

Minutes of a regular meeting held June 3, 2014 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Macfarlane presiding.

**5:30 WORK SESSION**

**Mayor and Council Present:**

Beverly Macfarlane	Mayor
Ryan Furniss	Council Member
Chris Hadley	Council Member
Trystal Peay	Council Member
Jake Peterson	Council Member
Kevin Snow	Council Member

**City Employees Present:**

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Breen Lowman	Fire Chief
Norm Noyes	Public Works Director

**Discuss FY2015 Budgets:** Mayor Macfarlane explained there were four options pertaining to the employee wages. Option 1 is no wage increase; option 2 is a 0.5% COLA and up to a 1% merit increase given simultaneously; Option 3 is to give the 0.5% COLA then add up to the 1% merit increase; Option 4 is to give a 1% COLA then give up to a 0.5% bonus. Option 2 is a total increase of \$23,753 and Options 3 and 4 is a total increase of \$23,822. She believes there are no performance standards or evaluations in place except informal ones. She has had an employee come to her saying their stats are better than another employee's so they deserve an increase. She said that is what happens when there are no standards of performance set in stone. Based on that, she would like to implement option 4. Then they can get some standards/goals set so merits can be implemented in the next year if there is money in the budget for them. She believes the employees deserve a 1% increase and a bonus. Treasurer/Office Manager Youngdell clarified there is an evaluation form with scoring on different subjects in place for merits. For the past 5 or 6 years there has been no money to back up the evaluations, so they have not been done. The City employee pool is not very large and the Department Heads know how their employees work. They discussed how to give a bonus to the firefighters because their hours cannot be projected and whether or not to give the bonus to employees on corrective action.

Mayor Macfarlane and Council Members Furniss, Hadley and Peay preferred option 4, Council Member Peterson preferred option 2 or 3 and Council Member Snow preferred option 1. Option 4 was therefore chosen and, due to the low wage of the firefighters, the Chief and Asst. Chief will get a \$100 bonus and the firefighters will be given up to a \$75.00 bonus instead of a percentage. Any employee of the City who is on corrective action will not receive a bonus.

Council Member Furniss made a motion to adjourn. Council Member Hadley seconded the motion. The motion passed unanimously.  
The meeting adjourned at 6:20 p.m.

**REGULAR SESSION**

**Mayor and Council Present:**

Beverly Macfarlane	Mayor
Ryan Furniss	Council Member
Chris Hadley	Council Member
Trystal Peay	Council Member
Jake Peterson	Council Member
Kevin Snow	Council Member

**City Employees Present:**

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Breen Lowman	Fire Chief
Norm Noyes	Public Works Director
Travis Carter	Asst. Fire Chief

**Others Present:**

Clint Thacker	Davis County Animal Care & Control
Tracy Roddom	Davis County Animal Care & Control
Arlyn Bradshaw	Best Friends Animal Society
Lindsay Baird	Best Friends Animal Society
Terry Avondet	Sunset Citizen Corps
Jenni Williams	Standard Examiner
Spring Carter	Chad Bangerter
Neil Coker	
Boy Scout Troop 157 – Andrew Cowan, Dain Cowan, Weston McLaferty, Craig Neilson, Isaac Maezy, Tyler Argyle	

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

Mayor Macfarlane gave the invocation and led the Pledge of Allegiance.

Council Member Furniss made a motion to go into the Public Hearing. Council Member Peay seconded the motion. The motion passed unanimously.

**PUBLIC HEARING**

**To receive public input on the Fiscal Year 2014 budget amendments and the Fiscal Year 2015 budgets:** Mayor Macfarlane read the FY14 budget amendments and the FY15 budgets.

The FY14 General Fund increased \$9,841, the Utility Fund decreased \$7,310, Class C Roads increased \$45, Dispatch Fees increased \$2,200, Liquor Control decreased \$1,500, DARE increased \$1,440, Youth City Council decreased \$1,250, Miscellaneous grants decreased \$530 and the Economic Development Capital Project Fund decreased \$1,990. The total increase is \$946 for a budget of \$3,952,045.

The FY15 Budgets are as follows: General Fund - \$2,152,298; Utility Enterprise Fund - \$1,552,455; Class C Road Fund - \$186,135; Dispatch Fee Fund - \$48,775; Emergency Preparedness Fund - \$15,000; Liquor Control Fund - \$9,800; DARE Fund - \$3,700; Youth City Council Fund - 2,000; Miscellaneous Grants Fund - \$12,000; Fire Department Fund Raising Fund - \$1,000; Retirement Insurance Premium Fund - \$1,000; CDBG Capital Project Fund - \$400,000; Fire/EMS Vehicle & Equipment Capital Project Fund; \$10,000; Public Works Capital Project Fund - \$70,000; and Economic Development Capital Project Fund - \$16,000. The total of all funds is \$4,480,163.

Mayor Macfarlane opened the meeting for public comment, asking the residents to limit their comments to three minutes.

There were no comments from the public.

Council Member Hadley made a motion to return to the regular session. Council Member Snow seconded the motion. The motion passed unanimously.

#### **REGULAR SESSION**

**Approval of Vouchers:** Council Member Peay made a motion to approve the voucher for the Davis County Sheriff's Office in the amount of \$5,445.00. Council Member Furniss seconded the motion. The motion passed unanimously.

**Public Comments:** Chad Bangerter commented on the overnight parking item on the agenda. Over the eight years he served as a Council Member and as Mayor, he has discussed this issue several times. He hopes the Council has spent adequate time reviewing the item. The last time it was discussed it was of a personal nature with some wanting to park on the street all year because they have children reaching driving age and needed more parking space. The roads of Sunset are not the same as other cities' roads. They are much narrower and the police look closer at cars parked on the streets at night because they are out of the normal, therefore crimes could be caught or prevented. He does not believe allowing people to park on the street in the summer will keep the cars off the lawns. He believes the cars parked on the lawns are there for storage and not driven much. If the storage is moved from the lawns to the streets it will increase the danger to children crossing the streets. He's heard it said that cars are already parked on the streets during the day, but in fact most people will keep their cars parked off the street because they don't want to move them later or don't want to forget to move them and chance getting cited. He encouraged the Council to at least table the item and consider it further before making a decision. He thanked the Council for their hard work on the budget.

Neil Coker also commented on the overnight parking item. He said it is discussed almost every year and he is against parking on the streets any time of the year. The roads are narrow and if there is a fire, there will be 6 to 10 emergency vehicles at the scene. From a safety point of view he is against it.

**1. Presentation from the Davis County Animal Services:** Clint Thacker, Director of the Davis County Animal Care and Control, said they appreciate handling the animal services of

Sunset City. He introduced Tracy Roddom, who is the Assistant Director, and said she used to be the Officer who patrolled in Sunset. He asked if they had any questions for him. Council Member Furniss asked him to explain the billing for the newly elected Council Members and Mayor. Director Thacker said the City is billed for the previous year. A certain amount of their budget is allocated to serving cities in Davis County. That amount is divided by the total number of calls of the previous year and the cities are charged for their percentage. Wildlife calls are billed separately per call. He was asked if they come out for rabbits running wild. He replied they will if they are domestic, but not if they are of the wild species. They would not respond to loose rabbits unless there is a person to contact. If the rabbits are trapped they will pick them up.

Director Thacker introduced Arlyn Bradshaw, who is the Manager of the Best Friends Animal Society No Kill Initiative. He is also a member of the Salt Lake County Council. The shelter is having a big problem with feral cats. They are caught and euthanized and that program is not working.

Mr. Bradshaw said the Best Friends Animal Society tries to save as many animals as possible. At the Davis County shelter in 2013 only about 5% of cats brought in were identified as having an owner and returned to them. It is about 47% for dogs. That is pretty consistent throughout the state. Sunset only has about 75 cats picked up per year. The term 'community cat' has been defined as a feral or free roaming cat that is without visibly discernable or microchipped owner identification of any kind and has been sterilized, vaccinated and ear tipped. The Best Friends Animal Society would like to partner with the Davis County Animal Services to implement a program called "TNR" which stands for 'trap, neuter, return'. Staff will locate, trap, sterilize and vaccinate feral cats and then return them to the area. The cats are also ear tipped so they are identifiable as having already been through the process. The reason this program is better is that it reduces shelter admissions and the operating costs because the shelter does not have to house the cats for the required five days nor euthanize them. Ultimately it creates safer neighborhoods because the cats are vaccinated. Once the cats are sterilized they stay closer to their food source and are not out roaming and fighting to mate. Over time, study shows this method reduces the amount of free roaming cats. Catch and kill does not do that because the cats are living like wild animals and there is a phenomenon among wild animals called the vacuum effect. If a lot of animals are removed from an area artificially, they will over reproduce to replace their population and outside animals will also move in. They implemented the TNR program in Salt Lake County in 2010, where about 63% of all cats coming into the shelter were euthanized. After four years in the program they now have a 90% save rate for cats. The overall complaint calls about cats have declined as well. Sunset has adopted the Davis County Animal Control Code and about two years ago the Davis County Commission adopted an ordinance that would allow for TNR. No program has been implemented because they wanted to gain the support of the cities first. The program does not increase the Animal Control budget because Best Friends is willing to provide the extra staff and grants going forward to help implement the program. In the short term, there will be no extra charge to the City and possibly a reduction in cost due to the reduction in calls for cats.

Director Thacker confirmed the “Community Cat Act” was included in the Davis County Animal Ordinance when it was amended a couple years ago. All they need from the City is a letter stating the City would like to participate in the program. They will not do TNR in Sunset unless the Council says they want to participate. There is no extra work load for the Davis County staff because they’re already picking up the cats. The cats will be put in a cage, the next day they will be sterilized, vaccinated and ear tipped and the day after that someone from Best Friends will pick them up and release them back to the area. In fact it will be less work load for the staff because they don’t have to keep and care for the cats for five days. Best Friends will pay 100% of the start up costs including deterrents residents may need at their homes. They will also hand out flyers explaining their program. He does not see the City picking up any costs in the future related to the TNR program.

Mayor Macfarlane clarified approval of the program is not an item on this meeting’s agenda, so it will be on the next one and the letter of approval or disapproval will be mailed to Director Thacker.

2. **Consider approving Resolution 2014-05 amending the fiscal year 2014 budgets:** Mayor Macfarlane stated the total of the FY2014 amended budgets is \$3,952,045.

Council Member Snow made a motion to approve Resolution 2014-05 amending the FY14 budgets. Council Member Peay seconded the motion. The motion passed unanimously with a roll call vote. Council Member Peay – yes, Council Member Hadley – yes, Council Member Snow – yes, Council Member Peterson – yes, Council Member Furniss – yes.

3. **Consider approving Resolution 2014-06 adopting the fiscal year 2015 budgets:** Mayor Macfarlane stated the total of the FY2015 Budgets is \$4,480,163.

Council Member Hadley made a motion to approve Resolution 2014-06 adopting the FY15 budgets. Council Member Furniss seconded the motion. The motion passed 3 to 2 with a roll call vote. Council Member Furniss – yes, Council Member Peterson – no, Council Member Snow – no, Council Member Hadley – yes, Council Member Peay – yes.

4. **Consider approving Ordinance 2014-07 amending Section 6-1-3 “All Night Parking Regulations” to prohibit overnight parking only between the dates of November 15 and March 15:** Mayor Macfarlane said she hopes the Council Members have had the chance to read the comments made the last time this item was discussed and have listened to the comments made tonight. Mr. Bangerter was correct in saying this issue comes up often. She seconds the reasons for not wanting to change the overnight parking ordinance. She believes it is a safety issue and it does not go along with their clean up efforts. The police are very accommodating when someone needs permission to park on the street temporarily. She read the proposed ordinance that allows residents to park on the street overnight except during the time frame of November 15 through March 15.

Council Member Snow said the overnight parking is not allowed only from 2 a.m. to 7 a.m. so the safety issue is already in existence during any other time of the day when people are

parked on the street. He said the new laws say an Officer has to cite the person directly and not just place a citation on the vehicle and an Officer does not want to knock on a person's door at 3:00 a.m. for a parking violation. That makes the ordinance even harder to enforce. Also, the fire trucks have to go down the streets in the day time and they seem to do so fine while the cars can be parked on the streets. Officers driving around the City are very familiar with the areas and can pretty much tell when a vehicle is out of place. Sunset is the only city he has found in Utah that does not allow overnight parking on the streets during the summer months. After this ordinance, they could also draft an ordinance so people cannot park on their lawns, but have to park on paved or other approved parking areas. He talked to a person who was on the Council when the ordinance was originally passed and he said it was a divisive issue then and only passed three to two. In 2014 there are more vehicles and they should be allowed to park overnight on the street except in the winter.

Council Member Hadley asked the Police and Fire Chiefs for their opinion on the issue. Police Chief Eborn said when the Court went to the new electronic filing system it would not accept a citation that came in unsigned, which made it difficult to cite. That has since been remedied. However, the problem is they have to figure out who parked the car there because that is the person who has to be served the citation. Sometimes they are unable to find them and those citations stack up until the court just dismisses them because it is not feasible to keep looking for them. A lot of warnings go out, but few citations are issued. Fire Chief Lowman was concerned about the fire engines traveling on the streets at night, but they will deal with what the Council decides.

Public Works Director Noyes advised the average width of the streets in Sunset is 32 feet. If a car is parked on both sides of the street that only leaves 16 feet to travel in. He is one of the people who have trouble parking all his cars, but he is neutral on the issue. If this ordinance is adopted, he believes there will be a lot of complaints about garbage cans not being dumped due to a car being parked too close and the street sweeper would not be able to clean the streets as well.

Mayor Macfarlane said when there are cars parked on both sides of the street one vehicle has to wait for another to pass before they can travel through that area. Council Member Snow replied that same logic could be held to ban parking on the streets any time of the day due to the streets being so small. Council Member Peterson believes another part of the ordinance that states no vehicles can be in parked in the same location on the street more than 72 hours would be hard to enforce, also.

Council Member Snow made a motion to approve Ordinance 2014-07. Council Member Furniss seconded the motion. The motion did not pass with a '2 yes – 3 no' roll call vote. Council Member Peay – no, Council Member Hadley – no, Council Member Snow – yes, Council Member Peterson – no, Council Member Furniss – yes.

- 5. Council Member reports and general information:** Council Member Peay advised Fun Days is still being planned and Recreation Supervisor Maylin is doing an amazing job. They are working on some way to get the veterans involved in Fun Days. Sunset residents are

using the North Davis Senior Activity Center more and she suggested putting a link to their web page on Sunset's page so the children of the senior residents might see it and tell their parents about it. Nothing is going on at the moment with economic development. The Citizens Police Academy graduation is Thursday. Last week was S.W.A.T. night and it was very interesting. She encouraged any citizen 18 or older to take the academy. She asked Treasurer/Office Manager Youngdell to ask Court Clerk Arbogast to put information about Kids Club on the website as it begins in one week.

Council Member Hadley stated he has not had any success in obtaining donations from companies for the door on the second bay of the Fire Department. He noticed there are nice blinds in the windows in the front of the fire station. The Fire Academy is going on and they've had good participation. The badges have arrived and they will be provided to those qualified to receive them during a ceremony. People have been busy, so they've not had much participation in CERT and the Citizen Corps. There are some emergency preparedness trainings going on through some of the local churches and he may bring in some information from them.

Council Member Snow said beautification is one reason he is disappointed the overnight parking ordinance did not pass, therefore making some residents park on their lawns. They are planning the City Clean Up Day for June 28<sup>th</sup>. Jeremiah Jackson is contacting the LDS churches and Council Member Snow is contacting the other churches in the community. They wondered if the City could supply the fuel for the lawnmowers and weed eaters. Their goal is to get the weeds trimmed down in the gutters and streets and maybe they'll be able to do a couple of homes in each area. They will meet for a pot luck at Central Park when they're done. Mayor Macfarlane asked him to ask the Youth City Council to become involved to practice their leadership skills. MIDA and the DRC have not met yet. He is now on a building committee for the Mosquito Abatement District to see if expanding with a pole barn is feasible.

Council Member Peterson advised the Planning Commission is still in need of alternate members and asked everyone to spread the word. Council Member Snow asked if email addresses could be asked for as people come into the office so they could form a data base to get information out easier. Mayor Macfarlane asked Council Member Peterson to work on a way to get the alternate position request out to people. Council Member Peterson thanked all the employees and citizens for attending the Council meeting.

Council Member Furniss recognized Scout Troop 157 in the audience and asked if they had any questions for the Council. They did not. He thanked the Police and Fire Departments for working on the accident on 1800 North Main and said how difficult accidents must be for them when children are involved. He hopes the employees know the Council does not take raises lightly and they would love to give them more, but there is a delicate balance between taking care of the City's needs and taking care of the employees. He hopes public works will get behind the City Clean Up Day as he believes if they make this a success and show the citizens they are committed, they will be more committed to keeping their yards up. He asked about M.O.D. Tae Kwon Do's business sign and was told the permit was being

checked by the inspector, then the permit would be issued so they can move their sign from their old location to their new one. Council Member Furniss confirmed with Chief Eborn his permission for the Youth City Council to ride along with the Officers. He will talk with the Youth Council about getting involved with the City clean up day of service. He and Planning Chair Stevenson talked about putting the information the Planning Commission has on the map and they would like to do an overlay, which will cost around \$100.00.

Police Chief Eborn thanked the Council for the employee wage increase and said his employees are happy they even considered it. Today the employees of 7-11 were told 7-11 will close on August 1<sup>st</sup> and the building will be for sale for any other business than a 7-11 franchise. He was not at the accident Council Member Furniss spoke about, but he has heard good things from the helicopter pilot and others about how well the Police and EMS responded.

Public Works Director Noyes said they will support the clean up day in any way they are needed. He echoed Chief Eborn on the wage increase.

Treasurer/Office Manager Youngdell reminded the Council it has been a year since the recycling and green waste programs began and residents can now opt out if they choose. Six residents have opted out in the two days since they were able to. She mentioned a ballot box was located in the office area for those residents who don't want to mail in their ballots. She asked Council Member Peay for the link to the North Davis Senior Center so she can have Court Clerk Arbogast put it on the website. Newsletters will be mailed in July, so she asked the Council to turn in any information they would like in the newsletter as soon as possible. She thanked the Council on behalf of Administration for the wage increase.

Fire Chief Lowman said it has been a busy week and they responded to the first I-15 fatality of the 101 days of summer on Memorial Day and less than a week later they responded to a serious accident on 1800 North and Main Street. He cannot say enough about the great response by Sunset Police and Fire and also the Clinton Police. There was great coordination between the agencies. There was a juvenile who had stopped breathing and had no pulse due to her injuries. They worked on her for a significant amount of time and were able to revive her and fly her to Primary Children's Hospital. As of today, she is in great condition. The success rate for those who receive CPR and have good quality of life after is only 8%. With that being said, the child was the second time in the last six weeks a Sunset firefighter has resuscitated someone. The first one was by Kelsie Oyler on an older person who lived long enough to interact with their family. Jacob Sobers resuscitated the child. Chief Lowman thanked the Council for the wage increase and for allowing them to purchase turn outs so the firefighters will be safe.

Mayor Macfarlane reported Econo Waste dumps the recycling at the Weber County Station and Weber County has begun giving a rebate of \$10 per ton, so Econo Waste is going to pass that rebate on to Sunset City. She thanked Jenni Williams from the Standard Examiner for being here. This weekend she will be entertaining Major General Brent Baker and his wife and Col. Kolbe and her husband, who is also Col. Kolbe, to keep the liaison with Hill Air

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Force Base. Chief Lowman reminded everyone the HAFB Air Show is on June 28<sup>th</sup> and to keep that in mind when planning the City clean up day. Mayor Macfarlane reported the owners of the Winegar building have removed the two semi trailers and another trailer. They will also be fixing the wall behind their building. The R.V. Storage has been cited for weeds/junk, so hopefully they will clean that up soon. She has seen residents cleaning up their yards and knows the police are citing for weed/junk violations. She reminded everyone they pay for x amount of water whether they use it or not. People think if they water their lawn they will have to pay extra, but they have to pay for x amount anyway so they should water their lawns a couple times a week to make the community nicer. She thanked everyone for their attendance.

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

The meeting adjourned at 8:27 p.m.

Approved – June 17, 2014

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder