

Sunset City Corporation
City Council Minutes
July 7, 2015
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Minutes of a regular meeting held July 7, 2015 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Macfarlane presiding.

REGULAR SESSION

Mayor and Council Present:

Beverly Macfarlane	Mayor
Ryan Furniss	Council Member
Dan Ripple	Council Member
Kevin Snow	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Jason Monroe	Public Works Director
James Weston	Fire Chief
Travis Carter	Asst. Fire Chief

Excused:

Trystal Peay	Council Member
Jake Peterson	Council Member

Others Present:

Jared MacKnight	Olympic Auto Sales
Jeremy Johnson	Olympic Auto Sales
Joshua Cook	Sunset Place Townhomes
Terry Avondet	Sunset Citizens Corp
Bryon Saxton	Standard Examiner
Annie O'Connell-Torgersen	Leslie & Sharon Moore
Janet Lujan	Ellen Cutler
Wanema Butcher	Spring Carter

The meeting was called to order at 6:40 p.m. by Mayor Macfarlane.

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

Approval of Minutes: Council Member Furniss made a motion to approve the minutes of June 16, 2015 as presented. Council Member Snow seconded the motion. The motion passed unanimously with Council Members Furniss, Ripple and Snow voting yes.

Public Comments: Terry Avondet asked if the Council would be willing to give up any of their holidays, birthdays and other special occasions to protect someone they don't know. She stated the Police Officers do. The Sunset Officers are thanked for that by being paid the lowest in the County. They have only received a couple 1% COLAs and a small bonus over the past several years. Flak vests are not a requirement; they are only worn if the officers purchase their own.

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The City needs to remedy this gross injustice and start taking care of those who protect the citizens by correcting the pay and benefits of the officers and that will allow the Department to become fully staffed again. Show them they are cared about and appreciated for their dedication and service to Sunset City.

William Kirshner said he is upset the Council is even considering asking another agency to supply the police needs of the City. The Department may be expensive, but he asked where the City would be without a police or fire department. The citizens cannot do without the Police Department, Fire Department or Administrative section that handles the operation of the City. He does not know how much money or what it will take to keep the Police Department, but if they go with another entity they will need to be paid also and he does not believe it will be any cheaper. It is up to the Council to find the money to keep the Police Department here. It feels good to see the officers around the City doing what they do.

Sharon Moore said she raised her children here; she is the mother of a Deputy Sheriff in Los Angeles, the sister of a Clinton Police Officer and the aunt of both a Syracuse Police Officer and a Utah County Deputy Sheriff. She is tired of Chief Eborn just getting the Sunset Officers trained right and having them trot off to Clinton because Clinton pays more money. She believes they need to find the money to give them a decent living wage. It is too important to keep the police and fire departments. Without them she is sure the residents' insurance will increase. She would rather have their taxes go up because the Sunset Officers do an excellent job.

1. **Recognize Sarah Houston and William Kirshner:** Mayor Macfarlane said she wanted to begin recognizing those who go above and beyond because it is the residents who help to run the City. The two residents she is recognizing tonight have been outstanding citizens for Sunset.

The Fire Department was short of money and needed a couple more badges, so Bill Kirshner purchased one of the badges and provided a lunch for the firefighters to show his appreciation of their service. He also provided a picture which hangs in the City Building of some deer who were grazing in the City.

Police Chief Eborn said an 18 month old child was found walking down the street in nothing but a diaper. Officer Duane Arbogast received the call and Sarah Houston came out to care for the child. She put the child in a stroller and did a little door to door with the officers. When the child got a little cranky, she changed his diaper, put some sun screen on him, fed him and tended him until the mother was found. It ended well; there had just been a miscommunication between the mother and her mother and the child had discovered how to get out of the doggy door. The two Officers dealing with the situation felt strongly that Ms. Houston went above and beyond so they took up a collection within the Department and purchased a gift card for her, which they presented to her tonight.

Both residents were presented with a certificate of appreciation for 'Neighbors helping Neighbors'.

- 2. Consider conditional use request for Olympic Auto Sales to be located at 2465 N. Main, #15:** Jared MacKnight said they began this business in about January, but were in a kind of bad neighborhood in Ogden. They located the indoor space here in Sunset, which will hold about 10 vehicles and he believes it will work out well for them. His goal is to sell about 10 to 20 vehicles per month. The vehicles will be mostly Honda Odyssey mini vans and some Acura MDX's and Toyota Camrys; all nice, low mile, lease returned vehicles. They may park a couple vehicles in the parking lot during the day to draw some business in, but they will be taken back in when they leave. They will have an off site storage for excess vehicles and all the vehicles will be detailed and serviced off site. It is a mostly internet based company and most of the customers will come by appointment. Jeremy Johnson will be there during the day except when he is running vehicles around.

Mr. Johnson said in the future they may hold an occasional event outdoors on a Saturday. For the most part, they pull vehicles in and out as customers call for an appointment to look at them. The vehicles are not left running inside the building; they pull a vehicle in and turn it off or open the door before starting one and pull it out. There will be a sign on the door with a phone number on it when they are not there during business hours. They have done quite a bit of remodeling since March and now they are ready to go. They will comply with all fire requirements. Their hours will be Monday through Saturday 9 a.m. to 5 p.m. unless an appointment is made for outside of those hours.

Council Member Furniss made a motion to approve the conditional use request for Olympic Auto Sales to be located at 2465 N. Main, #15. Council Member Snow seconded the motion. The motion passed with Council Members Furniss, Ripple and Snow voting yes.

- 3. Consider approving Sunset Place Townhomes P.R.U.D. plat and development agreement:** Joseph Cook stated everything on the checklist has been completed. City Engineer Nelson has approved the final plat and City Attorney King has approved the development agreement. With the required storm water retention, the units have been cut down to 76 units.

Mayor Macfarlane advised the residents that Mr. Cook has gone through a grueling process because she has been pretty particular about how it would be set up and it was reviewed thoroughly.

Council Member Furniss made a motion to approve the Sunset Place Townhomes P.R.U.D. plat and development agreement. Council Member Ripple seconded the motion. The motion passed with Council Members Furniss, Ripple and Snow voting yes.

- 4. Consider appointing Annie O'Connell-Torgersen as an Alternate Planning Commissioner:** Mayor Macfarlane introduced Annie O'Connell-Torgersen and believes she will do a good job. Council Member Ripple said he knows her personally and believes she will be extremely valuable.

Council Member Ripple made a motion to appoint Annie O'Connell-Torgersen as an Alternate Planning Commissioner. Council Member Furniss seconded the motion. The motion passed with Council Members Furniss, Ripple and Snow voting yes.

5. **Consider awarding bid to demolish the City owned rental house:** Public Works Director Monroe advised he received two bids for the demolition; one from Pappas Brick in the amount of \$4,893 and one from Grant Mackay in the amount of \$6,800. The bids do not include the abatement of the asbestos that was found in the crawlspace. He suggested going with Pappas Brick.

Council Member Furniss made a motion to award the bid to Pappas Brick. Council Member Ripple said since the Council made the decision to demolish the house he has been told the City purchased that property for \$100,000 and over the last 8 or so years they have made about \$50,000 in renting it. It might be worth looking into just selling the property as is because they may get \$50,000 with the house on it and only \$20,000 if they sell only the lot. He would like to recoup as much of the \$100,000 as possible. Mayor Macfarlane explained they wanted to keep the lot to use as an incentive for economic development. She has had Director Monroe run the numbers on how much it would cost to keep the house and how much to demolish it. Director Monroe advised it would cost \$15,000 to bring the house up to livable standards. If they do keep it, they get \$700 a month rent, which is \$8,400 a year. Every time they get a new renter there will be costs to replace carpet or paint it. It would take a long time to recoup the \$15,000. Keeping the property for commercial development is a much higher value to the City than just selling it to a private person. The City also owns the parcel next to it with the billboard on it. His opinion is the second option is the best for the City. Council Member Furniss said last week the developer who developed the commercial area where Macy's is in Clinton, approached him asking about vacant lots in Sunset because of Falcon Hill and Maverik coming in. Council Member Ripple said, from what he was told, the City has made about half of the purchase price back and believes it is worth looking into making more off of it. He does not believe it will be a problem to a developer if there is a house on it. Council Member Furniss disagreed, saying prime land for a developer is vacant land. The original purpose for purchasing the property was to have an enticement for developers, not to be a landlord. Recorder Hale also explained there are several months out of those years the house has not been rented. Council Member Furniss restated his motion. Council Member Snow seconded the motion. The motion failed with Council Members Furniss and Snow voting yes and Council Member Ripple voting no. It takes a majority of the full Council for a motion to pass, which is three Sunset Council Members.

6. **Consider Resolution 2015-07 adopting the Certified Tax Rate:** Recorder Hale explained the property tax rate system is designed to generate the same amount of revenue each year. If property values go up the rate normally drops and if property values go down the rate normally goes up. The rate is also affected by new growth such as new homes, remodeling existing homes, etc. The rate last year was .002258 and this year it will be .002290.

Council Member Ripple made a motion to approve Resolution 2015-07 adopting the Certified Tax Rate. Council Member Snow seconded the motion. The motion passed unanimously with a roll call vote. Council Member Ripple –yes, Council Member Snow – yes, Council Member Furniss – yes.

7. **Discuss Police Officer starting wage:** Mayor Macfarlane advised this issue came to light after the budget was already passed. She had Recorder Hale put together some figures for different options. The starting wage could be increased the full \$2.00 to be more in line with the surrounding cites or they could increase it in increments over two to four years. She had emailed this to all the Council Members, but has only heard back from Council Member Ripple, so it has been at a standstill waiting for the other Council Members' input. If they decide to increase the starting wage, they will need to amend the budget.

Addressing the comment of Mrs. Avondet in the public comments period, the Police Officers have received more wage increases than she spoke of. When he took Office eight years ago, they increased all the employees' wages by \$2.50 an hour. This issue has not come up in all the budget meetings they have had, so the Council is not to blame for not knowing. It should have been brought to their attention sooner. This issue cannot be decided tonight because a public hearing is required before they can increase the budget. He is for the wage increase, but he wanted the citizens to know what happened.

Mayor Macfarlane clarified this increase would only be for entry level officers; not for the existing officers. Right now the force is down two officers. Approval needs to be given for the officers to be hired, but the Council Members have not been responding to their emails to give the approval. She agreed with Council Member Furniss saying if it was brought up during the budget meetings it would have been addressed.

Council Member Ripple said it is his understanding the starting officer wage is a lot less than other cities, but the long term officer wages are in line with or exceeds the surrounding cities. He does not know that for sure; it is just what he has been told, but it is something to take into consideration. He feels the starting wage is too low to ask officers to risk their lives for. He is in favor of increasing the starting wage \$1.50 now and the other \$0.50 next year.

Giving Chief Eborn flexibility with parameters based on qualifications and/or circumstances, instead of a set wage for beginning officers was discussed. It was also stated the two newest officers will make less than the starting officers if the increase is given, so they discussed increasing their wages as well. The Council Members gave Chief Eborn tentative approval to hire the officer he has selected at the current starting wage.

Council Member Furniss made a motion to table this item and hold a public hearing to open and increase the budget. Council Member Ripple seconded the motion. The motion passed unanimously with Council Members Furniss, Ripple and Snow voting yes.

8. **Mayor and Council Reports:** Council Member Ripple reported the Citizens Corp's goal is to get a quick emergency packet into the hands of as many citizens as possible. To that end they will be handed out to people from their booth during Fun Days. They received a couple generous donations of gift cards from businesses so they will have a spinning wheel for them and other prizes. They will also have a raffle for those who sign up for a CERT class for a 55 gallon water tank. Hopefully, that will entice more people to become CERT trained. He is working with Court Clerk Arbogast on getting more information on the website.

Council Member Snow said the Beautification Committee usually conducts the beautiful yard selection at the end of the summer each year, but he has another idea. His sister-in-law lives in Cedar Hills and each month they have a yard of the month winner. They put a really nice sign in their yard for the month, then move it to the next winner's yard and also give them \$50 awards like Sunset does. It is too late this year, but he would like to start that type of program next year. He has noticed there are a lot of weeds growing in the cracks of the sidewalks and would like the Police Department to get working on it. As he was looking over the payments made by the City, he noticed there were some for the skate park and he thought they had decided not to fix the equipment and remove it as it broke. Mayor Macfarlane explained they had decided to fix the equipment as long as they had parts, then let them fade out. He mentioned Roy City's website on their Good Landlord Program will all the good information it has along with the licensing documents being online. He would like Sunset to implement the same type of thing, as well as the other business licensing information and applications.

Council Member Furniss said the Youth City met tonight and they are worried about the Mud Volleyball Tournament they plan to hold during Fun Days because no one has signed up yet. He told her to hold it and see if people sign up that day. Since the overnight street parking ordinance has been changed, the "No Parking" signs need to be removed. He noticed the flag at the Fire Station is not professionally lit at night and asked that it be corrected. The North Davis Sewer District is continuing with its construction and he would like them to do another tour in the fall to see the growth. He is thankful for the passion of the residents tonight for the Police Department. The Council needs to be realistic of the needs, tax base and growth of the City. If they don't look at all the options it could be disastrous. The issue is emotional with safety and time response being a concern, but other cities rely on the police protection of other entities and they are just as safe as Sunset is. They have to think about options and either come up with ideas on how to keep funding the Police Department or keep to status quo and lose it.

Mayor Macfarlane advised she has been asked to form a committee to address the option of contracting with another agency for police protection, so she has asked about 15 residents to be on that committee and they will meet tomorrow night. They will review statistics from other cities, studies and other items and give their findings to the Council at the next Council meeting. She attended a meeting with other cities and the Davis County Animal Control Services about their cost structure. In 2014, Sunset had 342 calls for animal control. She received a letter after the meeting, which she read. Due to the concerns voiced

at the meeting, Davis County will keep the contracts for animal control services as they are now with an amendment near the end of this calendar year to facilitate the County and cities to equally share the cost associated with animal control after all the other revenues, e.g. animal license fees, shelter fees, surgical fees and donations, have been applied to offset in part the total cost. They will discuss this matter with the cities further in 2016 with the goal of reaching a resolution that will be acceptable to both parties. The concern from the cities was that the taxes paid to Davis County should pay for the animal control shelter and services. The cities should only pay for the time the officers spend in their cities. She mentioned this is what happens when a service is contracted out instead of being kept in house. The Utah tobacco laws were updated with House Bill 415 regarding selling or distributing electronic cigarette products. Wasatch Integrated Systems is coming up with innovative ways of separating garbage and recycling and she will keep them updated on it. She has attended a couple military affairs and it is inspiring to see what the military does for the City. The City needs to keep good relations with HAFB because they support Sunset in the I-15 Interchange and will Falcon Hill.

9. **Department Reports:** Police Chief Eborn thanked the Council for addressing the police wage issue tonight regardless of the outcome. He is prepared to make an offer of employment at the current rate to fill one of the vacant positions. They are doing some additional follow up interviews for the second position. The Council gave their consensus on hiring for the first position.

Fire Chief Weston advised they were pretty busy on July 4th. They had three medicals, two grass fires, one smell of smoke and one mutual aid structure fire to Syracuse. He has emailed the Council Members with positions he is prepared to fill, but has not had success receiving replies, so for their approval he printed out and placed at their seats a list of names with the positions or promotions he would like to offer them. Mayor Macfarlane said this has been very frustrating for Chief Weston with not receiving prompt responses from the Council so he could proceed with hiring. Those Council Members not using their emails need to check their boxes often in case there is something they need to respond on. She asked for a consensus on going forward with the new hires and promotions. The Council Members gave their consensus.

Public Works Director Monroe reported the public works employees are working very hard getting the parks ready for Fun Days and future uses. He will remove the parking signs and get the flag lights fixed at the Fire Station; they have just been really busy. He needs approval to purchase the two dump trailers they budgeted for so they can get the dumpster program going by August. Council Member Furniss had a citizen comment to him that this is the first time he has ever seen the parks edged and were impressed at how nice they look. Mayor Macfarlane mentioned they have put new sand in the volleyball courts and the tennis courts will be turned into pickleball courts. Director Monroe asked the Council Members who plan to be in the parade to let him know if they need a vehicle. The person doing the Under the Stars Car Show in August said he may be able to provide some rides. Mayor Macfarlane encouraged all of the Council Members to participate in the parade.

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Treasurer/Office Manager Youngdell stated the July Planning Commission meeting has been cancelled. The Department Heads are working on their evaluations for the next pay period. The newsletters went out last week and a Fun Days flyer was included in it. She welcomed Mrs. O'Connell-Torgersen to the Planning Commission and looks forward to working with her. She reminded everyone 72-hour emergency preparedness kits can be purchased in the office at a reduced rate because they are only a couple of years from their expiration date.

Council Member Furniss said they had already voted four to one to demolish the rental house and asked if the bid to tear it down would be on the agenda again. Mayor Macfarlane replied yes. Council Member Furniss was concerned with how long the bids would be good for and it was reported Pappas Brick's bid would still be good. Council Member Ripple stated he just wants to verify the cost/benefit he was told of today because he voted on the demolition prior to knowing there was a substantial income.

Council Member Furniss made a motion to adjourn. Council Member Snow seconded the motion. The motion passed unanimously with Council Members Furniss, Ripple and Snow voting yes.

The meeting adjourned at 8:40 p.m.

Approved – July 21, 2015

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder