, service dog demonstration and parade entries.

Police Chief Eborn mentioned the DARE Auction is a go and he has scheduled it with the auctioneer.

- 3. Discussion and possible approval of capital expenditure at North Park:** Council Member Furniss said they need to begin looking at upgrading the parks. He envisions North Park being used more after the 1800 North project begins. He has watched the kids at the skate park use the trash cans for jumps and he would like to install mountable garbage cans with lids to alleviate the problem. He believes one could be installed for \$500 if the City does the installation. Mayor Bangerter said he has been concerned about that for a while and saw his email about it, so he had public works mount a permanent garbage can on a pole. He had them remove the lid because it is used by kids and if kids can't toss their garbage in like a basketball, they won't attempt to put it in the can. He is curious if it will collect more garbage. If this doesn't work, then they can budget some money to try something else. If a stairs component is installed, they may not even want the garbage can.

¹ Amended 6/5/12. Council Member Furniss requested the text messages be written into the minutes.

Council Member Furniss said they really need to start doing something with the restrooms. It sounds like a lot of the refurbishing can be done in house. He believes for about \$10,000 they could have brand new looking restrooms. Council Member Andrews proposed having his army of volunteers do the work and get the materials donated by Lowe's and Home Depot. Council Member Snow said they probably could apply for grants from Lowe's and Home Depot. The topics of volunteers and volunteered supplies were discussed.

Mayor Bangerter asked if they hadn't already budgeted some money for repairs to the restrooms. Interim Director Noyes explained \$10,000 is in next year's budget, but that is only enough to band aid the issue, especially at North Park. He reminded everyone that if major renovations are done to the restrooms, the buildings will have to be brought up to code, which also means ADA compliant. The existing buildings are too small to be ADA compliant unless they are turned into single use and that would mean they could be unisex. After some discussion it was decided to get bids both on renovating the existing building and for demolishing it and building a new one at North Park.

4. Schedule a public hearing on the FY2012 budget amendments and the FY2013 budgets:

Recorder Hale asked if the Council would like to hold the public hearing on the budgets at the first meeting or the second one in June. Council Member Furniss said he would be out of town for the June 19th meeting and would prefer June 5th. The rest of the Council Members agreed with June 5th.

Council Member Carlson made a motion to hold a public hearing for the budgets on June 5, 2012. Council Member Andrews seconded the motion. The motion passed unanimously.

5. Discussion and possible approval of amending the Youth City Council bylaws:

Council Member Snow advised the Youth City Council has voted to change their bylaws to allow 8th graders to become part of the Youth Council and allow 7th graders to help, but not to become members. They would also like to allow 11th graders to become Mayor, Council Members, Treasurer, Historian, etc. He has talked with Gary Sessions, who told him they could do whatever they wanted with their bylaws, but he has found in the past that some 8th graders are not quite mature enough, however they could try it if they want to. If they decide 8th graders are not working out they can change the bylaws again. Mayor Bangerter asked that the Council be able to read the Youth City Council bylaws so they are able to raise any concerns they see. Treasurer/Office Manager Youngdell asked that administration also receive a copy of the bylaws to file in the general records. The age was discussed again and the Council agreed to let them try.

6. Council Member Reports and General Information:

Council Member Andrews thanked the employees and Elected Officials for all they do for the City. He thanked the public works employees for picking up the trash on the City's side of the I-15 fence. He is running for the Utah Senate and has pens to pass out for his campaign. He would like the Council to be informed when people are hired.

Council Member Furniss would like to schedule a tour of the North Davis Sewer District plant. After some discussion it was decided they would schedule the tour for May 22, 2012

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at 6:30 pm. He would like to designate the known yearly donations in the budget public hearing to satisfy State Code. Those items include the Northridge High School Graduation Party, Sunset Jr. High's Fun Run, Scouting Organizations and Military Affairs. He mentioned they need to get moving on appointing a Public Works Director.

Council Member Snow said it was good to see the firefighters in the audience. He thanked the volunteers and employees for all they do.

Council Member Carlson mentioned the Doxey Elementary PTA has given a donation of \$500 to the DARE program. Police Chief Eborn said the Doxey PTA has always shown great support for the DARE program.

Fire Chief Coker invited the Mayor and Council to the Davis County Fire Officers Symposium Saturday from 8:00 am to 5:00 pm at the Davis High School Auditorium. Rick Lasky, a retired Fire Chief from Texas will be the speaker.

Mayor Bangerter asked the Council to review the minutes on the 800 North rezone issue to help them if they talk to Mr. McKinnon, who spoke during the citizens comments portion of the agenda.

