

**Sunset City Corporation
City Council Minutes
May 19, 2015
Page 1 of 7**

Minutes of a regular meeting held May 19, 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 (arrived 7:15 pm)	Council Member
Kevin Snow (arrived 7:40 pm)	Council Member

City Employees Present:

Susan R. Hale	Recorder
Ken Eborn	Police Chief
Jason Monroe	Public Works Director
Jerald Jensen	Judge
Anthony Bott	Firefighter

Excused:

Linda J. Youngdell	Treasurer/Office Manager
James Weston	Fire Chief

Others Present:

Scott Nelson	CEC Engineering
Collin Harward	Now I Lay Me Down to Sleep
Joseph Cook	Sunset Townhomes
Terry Avondet	Sunset Citizens Corp
Ellen Cutler	Wanema Butcher
Joyce King	Janet Lujan
Clifton Jensen	Annie O'Connell-Torgersen

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

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

Approval of Minutes: Council Member Furinss made a motion to approve the minutes of April 7, 2015 and April 21, 2015 as amended and May 5, 2015 as presented. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Furniss, Peay and Peterson voting yes.

Approval of Vouchers: Council Member Peterson made a motion to approve the vouchers for North Davis Sewer District and United Service & Sales totaling \$22,797.52. Council Member Furniss seconded the motion. The motion passed unanimously with Council Members Furniss, Peay and Peterson voting yes.

Public Comments: Joseph Cook reported he and his Engineer met with the City Engineer and got the water and storm calculations worked out. He proposed to Engineer Nelson just running the water line and the laterals to the second fire hydrant and capping it off until they reach the back side of the property and he seemed okay with that. The zoning has been approved and the plat has been approved by the Planning Commission. Now an item brought to his attention was the back yard setbacks may have to match the regular zoning of 30 feet, where the plat shows 10 feet set backs. He was told this can be discussed in the work session later tonight.

Terry Avondet stated last week was police week and, with the strife in our Country and people thinking Police Officers are targets, she wanted to tell the Sunset Police Department thank you and how grateful she is for each one of the Officers. Sunset has a small Department, but every one of them has a special purpose and she thanked God for them every day. Every time she hears the siren, she hopes they stay safe. Her brother recently passed away in an accident and it made her realize people can be gone in a moment. The Officers put their lives on the line for the residents.

1. **Report from Sunset Youth City Council:** Youth City Council Advisor Stevenson could not be present, so Council Member Furniss reported for her. He said they are moving forward with the mud volleyball tournament during Fun Days and is excited the Council is supporting it.
2. **Award bid for waterline replacement on Main Street from 1300 North to 1425 North:** City Engineer Scott Nelson reported the waterline on Main Street is failing and needs to be repaired. Prior Public Works Director Noyes received word from UDOT that they are going to overlay the road from Clearfield through Roy this summer. If anything needed to be worked on, it had to be done now because they would place a moratorium on cutting into the road when they were finished. He asked CEC Engineering to prepare a design for the waterline project and they figured it would be about \$60,000 for the project. They submitted the design to UDOT and their contractor, Geneva Pipe Company, would do the waterline for \$105,000. He felt that was high, so they were instructed to advertise an RFP. They only received bids from three contractors because the construction has to be completed by June 19, 2015. Because of the tight window the bids came in higher than anticipated: EH Knudson Construction - about \$195,000, England Construction – about \$146,000 and Kapp Construction – about \$124,000. He found out that flowable fill is not being required of UDOT's contractor, but is required if another contractor does the work. Also, UDOT's contractor will not have to do the traffic control the way the City bid it out. Those two items together run about \$36,500. Therefore he recommended the Council reject the three bids received and enter into an agreement with UDOT to have them contract to replace the waterline. Public Works Director Monroe agreed with Mr. Nelson.

Council Member Peterson made a motion to reject the three bids received and enter into a contract with UDOT for the waterline project. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson and Peay voting yes.

- 3. Consider waiving fee for Sunset Fun Days booth rental for “Now I Lay Me Down to Sleep”:** Council Member Furniss stated he received this request from Collin Harward and asked him to explain about his organization. Mr. Harward explained the organization offers remembrance photography for families who lose a baby during childbirth. The service is free of charge and they work in Davis and Weber Counties. There are 11 photographers who perform the service. He would like to have a booth during Fun Days to recruit more photographers and assistants.

Council Member Furniss made a motion to waive the Sunset City Fun Days booth rental fee for “Now I Lay Me Down to Sleep”. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson and Peay voting yes.

