

Sunset City Corporation
City Council Minutes
June 15, 2010
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Minutes of a regular meeting held June 15, 2010 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Bangerter presiding.

Mayor and Council Present:

Chad Bangerter	Mayor
Brent Andrews	Council Member
Cheyrl Budge	Council Member
Ricky Carlson	Council Member
Ryan Furniss	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Neil Coker	Fire Chief
Mickey Hennessee	Public Works Director
Vicky Gold	Recreation Director
Bruce Arbogast	Police Sergeant
Joe Malin	Public Works
Firefighters: Justin Arbogast, Anthony Bott, Dennis Gardner	

Excused:

Ray Chapman	Council Member
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Others Present:

Floyd Petersen	Clinton Fire Chief
Guido Smith	Clinton Asst. Fire Chief
Terry Avondet	Jaime Meredith

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

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

Approval of Minutes: The minutes were not finished so they were not approved.

Citizen Comments: Terry Avondet said she does not like that the Police and Fire Departments have not received a raise and are now being asked to pay for part of their insurance. She has been on the receiving end of their services numerous times and is very grateful for them. The economy is changing so she asked the Council not to let down the people they should support the most. In the past 14 years she has lived in Sunset two officers have gone above and beyond their duties many times for her. They are Sgt. Bruce Arbogast and Officer Duane Arbogast. Her grandchildren were interrogated by an officer in California and became extremely terrified of the police. Sgt. Arbogast was the only one who could get them to have interaction with the police. Officer Arbogast also helped them become less afraid and helped her through her daughter's suicide. She knows she can rely on these two officers, even when they are off duty. Mayor Bangerter commended her for her words and asked Chief Eborn to put details of this in their

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files. He said if there was any way to give merit raises and COLAs they would. The Council is trying to stabilize the budget and maintain the employees and services. Hopefully soon they will be in a position to give raises again. He appreciated her comments because it lets them know how the employees impact residents' lives.

Council Member Budge made a motion to go into the public hearing. Council Member Furniss seconded the motion. The motion passed unanimously.

PUBLIC HEARING

- 1. To hear public input on amending the fiscal year 2010 budgets:** Mayor Bangerter summarized the FY10 budget amendments. He read each funds' change with a total budget decrease of \$42,975. He asked if there were any comments. There were none.

Council Member Budge made a motion to go back into the regular session. Council Member Andrews seconded the motion. The motion passed unanimously.

REGULAR SESSION

- 2. Resolution 2010-06 amending the FY10 budgets:** Mayor Bangerter explained this is the motion to amend the FY10 budgets as read during the public hearing.

Council Member Carlson made a motion to approve Resolution 2010-06. Council Member Budge seconded the motion. The motion passed unanimously with a roll call vote. Council Member Furniss – aye, ~~Council Member Chapman~~ – aye, Council Member Budge – aye, Council Member Carlson – aye and Council Member Andrews – aye.

- 3. Resolution 2010-07 amending the Sunset City fee schedule:** Mayor Bangerter read the changes to the fee schedule. Additions include a utility late fee of \$10.00, non-emergency water disconnect and turn on fee of \$25.00 and a sex offender registration fee of \$25.00. Copies increased to \$0.25 per page and added the language “a fee based on employee’s time required shall also be levied in 15 increments at \$20.00 per hour for requests which take longer than 15 minutes to duplicate. A deposit of \$50.00 will be charged for records that will apparently take longer than 3 hours to duplicate.”

Police Chief Eborn explained a sex offender is required to register with the City they live in every 6 months after they are off probation and this fee will help offset the cost of the paperwork and Police Officer’s time.

Council Member Andrews made a motion to approve Resolution 2010-07. Council Member Budge seconded the motion. The motion passed unanimously with a roll call vote. Council Member Furniss – aye, ~~Council Member Chapman~~ – aye, Council Member Budge – aye, Council Member Carlson – aye and Council Member Andrews – aye.

¹ The motions on agenda item numbers 2, 3, 4 & 5 were amended during the July 6, 2010 Council meeting. Council Member Chapman was not present on June 15, 2010.

4. **Resolution 2010-08 amending the personnel policies and procedures:** Mayor Bangerter outlined the changes to the personnel policies and procedures: 1) The Justice Court Judge may elect to have part of his compensation placed into a 401K in lieu of wages as part of the compensation package. This amount will be approved by the City Council and will not show on a W-2 as wages. 2) A Police Chief retiring in place before July 1, 2010 will have a percent put into a 401K equal to the percent that is put into a 401K for an employee that participates in the non-contributory fund. 3) As of July 1, 2010, any full time employee eligible for health insurance may select to have either \$320.00 per month placed into an annuity or receive \$320.00 additional wage on the first pay period of each month, in lieu of health insurance. If an employee selects receiving the additional wage, it will be shown as income on the employee's W-2 and employee will be responsible for any taxes due. 4) Any employee hired on or after July 1, 2010 will be required to pay 20% of their health insurance.

Council Member Budge made a motion to approve Resolution 2010-08. Council Member Furniss seconded the motion. The motion passed unanimously with a roll call vote. Council Member Furniss – aye, ~~Council Member Chapman~~ – aye, Council Member Budge – aye, Council Member Carlson – aye and Council Member Andrews – aye.

5. **Ordinance 2010-07 amending Sunset City Code Section 4-1-7 to include the definition of aggravated fire emergency:** This item was discussed during the last Council meeting.

Council Member Furniss made a motion to adopt Ordinance 2010-07. Council Member Budge seconded the motion. The motion passed unanimously with a roll call vote. Council Member Furniss – aye, ~~Council Member Chapman~~ – aye, Council Member Budge – aye, Council Member Carlson – aye and Council Member Andrews – aye.

6. **Discuss the purchase or rental of microphones for the Sunset City Community Theater:**

This item was postponed until Recreation Director Gold returns after attending the play rehearsal to listen to them with the microphones. When she returned at the end of the General Information item, she explained the frequency of wireless microphones has been given to safety departments, so the Community Theater had to switch to hanging microphones. They can be purchased for \$100 each, but with the play being cut next year they just decided to rent them this year for \$150.00 for the two weeks.

7. **Discuss allowing Fire Department to apply for ambulance license:**

Fire Chief Coker said he had talked about this item with the Mayor and Council Members individually. He would like to apply for the ambulance license from the State and purchase an ambulance. The firefighters have agreed to use their Fire Fighters Association money to purchase a used ambulance. They would follow all the State rules and regulations on manning the ambulance and responding on calls. The fire engine that responds second on calls would be house in the public works building and the first fire engine and the ambulance would be housed at the fire station. There is \$43,000 in the Fire Truck Capital Project Fund and he would like to use \$20,000 to \$25,000 of it to equip the ambulance. There are 15 intermediate trained firefighters and some are in school being trained now and none of them have asked to be reimbursed for their training. If they are unable to respond to a call there are other agencies such as North Davis, Clinton and Roy who will respond. To fund this service they would

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need to budget no more than \$6,000 to \$7,000 more than what is in the budget now. They would not be able to guarantee they could respond 100% of the time, but that is why they have interlocal agreements with other agencies. If the economy turns around and the ambulance service becomes profitable, the firefighters will want the money they used to purchase the ambulance paid back. If the service is not profitable after two years the program would be shut down. The Council will review the program quarterly. He would like to have it up and running by January 1, 2011.

Clinton Fire Chief Petersen stated Clinton City has been providing Sunset City with ambulance service for five years and assured the Council they would not do anything to hurt Sunset citizens. Clinton City is making some money with the ambulance service, but that is because they run 1,300 calls per year. He supports Sunset Fire and said they have a good working relationship. Clinton City has four people on staff 24/7, can run two ambulances and they have a third ambulance staffed with volunteers. He does not want to see a lack of service to Sunset residents due to the inability of Sunset to man their ambulance full time. He has heard \$85,000 in revenues spoken and he can show the true cost of running an ambulance. When Clinton City started their ambulance service, it took four months before they started seeing any revenue. About 70% of the amounts billed are collected from the Clinton area and only about 54% from the Sunset area. He believes that is because there is more Medicare & Medicaid use in Sunset and Medicare & Medicaid only pays 25% to 30% of what is billed. The Clinton ambulance responded to 296 medicals in Sunset last year and they will continue to treat Sunset patients with good care no matter which way the Council decides to go.

Council Member Andrews made a motion to allow Chief Coker to apply for the ambulance license. Council Member Budge seconded the motion. The motion passed unanimously.

8. **Council Member reports and general information:** Council Member Andrews said he has made up some flyers to pass around for the Sunset Swap Meet and had some laminated to hang in businesses. He has advertised it on KSL.com and notice of the swap meet will be on the City website. He has the tax forms for vendors to fill out and he has made up some posters to hang up. Mayor Bangerter is concerned about the amount of work Council Member Andrews is asking Treasurer/Office Manager Youngdell to do regarding the swap meet. Treasurer/Office Manager Youngdell said she has spent about 8 hours researching the names and addresses of the other property owners at the site and the business owners surrounding it and drafting an information letter to them. Mayor Bangerter said he is concerned they initially talked about the sellers paying \$20.00 a spot and now it is down to \$5.00 a spot. Council Member Andrews said \$5.00 is what Riverdale charges on Saturdays, then \$16.00 and \$32.00 on Sunday. Mayor Bangerter said he likes the idea because it gives the Sunset residents to swap and sell items and has the potential to help clean up the City. However, he is concerned this is going to end up costing more than it brings in.

Council Member Carlson gave kudos to Council Member Furniss for his service in the community by being trek master and taking the kids from the LDS Church on a trek. It was a lot of work. The Mosquito Abatement District is involved with the Davis/Salt Lake Aerial Spray Authority in building a new hangar. There have been some problems with the

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contractor and they will probably enter into mediation. They are trying to minimize the burden to the tax payers. Due to recent legislation on Special District Boards, they are looking at changing their night meetings to Thursdays so more Elected Officials can be members of the Board.

Council Member Budge asked if anything has been done about selling the City owned properties as discussed at the last meeting. Mayor Bangerter replied he has talked to an appraiser and found they would charge \$300.00 per property and they would give us a cost analysis of subdividing into four lots the property along 250 West behind the City Building.

Council Member Furniss thanked Council Member Carlson for sharing his activities with the Council and said Firefighters Amy Kippen and Dan Nelson were a great help also. Most of the Sewer Districts in the State have put together an "Operators Challenge" Team. The teams compete at the State Conventions doing a safety rescue, pipe fix, pump service and lab test. The North Davis Sewer District's team won the championship this year and will be going to the National competition. He would like to see a "For Sale" sign put up on the properties. Responding to Mrs. Avondet's earlier comments, if the Council had the ability to give a raise they would definitely do so. They have to make some very difficult decisions this year and if they don't make sacrifices and implement changes now, the City will keep getting deeper in the hole. He needed to leave the meeting early so he stated his opinion for the work meeting. Due to the tough times, he is in favor of cutting the Recreation Director and Police Secretary to part time and he would like to look at the health insurance premiums soon and implement the employees paying 5%, then 10% with the possibility of going to 20% of their premiums. He is thankful they will be liquidating the City's assets although they won't receive as much as they paid for them. He will be back later and rejoin them if the meeting is still in progress.

Fire Chief Coker said the Fire Department would be participating in the American Cancer Society's Relay for Life at Syracuse High School on July 30th and 31st. He asked for support and people to join their team. He encouraged everyone to purchase their fireworks in Sunset because the firefighters will be manning the outdoor fireworks stands.

Treasurer/Office Manager Youngdell advised the office will be mailing the newsletters to all residents this time because the Water Quality Report has to be distributed, to get the word out about the new late fees on past due water bills and to promote Fun Days.

Recreation Director Gold stated Kids Club started today and there are 40 kids. Skateboard Day will be celebrated on June 21st from 6:00 to 8:00 p.m. There will be two bands and Winegar's will be there cooking food for it. The cast of the play is practicing on the stage now. She will post a sign-up sheet for a Thursday night co-ed softball team on the counter in the office. It will be for employees and their family members.

Recorder Hale said the Council had scheduled their Truth in Taxation (TNT) public hearing on August 3rd, but that does not give Davis County time to advertise it in the tax notices and the Davis County School District is holding their TNT public hearing on August 17th at 6:00, so Sunset's will be held on August 17th at 7:00 p.m.

Mayor Bangerter said he met with Dee Winegar. He just got back from an LDS mission and is looking at upgrading his property with slurry sealing, etc. He mentioned Sunset Village R.V. Storage and said if the City needs anything, he works well with the owner, Phil Barber, and they'll get it taken care of. Mayor Bangerter mentioned he has been at the City Building most of today meeting with employees and most understand the situation the Council is in. He thanked the Community Theater for giving him and the Council tickets to the play and asked the Council Members to give their tickets to someone who will go to the play if they are not going to go themselves.

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

WORK SESSION

9. FY11 budget proposals: Mayor Bangerter reviewed the monthly sales tax chart Recorder Hale drafted. They will be reviewing it each quarter from now on to help them gage the economy. He then went over some proposals for FY11. The first one includes a \$70,000 property tax increase, restructuring wages so a little more is taken from the Utility Fund and a little less is taken out of the General and Class C Funds, cutting the Recreation Director and Police Secretary to 20 hours per week and full time employees paying 10% of their insurance beginning January 1, 2011. That still leaves a shortfall of \$49,265. The second one includes all of the above, except increasing property taxes \$100,000 instead of \$70,000 and that still leaves a shortfall of \$19,265. The third includes all prior and fully cuts the Recreation Director position as of January 1, 2011, which also cuts some program revenue. That added option still leaves a shortfall of \$9,285. They reviewed the FY12 and FY13 projection worksheet Mayor Bangerter had Recorder Hale draft so they could see things needed to happen now to prepare for the future. After a lengthy discussion, the Council came to the consensus to increase the property tax by \$100,000, cut the Recreation Director and Police Secretary to part time as of July 1, 2010 and review the budget quarterly and decide then if they need to cut the Recreation Director completely by January 1, 2011 and/or have the employees pay 10% of their insurance premiums. If the employees that are going part time have accrued vacation hours, they may cash it out or use it over time if the Sunset City policy allows using it. Treasurer/Office Manager Youngdell will check on the policy.

Council Member Budge made a motion to go back into the regular session. Council Member Furniss seconded the motion. The motion passed unanimously.

Council Member Budge made a motion to adjourn. Council Member Carlson seconded the motion. The motion passed unanimously.

The meeting adjourned at 9:10 p.m.

These minutes have been read and approved at the regular City Council meeting held **July 6, 2010.**

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Chad Bangerter, Mayor

Susan R. Hale, Recorder