

**Sunset City Corporation
City Council Minutes
June 19, 2012
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Minutes of a regular meeting held June 19, 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
Jake Peterson	Council Member
Kevin Snow	Council Member

City Employees Present:

Susan R. Hale	Recorder
Neil Coker	Fire Chief
Ken Eborn	Police Chief
Norm Noyes	Public Works Director

Excused:

Ryan Furniss	Council Member
Linda Youngdell	Treasurer/Office Manager

Others Present:

Cpt. Earl Simmons	Utah National Guard
Terry Avondet	Citizen Corps
Leslie H. & Sharon Moore	

The meeting was called to order at 6:35 p.m. by Mayor Bangerter.

Mayor Bangerter gave the invocation and Council Member Peterson led the Pledge of Allegiance.

Approval of Minutes: Council Member Carlson made a motion to approve the minutes of June 5, 2012 as presented. Council Member Peterson seconded the motion. The motion passed unanimously.

Approval of Vouchers: Council Member Snow made a motion to approve the voucher for Davis County Animal Control in the amount of \$8,294.58. Council Member Andrews seconded the motion. The motion passed unanimously.

Citizen Comments: There were none.

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

PUBLIC HEARING

To solicit input from Sunset City residents on amendments to the FY2012 budgets and the FY2013 budget requests: Recorder Hale apologized and said it was her fault Council

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Member Furniss could not attend the public hearing. The hearing was originally scheduled for June 5, 2012 but she failed to get the notice to the newspaper in time so the hearing had to be postponed until tonight. Council Member Furniss already had plans to be with his daughter at girls' camp this week. He never wants to miss a budget public hearing because of how it looks to the public, especially this year because he sits on the North Davis Sewer District Board and they are increasing the sewer rates a dollar. She summarized the amendments for the fiscal year 2012 budgets. The original budgets being amended totaled \$3,847,808 and are being decreased \$143,473 to \$3,704,335. She then summarized the fiscal year 2013 budgets which will total \$3,693,232 and that budget is lower than the FY 2012 budget by \$58,103.

Mayor Bangerter pointed out the potential donation requests the Council plans to make during fiscal year 2013. Those are \$200.00 each to Northridge High School All Night Graduation Party, Sunset Jr. High Red Ribbon Week 5K Run and the Top of Utah Military Affairs Committee to help with the Air Show and \$50 to each boy that earns their Eagle Scout. In the past the City has purchased \$50 bonds for the Scouts, but the way the bonds are issued now, it is not feasible to do so they will probably just give the Scout \$50.00. He opened the hearing for resident comments.

Sharon Moore said she does not mind the donations to the other groups, but she does not believe they should donate to Boy Scouts because it is sexist and it is a private organization. Council Member Andrews said his sons each received a \$50.00 bond when they earned their Eagle, but he believes the boys would enjoy the money more. He realizes it is a private organization but he has attended a lot of court of honors and believes the award from the City means a lot to the boys. He asked Mrs. Moore how many she had been to and she replied quite a few. Her son also received his Eagle and he did not care that he didn't get any money from the City they were in. It is a private thing and he did it for the honor. If they want to donate their own personal money, that is ok, but not donating the taxpayers' money. Mayor Bangerter believes donating to the Boy Scouts may be a thing of the past because of legalities for donations, but it will be run by the City Attorney. This is why he would like to implement a scholarship fund where outside entities can also contribute money to help the youth with their education. Council Member Snow believes the \$50.00 bond was probably implemented in the beginning to help motivate the boys in the City to do good things and be better citizens. However, he does not agree with the City donating the money. John Stratton said he had two boys receive their Eagle Scout in Sunset and he never understood why the City gave them the bonds. The boys didn't do it for the bond; they did it to get their rank of Eagle. It is not in the best interest of the taxpayers to give the Scouts that money. Mayor Bangerter said it looks like the residents are against using their money that way, so the best interest may be to discontinue it from donations.

Mayor Bangerter said they have had to do a lot of cut backs to keep the property taxes from going up in this lean time. It has put a strain on the Department Heads to keep providing the same services with less money and in some cases less personnel. He thanked the Department Heads for their efforts to make this work. He promises the tax increases in the last few years have been necessary to maintain the services; there was never any excess for things that were not needed. They will continue to do the best they can with a smaller budget.

Mrs. Moore said the Police Department has done a great job with the cut backs and basically the rest of the City has as well.

Terry Avondet mentioned on March 20, 2012 there was discussion about bonuses for the employees and half of the amount discussed was given to them then. She asked what has happened with the second half. It was explained if they had the money to give the employees the second half at the end of the fiscal year they would. Mayor Bangerter said it can be placed on the agenda and reviewed.

Council Member Andrews read the Boy Scout motto. It's fine if the City discontinues the bond, but he believes it is an extra plus for the scouts. He outlined his duties with the Scouts and an argument ensued between him and Mrs. Moore. Council Member Andrews was allowed to speak his mind without interruption on the Scouting program and his belief that the Scouts really appreciate receiving the \$50 bonds from the City. Mayor Bangerter said he knows Council Member Andrews supports the Scouting Program along with a lot of other people, but that is not the issue. The issue is whether or not the City should be giving the Scouts money in recognition of their Eagle. Mrs. Moore asked what the City does for the Girl Scouts. Mayor Bangerter said that is why he would like to implement a scholarship program so everyone could apply. Les Moore believes it is wonderful to give awards to kids, but he also believes it is not right to spend tax dollars for them. Mayor Bangerter reiterated they will probably not be able to give the Scouts a donation after the City Attorney reviews it. Council Member Snow asked if they couldn't just change that policy without sending it to the Attorney so the City doesn't get charged for it. Mayor Bangerter replied he wants the whole donation issue to go before the City Attorney for better understanding. They are in a public hearing now, but when they get to General Information and he gets a consensus from the Council not to do the Scout donation they can back away from it. The consensus from the public is that they shouldn't do it and he believes the City Attorney will view it the same way.

Mayor Bangerter said the budget looks pretty good this year and the Department Heads have worked hard to get it to this point. He wishes he could say they will have everything they need to run the City the way it should be, but they don't and at some point they will need more money.

There were no further comments.

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

REGULAR SESSION

- 1. Presentation by Lt. Earl Simmons on the Community Covenant Program to support those who serve:** Captain Earl Simmons said he was promoted since he scheduled this item. He works for the Utah National Guard's Family Programs Department and is on the Community Covenant Team. He is here tonight to provide a brief description of the Community Covenant Program, see if the City is willing to participate in the program and if it is, establish a Military Liaison to begin working with to start the City's Community

Covenant. Their mission is to foster and sustain formal, continuing relationships with communities in order to increase the quality of life, well-being and readiness of service-members, veterans and their families. In 2008 the Secretary of the Army realized the military has a lot of benefits, programs and resources for its members, but the problem was getting the information to the service members. They believe working with City leaders can help get the word out. In 2010 the Utah National Guard started a program that would help any service member; no matter which branch of the military they are in. In 2010 the Utah State Legislature was the first governing body to sign a Community Covenant. After that, it became the Utah National Guard's goal to reach out to every City and Town in Utah and invite them into the network they were starting. They want to create community awareness to help the service members and have a formal commitment that the community will do all they can to support the military families in their community. They are beginning to see the benefits of this network in service members receiving information on the resources. They would like each City to appoint a liaison so they have a point of contact to send information to and if the liaison hears of any service family in need they can also contact their office for help. There will also be an online database of all the services available to military members. They are not here to replace any relationships the City already has with HAFB and they are working with HAFB to combine programs. If the City Council decides they want to participate in the program they would draft a resolution appointing a Military Liaison and/or authorize a Community Covenant, form a collaborative group of City leaders, educators, law enforcement, clergy, employers, etc. and then organize a Community Covenant Signing Ceremony.

Mayor Bangerter asked if they have worked with Davis County yet and how many cities in Davis County already participate in the program. Cap. Simmons replied they have not worked with Davis County yet and currently Woods Cross and Bountiful have joined. Mayor Bangerter asked if they had worked with the Chambers of Commerce. They have not yet. Their first focus was cities and towns, with some counties thrown in, then to private and non-profit organizations and the County Chambers of Commerce.

Council Member Snow asked if this was basically for the families of deployed military. Cap. Simmons replied it is mostly, but it is not limited to the ones deployed. They have a quarterly newsletter they send out to the liaisons and ask the cities to incorporate with their newsletter, put on their website or post on a bulletin board. They invite all the liaisons to a quarterly training along with other military organizations called the Joint Community Forces Meeting. They are not looking for any funds from the cities, just a little bit of time.

Mayor Bangerter said he is a little concerned they haven't gone to the Council of Governments (COG) in which Mayors and County Commissioners meet and also the Chambers of Commerce which represents the government and businesses of the community. He also believes the Military Affairs Committee helps military families and wonders why the Utah National Guard is not trying to blend with them and others. Cap. Simmons believes Military Affairs is for active duty members only, where theirs is also for retired members of any branch. Mayor Bangerter suggested he approach COG because more Mayors can be reached that way and if they have COG behind them they will have more push. The Council Members believe this is a good organization and were in support of it. Mayor Bangerter will

talk with the Council to see which one wants to be the liaison and he will then let Cap. Simmons know.

- 2. Discuss membership on the Top of Utah Military Affairs Committee:** In his involvement with HAFB, Mayor Bangerter realizes Sunset's relationship with the base is lacking and the City needs to give the base more support. He introduced Jim Smith, with the Davis County Chamber of Commerce, who he asked to talk about the Chamber and Military Affairs. Mr. Smith said the Chamber of Commerce is all about bringing together the business community, municipalities and citizens. The Davis Chamber of Commerce, along with the Ogden/Weber Chamber of Commerce runs the Top of Utah Military Affairs Committee (TUMAC). Its official purpose is about promoting the relationship between the Base and the community, quality of life for the people stationed at HAFB, to promote interaction of the community with what goes on at HAFB and interactions with Base leadership. The unofficial purpose is to be involved with issues that affect the community like the Base Realignment and Closure (BRAC). The thing that has gotten the Base through BRAC in the past has been the level of community support for HAFB and vice versa. For items like Falcon Hill and transportation, the Legislative Affairs, Military Affairs and transportation are working together, but they need more cities involved to make sure each city's voice is heard. The registration dues to become a member of the Top of Utah Military Affairs Committee all goes toward quality of life issues on Base.

Council Member Snow asked if a member has to be in the committee for a while before being selected to able to vote and actually have a voice. Mr. Smith said a member can immediately become involved in the committee. Then there is an Executive Committee that is free and requires an invitation to join, but there is no timeframe on it. If there is someone with a real interest in it, such as a retired Marine Colonel, they will be invited. The citizens of Sunset need to be represented on the committee.

Mayor Bangerter wants the Council to realize the City's relationship with the military needs to be a positive one and the only way it can be is if they are involved. If they have representation there they will be part of a group to help make things better. Due to the City's lack of involvement, they missed the opportunity to help with the Air Show and that is such a huge thing for the County. Mr. Smith said representatives are Council Members, Mayors, City Managers, residents, business owners, etc. He encouraged Sunset to become involved at some level because they need Sunset's voice.

Mayor Bangerter said Council Member Snow recommended John Stratton at the last meeting, so he took the time to visit with him. Mr. Stratton submitted a letter stating he would like to represent Sunset City on the Top of Utah Military Affairs Committee and outlining his experience with representation. Mayor Bangerter read the letter and said he put a blurb in the newsletter for others to contact him if they are interested. He said appointing Mr. Stratton to the Military Affairs Committee will be on the next agenda and he would like the Council to support him in this. He believes with a Council Member and Mr. Stratton, Sunset City will be well represented. This does not mean anyone else is excluded if other nominations come in. If they accept Mr. Stratton it would be for a one year period. He also wants anyone representing the City to sign a letter stating they would report to the City

Council. They discussed having the membership being for four years, but the membership on the committee is renewed each year so they will leave it at one year appointments.

3. Discussion and possible approval of Resolution 2012-07 amending the Fiscal Year 2012 Budgets: There was no discussion.

Council Member Carlson made a motion to approve resolution 2012-07. Council Member Andrews seconded the motion. The motion passed unanimously with a roll call vote. Council Member Carlson – yes, Council Member Snow – yes, Council Member Peterson – yes, Council Member Andrews – yes.

4. Discussion and possible approval of Resolution 2012-08 adopting the Fiscal Year 2013 Budgets: There was no discussion.

Council Member Snow made a motion to approve Resolution 2012-08. Council Member Peterson seconded the motion. The motion passed unanimously with a roll call vote. Council Member Carlson – yes, Council Member Snow – yes, Council Member Peterson – yes, Council Member Andrews – yes.

5. Discussion and possible approval of Resolution 2012-09 adopting the Certified Tax Rate: Recorder Hale explained the Certified Tax Rate on property is revenue neutral. Davis County assesses the properties and sets the rate based on growth and property values to give the City approximately the same revenue as they received the prior year. If property values go up the rate goes down and if property values go down the rate goes up to give the entities the same revenue of the prior year. If the City needed to increase property tax revenues, the City would need to hold a public hearing to increase the rate from what the County has set.

Council Member Carlson made a motion to approve Resolution 2012-09. Council Member Snow seconded the motion. The motion passed unanimously with a roll call vote. Council Member Carlson – yes, Council Member Snow – yes, Council Member Peterson – yes, Council Member Andrews – yes.

6. Discussion and possible approval of Resolution 2012-10 adopting the Sunset City fee schedule: Recorder Hale explained the suggested changes to the fee schedule. North Davis Sewer District increased the sewer rate by \$1.00 so the City has to pass the increase to the residents. Now that the City Building Inspector has retired, the City has had to contract with another City for inspection services. Therefore, the building permit fee for water heaters, furnaces, a/c and electrical meter to panel would go from \$24.00 to \$50.00. However, sprinkling systems can still be inspected by the Public Works Department so the fee can remain lower at \$25.00. The Council has proposed increasing the Planning Commission and Board of Adjustment compensation from \$15 per meeting to \$30 per meeting, so the fee for a conditional use request and a Board of Adjustment Variance Request would need to be increased from \$75 to \$150 and a special meeting charge to petitioner would increase from \$150 to \$300. Chief Coker deleted the budget line item for hazardous materials clean up fees so she suggested they delete those fees from the fee schedule. After discussion it was decided to leave in the hazardous materials clean up fees so they could charge fees for a

major clean up per state recommendation. Due to the park restrooms needing upgrades, Council Member Andrews suggested increasing park bowery rental fees. After discussion, it was decided not to prohibit the use of the parks by increasing fees.

Council Member Carlson made a motion to approve the Sunset City fee schedule as amended. Council Member Peterson seconded the motion. The motion passed three to one with a roll call vote. Council Member Carlson – yes, Council Member Snow – yes, Council Member Peterson – yes, Council Member Andrews – no.

7. **Discussion and possible approval of Resolution 2012-11 adopting an amendment to the Sunset City personnel policies and procedures regarding an accrued sick leave pay out option:** Mayor Bangerter read the resolution for the benefit of the residents. Presently, the Personnel Policies and Procedure say any employee who retires after 20 consecutive years with Sunset City will receive one year of paid medical insurance premiums and after 30 years it is one and a half years. This resolution would add that if the retiring employee fails to have 20 years of service with Sunset, they can receive a payment of one percent of their accrued sick leave for each year of service after 10 years. So if they've worked 10 years they would receive 10%, 11 years 11%, etc. up to a maximum of 20%. If the retiring employee has worked 20 or more consecutive years for Sunset, they can choose either the paid insurance premiums or the sick leave pay out, but not both.

Council Member Snow made a motion to approve Resolution 2012-11. Council Member Carlson seconded the motion. The motion passed unanimously with a roll call vote. Council Member Carlson – yes, Council Member Snow – yes, Council Member Peterson – yes, after questions and clarifications, Council Member Andrews – yes.

8. **Discussion and possible approval of Resolution 2012-12 amending the compensation for Planning Commissioners and Board of Adjustment Members:** The Council decided at a prior meeting to increase the meeting compensation for the Planning Commissioners and Board of Adjustment members to receive \$30 per meeting instead of \$15.

Council Member Peterson made a motion to approve Resolution 2012-12. Council Member Andrews seconded the motion. The motion passed unanimously with a roll call vote. Council Member Carlson – yes, Council Member Snow – yes, Council Member Peterson – yes, Council Member Andrews – yes.

9. **Discussion and possible approval of an amendment to the interlocal cooperation agreement between Davis County and Sunset City for animal control services:** When asked for discussion Council Member Andrews said he believes this is a good service and a lot cheaper than when the City had its own Animal Control Officer.

Council Member Andrews made a motion to approve the amendment to the interlocal cooperation agreement between Davis County and Sunset City for animal control services. Council Member Snow seconded the motion. The motion passed unanimously.

10. Council Member Reports and General Information: Council Member Andrews thanked everyone who participated in the discussions tonight and said the Council does pay attention to what the residents say. He voted against a Council Member a while ago because he felt the residents did not want what the Council Member wanted and he will continue to vote the way he feels the constituents want him to. He thanked the residents for their comments during the public hearing. He tried to get donations and volunteers to help the City upgrade the restrooms in the parks, but he has come to the conclusion the City should just go with a qualified contractor. They might save money by using volunteers, but there could also be lawsuits if anyone was hurt. He is presently working with Public Works Director Noyes and Council Member Peterson on donations for materials.

Council Member Peterson thanked the residents for their attendance and the employees for everything they've been able to do with all the cutbacks.

Council Member Snow asked Mayor Bangerter if he has looked into replacing the "Welcome to Sunset" signs. Mayor Bangerter said he emailed the people who made the signs and has not heard back from him, but he has talked to another company about giving a bid. He asked Recorder Hale to find the original invoice for the signs. Council Member Snow said he has noticed a lot of the other signs are also fading. He also noticed some of the street signs are being blocked by overgrown trees, etc. Police Chief Eborn said letters have gone out and they are issuing citations where appropriate. Council Member Snow thanked the citizens for their input tonight and the employees and volunteers for all they do in the City.

Council Member Carlson said he is happy to be back on the Military Affairs Committee and look forward to continuing that roll. He also thanked the residents for attending and the employees for doing their jobs.

Police Chief Eborn reported they receive Liquor Control money from the State. It used to be automatic, but now the State requires a detailed report on how the municipality plans to use the money and it has to be approved. Sunset's report has been approved, so the City will continue to receive the money.

Public Works Director Noyes read the tentative Fun Days schedule and it was discussed. Smith's Food and Drug Stores have given the City a donation to help purchase the breakfast supplies.

Fire Chief Coker reported a CERT class will begin on July 5th and will be \$10.00 for residents.

Recorder Hale mentioned Treasurer/Office Manager Youngdell had been out of the office for two weeks and is back now so they are catching up on things.

Mayor Bangerter reported that former Council Member Trussel's wife, Maurine, passed away. He worked with them for several years and believes she once held the position of President of Utah League of Cities and Towns Auxiliary Board. He gave his condolences to the family. He thanked the residents for attending the Public Hearing and giving their input.

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He thanked the other presenters they heard from about the programs to help benefit the military. He believes a lot people take for granted what they have because they don't actually see war and don't feel the impact from a lost or injured service member. He knows the service members make so many sacrifices every day in defense of their lives and freedoms they take for granted. The little they can do as a community or individuals for the service members is very much appreciated. People may not agree with the political side, but the fact is the service members are out there protecting our freedoms and need to be supported. He meets with the City's Department Heads weekly and sees the improvements they make and everything they do to help the City. That is their job, but an occasional thank you is very much appreciated. The Administration staff gets to hear all the complaints, but seldom get a thank you. He reported that Public Works Director Hennessee has retired with 30 years in the City. He thanked Public Works Director Noyes for taking over that department and is impressed with how much the shop yard has been cleaned up. He has asked the Fire and Police Chiefs to notify him of any major incidents so he can relay the information to residents who ask. At times he will go to the incident and has observed the firefighters and police officers in action. He thanked the employees and said he looks forward to a good fiscal year.

The Council discussed possibly canceling the July 3rd Council meeting. Council Member Snow and Council Member Peterson will be out of town. Council Member Carlson and Council Member Andrews will be here. They will find out if Council Member Furniss will be here or not so they will know if there will be a quorum.

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

The meeting adjourned at 9:00 p.m.

These minutes have been read and approved at the regular City Council meeting held **July 17, 2012.**

Chad Bangerter, Mayor

Susan R. Hale, Recorder