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

WORK SESSION

7. Discuss the City's policy on paying a retiree's insurance premiums for 1 or 1 ½ years:

Council Member Furniss explained they had implemented a policy that the City would pay the insurance premiums for an employee who retires for a period determined by years of service. In his opinion, that is a mandate. He would like to establish a line item in the budget so the money is guaranteed to be there for the employees. He showed different scenarios of what it would cost the City using the current insurance rate. For one year, one employee with single coverage would cost the City \$6,227, two employees \$12,454 and three employees \$18,681. For one year, one employee with family coverage would cost the City \$16,884, two employees \$33,768 and if there were five employees at one time \$84,422. Presently it is assumed that when an employee retires, the employee hired to replace the position will make enough less to pay for the retirees insurance. A future Council may take that savings and do something else with it, so he would like to have a guaranteed fund to pay for the insurance. He suggested creating a line item called insurance retirement and put one year's worth of family premiums in there now. Treasurer/Office Manager Youngdell reminded the Council that it could be done now because that amount of money has already been budgeted to pay for Retired Public Works Director Hennessee's premiums. Recorder Hale advised if they are going to save money, it cannot be just a line item. A fund for that purpose has to be created. And the money put into it this year would also be paid out for Ret. Dir. Hennessee so nothing would be saved. Council Member Furniss said that was why he needs their help. He has the broad concept and needs help with the details. Mayor Bangerter suggested putting a policy in place that when a person retires the total amount of money to cover the premiums is placed into the retirement fund from the savings difference in his/her replacement. Council Member Furniss believes money should be set aside each year so the

fund maintains a balance to cover a few employees at a time. Chief Coker suggested allowing the Department Heads to run some figures on who would be eligible to retire over the next five years and see how much money would need to be in the fund to cover that. Then a plan could be formed as to how much money would need to be saved each year to cover the premiums and perhaps increase the fund a little. After some discussion it was decided to take the amount budgeted for Ret. Dir. Hennessee's insurance from the General and Utility funds and put it into a retirement savings fund. Then the Department Heads will figure a projection plan with a deadline of the September 4, 2012 Council meeting.

- 8. Discuss the fiscal year 2012 budget amendments and fiscal year 2013 budgets:** Recorder Hale started with a quick overview of the FY2012 amendments. Most of the changes since the last budget meeting were incremental due to being further along in the year and recalculating projections. One major change in the General Fund is \$5,000 had been taken out of the storm sewer department when the lawn mower quit working so Interim Public Works Director Noyes asked that the \$5,000 be put into the building and grounds department so he could purchase a new one. Interim Director Noyes explained the cost of the mower is \$7,760 and he could use that \$5,000 and the remaining \$2,760 out of parks equipment and maintenance. After a few questions the Council gave their consent to purchase the mower. Recorder Hale explained the original General Fund budget contained a transfer in from the Economic Development Capital Project Fund of \$106,580 and about \$34,000 being used out of the General Fund balance. The amended General Fund budget does not use any of the fund balance and only requires about \$83,000 to be transferred in from the Economic Development Capital Project Fund. However, the original Utility Fund budget showed \$90,583 being put into its retained earnings and the amended budget only shows about \$56,000 being put into the retained earnings. Most of that is due to it being a wet water year and not as much overage revenue was received as anticipated. She asked the Council and Department Heads to review the amendments and let her know of anything that needed to be changed before the agenda goes out for the public hearing.

The FY2013 budget was discussed. There is still about \$34,000 that will be used from the general fund balance. A note was made to create the retirement fund. The compensation fees for the Planning Commission/Board of Adjustment members were doubled as requested at the last meeting. Recorder Hale noted there was an error in the very first budget request for wages in water so the actual increase in the water department budget should be \$17,440 instead of \$71,185. It does not affect what is requested now; just the perception that the latest request is a huge increase when it is not. The \$2,000 court grant the Judge was confident they would receive was entered in the miscellaneous grants fund. The Recreation Department was discussed. The cost far exceeds the minimal amount of programs being run. Fun Days and the Senior Program are important, but there are not a lot of other things going on. They just recently reviewed Kids Club and will be charging more to help cover that cost. The programs were pursued when there was a full-time Recreation Director and they still weren't very successful. The programs need to be reviewed to see which ones could work and which ones to cancel. There has been no interest in a community play so the budget for the Arts Fund was cut.

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Council Member Furniss made a motion to go 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 Furniss seconded the motion. The motion passed unanimously.

The meeting adjourned at 9:30 p.m.

These minutes have been read and approved at the regular City Council meeting held **June 5, 2012.**

Chad Bangerter, Mayor

Susan R. Hale, Recorder