- 4. Consider donation request from Northridge High School for their “All Night Graduation Party”:** Council Member Furniss advised he discussed this donation with Youth City Council Advisor Stevenson and came up with the idea to offer Northridge the \$200 donation if they would work on putting two six-member teams for the mud volleyball tournament during Fun Days. He would like to get two teams each from Clearfield High and Sunset Jr. High Schools as well.

Council Member Furniss made a motion to donate \$200 to Northridge High School for their “All Night Graduation Party” with the invitation to participate in the Sunset Fun Days Mud Volleyball Tournament. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson, Peay and Ripple voting yes.

- 5. Consider Ordinance 2015-02 amending Title 1, Chapter 8, Section 3 – Campaign Finance Disclosure of the Sunset City Code:** Recorder Hale explained the amendments consist of small wording changes to help clarify the code and adds “G. Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds the reporting limit, and is from a donor whose name is unknown, a candidate shall disburse the amount of the contribution to the treasurer of Sunset for deposit into the city’s general fund or to an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.” These amendments also make the City Code conform to Utah State Code.

Council Member Peterson made a motion to adopt Ordinance 2015-02. Council Member Furniss seconded the motion. The motion passed unanimously with a roll call vote: Council Member Peay – yes, Council Member Ripple – yes, Council Member Peterson – yes and Council Member Furniss – yes.

- 6. Consider implementing an Appeal Authority to replace the Board of Adjustment duties:** Council Member Furniss said he attended legal training from the ULCT Attorney. One of the topics was the Board of Adjustment. He said Sunset’s Board has only met once in the last eight years and asked who would want to be on a Board that never meets. A lot of smaller cities are appointing an Appeal Authority, who is maybe a Judge or a Land Use Attorney. That person would be on call to handle land use appeals and variances. He would

like to have three people on call who are trained in land use and could be paid a certain amount per appeal or variance.

Council Member Furniss made a motion to send this to City Attorney King to draft an ordinance implementing an Appeal Authority to replace the Board of Adjustment. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Furniss, Peterson, Peay and Ripple voting yes.

- 7. Mayor and Council Reports:** Council Member Furniss asked about fencing around Maverik because he's had neighbors ask him about it. Ordinance dictates a 6 foot opaque fence should be built. It was clarified the fence is on the plans and will be erected. He wonders if they could talk to Tanner Transmission about continuing the fence along his property abutting residential. He asked Public Works Director Monroe if the asbestos test came back on the City owned rental home, to which Director Monroe replied there is asbestos in the crawl space of the home and it will have to be removed. Council Member Furniss would like to put the pictures he has of the North Davis Sewer District relined sewer lines on the City's website.

Council Member Peay advised she received a list of veterans from Mayor Macfarlane and now has about 45 names. She would like to send out an invitation to them to join the Fun Days parade. By doing that, she believes there will be more people on the trailer this year. Michael Love is developing a creative way to recognize the veterans. Kat has been hired to oversee Kids Club, which will begin June 9th and is for children aged 5 to 12 on Tuesdays, Wednesdays and Thursdays. They put banners up at the schools and will advertise it on Facebook.

Council Member Peterson stated the Planning Commission will review a conditional use request for Insider Auto Sales to be located at 335 W. 1300 N. for inside auto sales and interview an Alternate Planning Commissioner applicant on Thursday. They will also be discussing possibly changing their meetings to a different day of the week. Council Member Furniss wondered if the Planning Commission would like to review the timeframe on how long campaign signs could be posted. North Ogden limits the time. It was advised the Planning Commission wouldn't have to review it because it is not a zoning issue, but the Council could. It was also explained the City's time limit had already been changed due to freedom of speech. Council Member Peterson expressed his appreciation for the Mayor, Council, employees and all in attendance.

Council Member Ripple said many residents didn't know about the quarterly newsletter being online, so he is working on more advertising for that. It seems it was read more often when it was mailed to the residents. He met with Citizens Corp and found a lot of volunteers have stopped supporting it. About five years ago, Sunset's CERT program was one of the top programs for having people who were CERT ready. They are trying to revamp it by advertising and they hope to have a booth during Fun Days. They will also get CERT classes going again.

Council Member Snow reported Kathy Veliz will be resigning from the Beautification Committee soon, Cathy Brown will take over for her and the rest will be staying on. It has been a wet spring so weeds are growing fast so they need to keep up with weed enforcement. The wet and warm weather has caused a problem in trying to control the mosquitoes. The Mosquito Abatement District has begun the demolition at the construction site for their new building, which should be completed in April, 2016. They just finished up an education program in the schools and held an online contest. Whichever school has the most participation will get a pizza party. He asked Chief Eborn to get him a report on the Better Landlord Program. Council Member Ripple asked if Sunset was concerned about watering lawns this year and was told no rules had come down from Weber Basin yet.

Mayor Macfarlane attended Police Week Recognition at HAFB. The Sunset Police Department is a great Department and she appreciates all the Officers. She attended the Honor Flight return of 52 Utah veterans who went to Washington D.C. It was quite emotional and great to see them have that opportunity. She has been working with the Kiwanis Club to get the businesses to purchase flags to fly during patriotic holidays. Smith's has four, Charlie's Tanner Transmission and Don's Meat each have one and the Weber and Davis Counties Canal has three. There are gaps between the businesses and she would like the City to put flags in those places. She got the signed well water contract back and there are three things that will be done by the water attorney staff. It is a good contract and she believes the City will benefit from it. She questioned the different wattages on some of the street lights throughout the City and asked Council Member Snow to ask his contact at Rocky Mountain Power about it. The City General Plan talks about annexation with Falcon Hill, so she talked to someone at Davis County about annexing the land and he suggested Sunset annex everything that is dirt. To make the Enhanced Use Lease work Council Member Furniss said all the cities memorandums of understanding that none of the cities would annex, but Clearfield has now annexed a portion of it. Mayor Macfarlane reported Wasatch Integrated Waste Management is redoing a lot of operating facilities, so steam production is down to HAFB and they are not generating revenue from them. They have held a public hearing on their rate increase.

8. **Department Reports:** Police Chief Eborn advised the police vehicle that got rear ended was totaled, but no equipment in the truck was damaged and the insurance is going to give the City a little over \$14,000 for the car. The Officer in the vehicle went to the doctor, but is okay and back at work.

Firefighter Bott reported the open Deputy and Assistant Fire Chiefs positions are now closed, but the Captain and regular Firefighter positions are still open.

Public Works Director Monroe is working on getting bids to fix the leaking roof. Council Member Furniss thanked Director Monroe and employee Marcus Garcia for their work on stopping the leaks so the film crew could continue filming. He would like to see them recommended for the Employee of the Quarter. Director Monroe said two more bowery reservation billboards will be installed tomorrow, and then there will be one at each park.

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

WORK SESSION

Present: Mayor Macfarlane, Council Member Furniss, Council Member Peterson, Council Member Peay, Council Member Snow, Council Member Ripple, Recorder Hale, Treasurer/Office Manager Youngdell, Police Chief Eborn, Firefighter Bott and Public Works Director Monroe.

Excused: Fire Chief Weston

To discuss the development agreement for the Sunset Place Townhomes: An issue came up where maybe the units bordering existing homes would need to meet the same 30 foot rear yard setback, but that ruling is in the subdivision ordinance. The PRUD ordinance gives the Council the option to approve different setbacks for a PRUD development. It was suggested when the plat is approved, the motion should state the planned setbacks are approved. Next time maybe the City Engineer should review the plans up front because changes can be done before going through most of the process. Each phase of the development will have an escrow for protection for the City. A building permit will not be issued until a SWPPP is submitted.

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

To discuss fiscal year 2016 budget requests: Mayor Macfarlane read the General Plan Vision so they could keep it in mind as the budget is discussed. Some of the items they need to plan for are rebuilding the park restrooms and bowery, contracted services, revenues that will be lost such as rent from the rental house, Bernina Sewing Center and possibly Sierra R.V., retirement payouts, the increased fees for Wasatch Integrated and North Davis Sewer and whether or not a property tax increase could help. The well water exchange with Weber Basin Water will reduce the annual payment to them so that will free some funds up for infrastructure. A Maverik Convenience Store and a new cell tower will be built so the revenues from them will help with the lost revenues. There has been talk of implementing a lighting fee to help with street lighting. Among the items discussed were: 1) the additional costs of forming a four-man crew system in the Fire Department; 2) the additional work for Administration to explain the need for trying contracted meeting minute transcription service for a year; 3) giving COLA or merit increase for the employees, along with a wage increase for Public Works Director Monroe after probation and \$1,000 per month for Mayor Macfarlane; 4) purchasing one public works truck this budget year and put another one in the budget for next year; 5) a gis mapping system for water and sewer lines; 6) cut out the new lobby door; 7) saving money for a new fire truck; 8) replacing the wrecked police vehicle; and 9) street and sidewalk repairs.

It was decided to hold another budget work session on Tuesday, May 26, 2015 at 6:30 p.m.

Sunset City Corporation
City Council Minutes
May 19, 2015
Page 7 of 7

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

The meeting adjourned at 11:00 p.m.

Approved – June 2, 2015

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder