

**Sunset City Corporation
City Council Minutes
July 5, 2011
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Minutes of a regular meeting held July 5, 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 (via conference call from 7:20)
Ray Chapman	Council Member
Ryan Furniss	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Mickey Hennessee	Public Works Director
James Weston	Asst. Fire Chief
Shawn Valdez	Asst. Police Chief
Marcus Garcia	Public Works

Excused

Neil Coker	Fire Chief
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Others Present:

Janice Hammon	Mountain Country Produce
Heidi & John Blaylock	Citizen Corps Council
Terry Avondet	CART/Sunset on Watch/Citizen Corps
Allen Burch	Citizen Corps/Fire Corps
Dave Childs	

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: Council Member Budge made a motion to approve the minutes of June 21, 2011 as presented. Council Member Chapman seconded the motion. The motion passed unanimously.

Citizen Comments: There were none.

1. **Conditional use request by Mountain Country Produce for a temporary business license to be located at 1200 N. Main:** Council Member Chapman explained Jan Hammon appeared before the Planning Commission on June 16, 2011 and the Commissioners recommended that Mrs. Hammon be granted the conditional use temporary business license. No conditions were recommended. She will be in the same location as she has been in the

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last few years. The application has the starting date of July 15, 2011, but due to all the rain she would like the starting date changed to August 1, 2011 and still run 90 days.

Council Member Chapman made a motion to grant a conditional use for a temporary business to be located at 1200 N. Main with the amended dates. Council Member Andrews seconded the motion. The motion passed unanimously.

2. **Announce winner of contest for naming the Sunset City Citizen Corps newsletter:** Heidi Blaylock explained the Citizen Corps began a quarterly newsletter this year, but did not have a name for it so they held a contest. Dave Childs is the winner of the contest with the title of "The Sunset Responder". She presented him with a 72-hr. kit.
3. **Resolution 2011-04 adopting the certified tax rate for fiscal year 2012:** Recorder Hale explained the certified tax rate needs to be adopted each year. The rate this year is 0.002297.

Council Member Chapman made a motion to approve Resolution 2011-04 adopting the certified tax rate for fiscal year 2012. Council Member Budge seconded the motion. The motion passed unanimously with a roll call vote. Council Member Chapman – aye, Council Member Andrews – aye, Council Member Budge – aye, Council Member Furniss – aye.

4. **Approve ambulance billing services agreement:** The agreement was discussed at the last meeting and the changes recommended by Attorney King have been made.

Council Member Budge made a motion to approve the ambulance billing agreement. Council Member Chapman seconded the motion. The motion passed unanimously.

5. **Discussion and possible approval of employee retirement proposal:** Mayor Bangerter said there are a couple different options for consideration. One is that when an employee with a minimum of 10 years working for Sunset retires Sunset would pay for one month single coverage medical/dental insurance for each year the employee worked. Example, 15 years working for Sunset would mean 15 months of paid insurance. The amount of months could be capped so if a person worked 40 years they would only get a certain amount of months. An example of someone in the Police Department retiring and a new employee being hired would be a savings to the City of about \$30,000. To pay the retiree's insurance at a family plan would be about \$17,000 per year so there is still a savings to the City of \$13,000 a year. Another option would be to give the retiring employee a set amount of months or years of paid insurance. Currently employees lose any sick leave they have left upon termination. Another option could be to put the cash amount for a certain percent of their sick leave in an account to draw off of to pay their insurance premiums. If the City is no longer with PEHP, the City won't be able to offer this because other insurance companies won't insure someone who is no longer an employee. If that happens it may be possible to give the employee the money as a bonus for them to purchase their own insurance.

Council Member Furniss stated he is not prepared to make a decision on this tonight without more time to do more research and he would like to hear from the employees. Asst. Police Chief Valdez said this has come up several times since he's been an employee and the

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Council Members always say they want to do something, but don't know what. He made his proposal of one year paid insurance because he has a business opportunity and would like to retire on July 15th, but cannot do it without insurance. Something not in that example is the new person would not get as many hours of vacation per year as the retiring person. Another thing is that each person moved up into a higher position would make a little higher wage and that would decrease the \$13,000 savings amount some.

The meeting was paused to get Council Member Carlson on the phone to join the discussion. Mayor Bangerter summarized for Council Member Carlson their discussion on this item.

More options were discussed such as: 1) personalizing a plan for every retiree; 2) giving one year of insurance if retiring at 20 years and one and one-half years for retiring at 30 years; and 3) providing one year of insurance at the family rate and if the person only needs double or single insurance they would receive more months to equal being on the family plan. It was brought up that the personnel procedures would have to be amended and adopted for any decision to go into effect. Council Member Furniss does not want to rush this without thinking things through and he does not want to make a decision tonight because there are too many variables. Asst. Chief Valdez said he understands, but if something is not implemented tonight, his opportunity will be gone and he will not be able to retire this month.

Council Member Andrews made a motion to accept the proposal of one year paid family insurance benefits. The motion died for lack of a second.

Council Member Furniss wanted to set the record straight that he has been on the Council for four years and this is the first time a proposal for health care coverage at retirement has come before them. He has talked with people individually about it, but it has never been on the table for a vote. The benefit needs to be equitable and set for all employees. Asst. Chief Valdez believes his proposal is bare bones, fits every employee and benefits the City. He also believes if the Council accepts his proposal, he could retire this month with the benefit and the policies and procedures could be changed later.

Council Member Andrews made a motion to accept the proposal of paying Sunset employees' family plan insurance premiums for one year upon retirement and they can tweak it down the road as necessary. Council Member Budge wanted it added that if an employee only requires the single plan, that employee would received one and one-half years of insurance. Council Member Carlson seconded the motion. The motion passed 4 to 1 with Council Member Furniss voting no.

6. **Council Member Reports and General Information:** Council Member Carlson apologized for coming in so late and pointed out that the 693 form for the certified tax rate was for special districts. Recorder Hale thanked Council Member Carlson and said she would check it out with Davis County. He asked if the Council would like to review Fun Days because he had comments from the vendors that they would rather it be held on the July 24th weekend. Mayor Bangerter said he and the Department Heads did in their weekly meeting, but they can do it at the next meeting.

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Council Member Furniss thanked all the employees and Marcus Garcia for stepping up and doing a great job on Fun Days. He was talking to a Council Member from West Point who told him they rent the blow up rides and offer it for free to the kids. He likes that because there are so many children who want to play on them, but their parents can't afford it. A Clearfield Council Member told him Sunset's fireworks were amazing. He has had four residents complain about people not stopping for pedestrians at the crosswalk on 250 West and 1800 North. The Sunset LDS Youth want to do a service project quicker than he anticipated, so they won't be able to help with landscaping Main Street. Mayor Bangerter said maybe they could split the 60 youth up and have them do some other projects. Council Member Furniss said he and his wife drove around the City the other day and noticed the yards are looking better with the weed enforcement the Police Department is doing.

Council Member Budge thanked Marcus Garcia for all the hours he spent putting Fun Days together. She appreciated all the employees for everything they did, also. She thanked Heidi and John Blaylock for all the time they spend on Citizens Corps.

Council Member Andrews thanked everyone involved in Fun Days. He said Sunset's fireworks weren't quite as good as Clearfield's but then Clearfield has a bigger tax base. He outlined the items he is working on for the miniature golf course he is planning. He will be going to the Davis County Recorder's Office Thursday to get a copy of the regulations for the property to see if a golf course will work there.

Council Member Chapman asked Mayor Bangerter if he talked to the person he had in mind for the Youth City Council Advisor position. Mayor Bangerter said he had and asked Council Member Chapman to set up a meeting for them to meet with the Youth Council. Council Member Chapman said he took his grandson to the Riverdale splash pad. His grandson and other children had a blast. He said the property of M & J Auto is full of weeds and cars and is looking really bad. Police Chief Eborn said the owner worked on it over the weekend due to the notice by police. Council Member Chapman thanked everyone for Fun Days and said the fireworks show was great. He asked Chief Eborn about the semi being parked at a property on 800 North because he believes it is being parked on the vacant property next to the owner's property. Chief Eborn will check on it.

Chief Eborn said they raised a little over \$2,200 at the DARE auction during Fun Days. He thanked the CERT members for their help with the fireworks show. They handled the event as if it was a disaster for an exercise and it went well. He handed the Mayor and Council a report on the Police Department's ordinance enforcement activities. January through May, there were 52 citations issued, 74 warning letters given and 17 verbal warnings given. The majority of the activity was in the last three months.

Treasurer/Office Manager Youngdell said she is getting the compute updates installed and working through the new retirement changes. It is now a new budget year, but they will be paying FY11 bills through July 15th. The utility rate changes will go into effect on the August bills because the August bills reflect July usage.

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Mayor Bangerter thanked the Department Heads for their work on Fun Days. There was a glitch when the power went out due to an accident in Clinton, but after waiting for a while for the power to come back on he had them pull out the emergency generators to get everything going. It is great that disaster preparedness was practiced in two instances because they learned things like how well the command center worked and how long the generators will run on a tank of gas, which was most of the day. He outlined what the employees did and thanked them by name. They will work a little harder on getting sponsors for Fun Days next year after seeing how much donation money Clinton City has raised from businesses for their City celebration. They will have a Fun Days meeting in January to get it organized.

Recorder Hale explained there is new legislation stating municipal legislative bodies have to adopt an ordinance stipulating rules of order and procedure to govern their public meetings. She will find out what other cities are preparing and draft one for them to discuss at a future meeting.

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

7. **Discuss 1800 North street transportation improvement impacts to Sunset City:** Public Works Director Hennessee gave a presentation on the 1800 North Street widening using a slide show. There will be an open house in August or September. There will be two surveys done by Utah State University. One will be for those living on 1800 North and the other survey will be taken randomly of those who live near 1800 North. He showed slides of different types of roads. If they go with something like St. George Blvd. with a raised median the City would have to maintain the median. Right now the speed limit on 1800 North through Sunset is 30 mph and 40 mph through Clinton. UDOT is talking about increasing all of it to 45 mph. The lanes will be 12 feet wide, the median 14 feet, the shoulders on each side 12 feet and the curb and gutter 30 inches. They are proposing to make the road approximately 124 feet wide where it is only 52 feet wide now. The Council will have to decide if they want to allow parking on the street or if they envision commercial development with parking lots. The City has a cast iron water line going down the middle of 1800 North so they will need to decide where they want to relocate it because if the road is concrete they will not want to keep it in the middle and have to dig through concrete to fix breaks. To do this it will cost around \$300,000 to \$400,000. They can decide if they want sidewalk to the curb or if they want sidewalk with a park strip. Director Hennessee recommended having a park strip because the snow plow would cover the sidewalk if there wasn't one to throw the snow onto. He said he would email the Council the slides so they could review them and maybe they could come to a consensus on what they want before the open house. They have to have a plan so they know what to do with the impacts and so UDOT knows what they can do. He showed a Google Earth map with the overlay of the railroad overpass and street widening on it so they could better envision the impact, although they still don't know if the widening will be more to the south, north or both directions.

8. **Discuss security of building and volunteer policy:** Mayor Bangerter explained what types of keys open what rooms in the City Building. When he was elected as Mayor he authorized a volunteer to carry a key which opens the doors to the City building and gets that person into the administrative office and police department. Prior to that, the City Attorney advised against giving a volunteer a key. He authorized it because it was for the Citizen Corps Chair and previously they had trouble gaining entrance to the City Building. Now Council Member Budge, fire and police attend their meetings so they should have no trouble getting in for the meetings. He asked the Council their thoughts about a volunteer holding a key to the building. Council Member Furniss said he has no problem with them getting into the building, but he sees no reason for them to be granted access to administration or police. Treasurer/Office Manager Youngdell advised him the way the building is keyed is so the key that gets a person into the building also gets them into those two departments plus the courtroom. Council Member Budge believes they need a key because they go into the basement to get supplies. The responsibility and liability of holding a key to the building was discussed. A general policy will be drafted so that everyone understands the importance of the keys. There have been a couple of incidents that has brought this issue up.

The City policy on volunteers is very vague and the volunteers do not know what they can and cannot do. There are items in the rules of conduct he believes the volunteers need to be made aware of and understand because they are representing the City. He read part of Section 4-3-2 of the Policies and Procedures regarding general conduct of employees. He would like to see an orientation packet with the pertinent policies put into it given to volunteers so they know what is expected of them regarding their conduct. Council Member Furniss stated when he became a volunteer chaplain for Layton City he had a packet with policies he had to read and sign that he read them. He also had to sign a waiver regarding liability. They discussed requiring background checks for volunteers. They will continue to go forward on these issues.

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

Council Member Chapman made a motion to adjourn. Council Member Andrews seconded the motion. The motion passed unanimously.

The meeting adjourned at 9:45 p.m.

These minutes have been read and approved at the regular City Council meeting held **July 19, 2011.**

Chad Bangerter, Mayor

Susan R. Hale, Recorder