

**Sunset City Corporation**  
**City Council Minutes**  
**June 6, 2017**  
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Minutes of a regular meeting held June 6, 2017 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Macfarlane presiding.

**REGULAR SESSION**

**Mayor and Council Present:**

Beverly Macfarlane	Mayor
Chad Bangerter	Council Member
Ricky Carlson	Council Member
Norm Noyes	Council Member
Jake Peterson	Council Member
Scott Wiggill	Council Member

**City Employees Present:**

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Jason Monroe	Public Works Director
Ken Eborn	Police Chief
Anthony Bott	Interim Fire Chief
Christina Arbogast	Court Supervisor

**Others Present:**

Jesse Terry	West Vet
Laura Penman	Shirley Griffiths
Janet D. LuJan	Wanema Butcher
Kevin Snow	Tyler Argyle
Tammy Long	

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

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

**Approval of Minutes:** Council Member Wiggill made a motion to approve the minutes of April 25, 2017, May 2, 2017 and May 3, 2017 as presented. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

**Public Comments:** Janet LuJan stated on June 6, 1961 she stepped off of the Queen Elizabeth in New York and got ready to board a train to Utah. She is a crossing guard for the children of Sunset Elementary School and noticed a pot hole on a Wednesday, told public works about it and when she arrived on Thursday it was filled. The next Tuesday, she was struggling to get her garbage can turned around so it could be picked up in the morning, when a public works employee drove past. He saw her struggling and came back to help her. These little things mean so much to her and she thanked them.

Michael Love thanked the Council for their actions in the last few weeks, as he knows it hasn't been easy for them. He believes they made the right decision. He knows they wouldn't put their own families at risk. He knows it is hard for the firefighters and he wished them the best. He will continue to support the Council and told them to let him know if he can help in any way. He has been helping Council Member Peterson with the Veteran's Memorial and believes they may have some good news soon about funding.

Arlo Doyle wondered if the Council could address a flyer he picked up from the utility counter. The last line of it says the fire and ambulance protection would cause no net increase for the residents. However, when listening to the Council minutes beginning at 7 minutes and 50 seconds into it until about 14 minutes into it, Mayor Macfarlane stated there will be a tax increase regardless and stated it would be \$87.00 based on a house valued at \$135,000. He asked how there can be no net tax increase if they're saying there is a guaranteed tax increase no matter what they do. Mayor Macfarlane said she hopes his question will be answered during the course of this meeting.

1. **Request for permission from West Vet to park a mobile CT scanner semi-trailer in the back parking lot of Animal ER located at 2465 N. Main for 24 months:** Jesse Terry said he is one of the surgeons at West Vet, a specialty veterinary center. There are two specialty centers in Salt Lake City, but this is the first one in this area. A lot of the advanced cases in this area presently have to be referred to the clinics in Salt Lake City for items such as orthopedic or neuro surgery. They are trying to set up an advanced surgery center here and they'd like to do some advanced imaging to prevent having to send case to Salt Lake City. They have been working with the property manager to see where they could locate a mobile CT scanner close to Animal ER, where they will be performing the surgeries. He pointed out the location they have chosen to park the CT scanner trailer for 24 months, until they can build a larger clinic in a stand alone building where they can install a CT scanner. When asked where Dr. Terry plans to build his future building, he said he hopes to keep it in Sunset. The clinic needs to be located fairly close to Animal ER so they can maintain their referral base. An in-house CT scanner is pretty expensive, but the lease agreement for the mobile unit is very doable for them now and will allow them to offer the care locally. The mobile scanner is in a 50' x 80' semi-trailer.

Mayor Macfarlane said the Council has addressed semi-trailers in conjunction with other businesses in the City and she is not in favor of them. The City ordinance does not allow for semi-trailers to be parked in the City, so she believes they shouldn't make any exceptions. Council Member Noyes asked, if they were to make an exception, what the benefit would be for the community. Dr. Terry said the benefit would be a higher level of veterinary care locally, instead of having to send the residents to Salt Lake City for that advanced care.

When asked what the potential revenue he is losing to Salt Lake City is, Dr. Terry replied at least \$1,000-\$2,000 a week. As a start up clinic, that is a good portion of their revenue, which would increase as the clinic grows. Council Member Bangerter is concerned with three things. The first is that semi-trailers are not permitted to be parked in Sunset. Second is the location is right next to a residential apartment complex and a school yard. The third is

temporary to a City is usually three to six months, where he wants to park the CT scanner trailer there for 2 years, which is considered permanent. If the Council decides to allow this, he recommended they review it every three to six months to see if there are any issues.

Council Member Carlson advised the Council had made a temporary exception for another semi-trailer to park in the City that was used to transport items and it was only there for a short time. He doesn't have a problem with where Dr. Terry wants to park the trailer because it's out of the way and not visible to the street. His opinion is to make an exception for this and review it often as Council Member Bangerter suggested.

Mayor Macfarlane advised during Department Heads meeting, they talked about exceptions and every time an exception is made, Sunset employees have to enforce whatever it is the exception was made for. That ripple effect is another reason she believes they need to be consistent and quit making exceptions to the ordinances.

Council Member Bangerter said he agreed with both Mayor Macfarlane and Council Member Carlson. The last exception was asked for by the owner of a property and the semi was only there for four days or less at a time, so that made it a little different from this proposal. He reiterated his concerns about the ordinance and the 2 year period asked for and asked if it would put them out of business if they are not able to have the mobile CT scanner. Dr. Terry replied it would not, they'll just have to wait until they can fund a new building and house it on site. Until then, they will send the cases to Salt Lake City.

Council Member Noyes said he kind of agrees with Council Member Carlson in that they need to do more to attract and keep businesses in Sunset. He would like to see a different proposal, maybe by parking it in a different location. He would like to do everything they can so it works for them and keeps a good business in Sunset. He would like to table it until another option is presented that works for the business and the City.

Council Member Bangerter feels it is now in Dr. Terry's hands to come up with another proposal to see if it works for the Council. The biggest hurdle he sees is it not being permitted by ordinance, but maybe working through the Mayor and a Council Member it can be resolved. Dr. Terry agreed and thanked the Council for their time.

- 2. Consider Resolution 2017-11 approving an agreement between Sunset City and Econo Waste, Inc. for automated refuse, green waste and recycling collection within the City of Sunset:** Council Member Carlson stated the Council had discussed this during a budget meeting decided to renew the contract with Econo Waste. As he read the contract, he got to thinking about the recycling can that is almost as much as the regular garbage can, but only picked up bi-weekly. He wondered if they could see if Econo Waste would pick it up weekly or reduce the cost.

Val Sanders, owner of Econo Waste, explained the reason the cost is a little higher is because they own the cans and have to bear the cost of delivering and picking up the cans when a customer decides to add the recycling service or end it. Only about 1/3 of Sunset residents

use the recycling service and the fee they charge Sunset is \$1 to \$2 less than any of those other cities, except West Point. Econo Waste has hauled for Sunset and West Point for a long time, so they try to keep the cost down for them. The last bid they put in for another city was \$6 per home if the city had less than 50% of their residents using the recycling service. When asked what cities they haul for besides Sunset and West Point, Mr. Sanders replied Pleasant View, Farr West and Plain City. They haul for over 15,000 homes a week. They received a letter from Weber County that they would no longer accept recycling, so now they will haul the recycling to a business on 31<sup>st</sup> Street in Ogden who is not charging anything for taking it. Mr. Sanders and the Council discussed the types of complaints Econo Waste receives and how they are dealt with.

Council Member Carlson made a motion to approve Resolution 2017-11 approving the agreement between Sunset City and Econo Waste, Inc. for automated refuse, green waste and recycling collection within the City of Sunset. Council Member Wiggill seconded the motion. The motion passed unanimously with a roll call vote. Council Member Peterson – yes, Council Member Carlson – yes, Council Member Wiggill – yes, Council Member Noyes – yes and Council Member Bangerter – yes.

- 3. Mayor, Council and Department Head reports:** Council Member Bangerter reported he has received three sponsors to cover the cost of the car show trophies. He will begin to advertise for the show soon. He keeps in contact with the Chamber of Commerce and attends the meetings he feels is pertinent to the City. Mayor Macfarlane asked him to make sure and go to the transportation meetings. Council Member Bangerter advised Better City is still working with a company that will be coming into the old Sierra RV property. If they find they don't need a portion of the property, they will sell it. He is trying to work with Better City to find a restaurant to go in there, but it's hard due to the State alcohol law and the property being so close to a school. The Planning Commission is still working on the General Plan. Mayor Macfarlane would like to see the Planning Commission recommend standardized conditions for different types of businesses so the Council could be a little more consistent. The inconsistency in conditions makes it hard for the City employees to enforce. She asked Council Member Bangerter if he could work with them on that. Council Member Bangerter agreed with her and said he would talk to them about it.

Council Member Carlson stated there will be a Mosquito Abatement and Aerial Spray Authority meetings this week so he will report on them at the next Council meeting. It is good to hear the positive comments made tonight about Public Works. He has had the same type of experiences with them. He and Recorder Hale are working on the fence ordinance and hope to have it done soon and they will email it out to the Council for review. He talked with the representative from Clinton on the Mosquito Abatement Board and learned the Clinton Arts Department has voted to include Sunset, if it wants to be included. He will get more information on that.

Council Member Noyes answered Arlo Doyle's question about the no net tax increase on the flyer. He said that is in relation to the fire department only because if Sunset is annexed into

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the NDFD, Sunset's property tax would decrease by the amount NDFD will receive from Sunset residents.

Council Member Peterson reported the Youth City Council is planning for Fun Days, they will do a service project this Monday and they will also be volunteering at the Lantern House this month. They will elect a new Mayor within a couple months. He has compiled a lot of information about the Veterans Memorial, but the committee has not met for a while.

Council Member Wiggill knows the Citizen Corps and Emergency Preparedness people have been busy, but he has been on vacation for the last two weeks, so he has nothing to report.

Treasurer/Office Manager Youngdell reported the debit/credit company they have been using is not going to serve Sunset any longer and the new company now serving Sunset is Fortay. There were about three days where card service could not be offered, but it's up and the transition has gone smoothly.

Police Chief Eborn said a patrol car is down being repaired right now.

Interim Fire Chief Bott stated the station handled over 40 calls this month and he has been doing some business inspections.

Public Works Director Monroe thanked everyone for the compliments. June 12 & 13, the Youth City Council will be painting the remaining curbs in front of fire hydrants for a service project. He mentioned Clinton Recreation has approached him about an adult kick ball league, but they only hold it on Thursdays and Central Park is reserved on Thursdays. He is working with them to see if it can't be held on another night so they can use Central Park. He's still working on the communication for the new marquee sign. Public Works is getting ready for Fun Days. He has received a lot of suggestions for Grand Marshall, but one needs to be picked. It was suggested he and Mayor Macfarlane pick a couple in case the first one doesn't want to do it. Interim Chief Bott stated Lawrence Byington is only person left in the City who was a firefighter when the Sunset Fire Department was formed and suggested his name be added to the list. Director Monroe reminded the Council the 800 North project was designed about 6 years ago and it was funded for that design; not for any add-ons. When asked about it, it was said the ditch on 800 North will be piped. Add-ons to the park strip were discussed. Director Monroe said there have been complaints of the restrooms being closed too early or too late and he does not know why. The Police Officer on duty locks the restrooms, but if he has a call at 9:55 until 11:00 the doors won't get locked until then. This is the way it's been done for years and he doesn't know why there is a problem now. Chief Eborn said a couple of his Officers are new and had closed them a little prior to dark when there were still people in the park, so he is addressing it. Director Monroe said he already pays his employees to open the restrooms in the mornings and he really doesn't want to pay for them to close the restrooms at 10:00 p.m., but will if he is told to. Mayor Macfarlane said an Officer closing them around 10:00 p.m. is good, so he won't have to do that.

Mayor Macfarlane attended a Wasatch Integrated Waste Management meeting and they talked about where to have the transfer stations and she believes the consensus was to keep it by the burn plant. She wasn't able to attend the Board meeting so she doesn't know what the final decision was. She noted her appreciation for the residents, Council Members, Department Heads and employees. This is a difficult time for everyone. She knows the Council is trying to do the right thing for the City and she knows some of the residents have a different opinion of it as well. They are doing it one step at a time and she is learning also, so she does not have all of the answers.

Council Member Noyes made a motion to go into the work session after a 10 minute break. Council Member Carlson seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

### **WORK SESSION**

**Discuss the FY17 budget amendments and FY18 budget requests:** Recorder Hale stated the difference in the FY17 amendments from the first time they reviewed them is the ambulance revenue was reduced because of the ALS fees being taken out of it. \$229,785 is projected to be used from the General Fund Balance, which is currently \$636,000, so it would leave around \$400,000 at the end of FY17, which is okay for this year. It was suggested to have a spending freeze for the last four weeks to help the FY18 budget. After some discussion, it was decided the Department Heads would need the approval of the Council for any spending, except the normal monthly bills. The rest of the funds were the same as their first review.

The FY18 proposed budget includes \$106,730 from transferring into the General Fund the remaining amount left in the Fire Vehicle Capital Project Fund and the amount NDFD would be reimbursing Sunset for the cab and chassis remounted ambulance and only \$90,000 was left in the Fire Dept. budget to pay NDFD for their service from July 1, 2017 through December 31, 2017. The Animal Control payment was moved from Non-Departmental in the General Fund to the Davis County Dispatch/Animal Control Fund. The only General Fund change made during this meeting was cutting \$2,000 from the Police vehicle maintenance. The Fire Department vs. NDFD was discussed. With everything cut during the last meeting and transferring fire and ambulance services to NDFD, the total required from the General Fund Balance is about \$98,000, which leaves \$336,450 in the Fund Balance and that is about 22.3% of the projected revenues, so the fund balance is about right to stay under the 25% maximum allowed. The rest of the funds were left as is. The possibility of hiring a CERT Director was discussed, but left undecided.

It was noted the public hearing for the FY budget amendments and FY18 proposed budget would be conducted at the next Council meeting.

Council Member Bangerter made a motion to go back into the regular session. Council Member Wiggill seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

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Council Member Bangerter made a motion to adjourn. Council Member Peterson seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

The meeting adjourned at 9:00 p.m.

Approved – August 1, 2017

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder