

**Sunset City Corporation**  
**City Council Minutes**  
**July 15, 2014**  
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Minutes of a regular meeting held July 15, 2014 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Macfarlane presiding.

**REGULAR SESSION**

**Mayor and Council Present:**

Beverly Macfarlane	Mayor
Chris Hadley	Council Member
Trystal Peay	Council Member
Kevin Snow	Council Member

**City Employees Present:**

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Bruce Arbogast	Police Lieutenant
Norm Noyes	Public Works Director
Breen Lowman	Fire Chief
Travis Carter	Asst. Fire Chief
Cody Butcher	Police Officer
Ronald Hurst	Police Officer
Joe Maylin	Recreation Supervisor
Jacob Sobers	Fire Fighter

**Excused:**

Ryan Furniss	Council Member
Ken Eborn	Police Chief
Jake Peterson	Council Member

**Others Present:**

Paul Ray	State Representative
Terry Avondet	Sunset Citizen Corps
Jenni Williams	Standard Examiner
Boy Scout Troop 306	

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

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

**Approval of Minutes:** Council Member Snow made a motion to approve the minutes of June 17, 2014 as presented. Council Member Peay seconded the motion. The motion passed unanimously.

**Approval of Vouchers:** Council Member Hadley made a motion to approve the vouchers for ProTel Network, Apparatus Equipment and Braker Construction totaling \$72, 427.63. Council Member Snow seconded the motion. The motion passed unanimously.

**Public Comments:** Richard Thomas advised there is a home next to his house which Citi Bank took over about four years ago. There were renters living in the home, but Citi Bank had them move out and the home has been vacant with no maintenance for two years. The yard has weeds, but it is the sidewalk he is concerned about. It is so overgrown with weeds; people pushing their children in strollers have to go out into the street and around it. He has talked with Chief Eborn and was told Davis County still has the previous owner on record as the owner. He spoke with the owner a few days ago and he said he went bankrupt on it over three years ago. He asked why the City is not going after Citi Bank to take care of the property. It is detracting from the neighborhood. He loves this City and what is now going on with the clean up, but doesn't know how this house is escaping it. Mayor Macfarlane said they would discuss it and see what they can do. She thanked Mr. Thomas for bring this to their attention.

- 1. Legislative update by Representative Paul Ray:** Representative Ray stated the Legislature debated over 800 bills and passed about 500. Of all the bills passed, very few are new laws; the rest are just tweaks to existing laws. Utah is granted an award almost every year for being one of the best managed states in the Nation. Last year the State had about \$250 million in surplus and he believes they will have about the same amount at the end of this year. Utah has one of the lowest unemployment rates in the Nation. This year they were made aware when one of the Police Officers or Fire Fighters die in the line of duty, the coverage for their families is inadequate. Right now there is a death and disability benefit, but if an officer is injured in the line of duty, disability only pays for three years. That leaves them with no profession and no money. He would like longer or permanent disability payments for them. He is sponsoring a bill that will rectify this and it will entail a minimal cost for municipalities, if any. Once the language is written he will be speaking with Mayors and Council Members individually to discuss what would be best for the cities financially and what would be best for the Officers.

Mayor Macfarlane asked for an explanation of the bill that addresses the vote of the Council. Representative Ray explained municipalities have to have a majority of the whole Council voting yes, even when some are absent. In Sunset's case there are five Council Members, so it means if a quorum of three are present, all three need to vote yes to pass an item. He stated the Legislature could revisit the bill if it was too stringent for some cities.

Council Member Snow said 800 bills are a lot of bills and he is concerned with the State having too many laws. He asked if Representative Ray was concerned about the State having too many laws. Representative Ray said some of those bills were repealing old laws. He believes they repeal more laws than they create. He is in the process of rewriting some of the criminal code because he believes Utah has too many felonies. There is a prison population issue and the State has to build a new prison, so he believes they also need to overhaul the criminal law system. An example is drug possession. A person is not going to be fixed by being locked up; they will just learn to be better criminals. They need to be rehabbed. 80% of the prison population is there due to drugs, either from the drugs themselves, other crimes to obtain money for the drugs or domestic violence due to drug or alcohol use. He chairs the Military and Veterans Affairs Commission and they created a Veterans Court for veterans

with PTSD, which is being tested for a year in Utah County. If that works they will implement it elsewhere.

Mayor Macfarlane asked if he was aware of a list of veterans from which they can find out who is from Sunset. Representative Ray said Gary Harter, with the State Department of Veterans Affairs, would have that list and gave the phone number to Council Member Peay. He said veterans could contact the State Department of Veteran Affairs to find out what services are available to them.

Council Member Snow stated the boards such as North Davis Sewer District and Mosquito Abatement District are concerned about the new bill that requires them to mail out a notice to every household in their district when they are holding a truth in taxation hearing. Sometimes the cost of mailing would be as much or more as the tax increase would generate. Representative Ray said that bill was passed because not everyone has internet or reads the newspaper and those people need to be notified as well. He is comfortable with just the internet and newspaper because that covers 85-90% of the citizens. Sometimes they pass a bill that doesn't work the way it is meant to, so they try to correct it during the next session. Council Member Snow asked if he would explain the procurement code because it confuses him as to what is meant for cities. Representative Ray said that is one of the bills they are trying to tweak. They worked closely with Kent Beers in the procurement department to try to streamline it. He explained if he has a question with a bill, he approaches the sponsor before they get on the floor so, if needed, he can have a draft amendment ready and they're not trying to wing it on the floor. In case there is anything he can help them with, he gave the Council his phone number, 801-725-2719, and email address, pray@le.utah.gov. He commended Sunset for the tremendous public safety force it has.

- 2. Award bid to Advanced Paving and Construction for the 2014 Roadway Improvement Project:** Public Works Director Noyes explained the 2014 Roadway Improvement Project is to chip seal 250 West from 1800 North to 2575 North, 175 West from 2050 North to 2300 North, the whole subdivision east of there and a small section at the entrance to the City's baseball complex. It has been recommended by CEC Engineering to award the bid to Advanced Paving and Construction, which is the same company who did a project for the City last year.

Council Member Snow made a motion to award the bid to Advanced Paving and Construction for \$72,500. Council Member Peay seconded the motion. The motion passed unanimously with Council Members Snow, Hadley and Peay voting yes.

- 3. Recognition of Treasurer/Office Manager Youngdell for 20 years of service to Sunset:** Mayor Macfarlane said the City is very lucky to have Treasurer/Office Manager Youngdell as the Treasurer and Office Manager. She keeps everyone on track and follows through impeccably with everything needed. She thanked her for her 20 years of hard work and handed her the award and check.

4. **Swear in new Police Officer Ronald Hurst:** Lt. Arbogast introduced Officer Hurst, who began employment with Sunset on the July 7, 2014. Recorder Hale conducted the swearing in and Officer Hurst was welcomed by the Mayor and Council Members.
5. **Consider approval of Resolution 2014-10 amending the Sunset City fee schedule to increase the commercial sewer overage fee:** Mayor Macfarlane explained the commercial sewer fee for overages is being changed from \$0.115 to \$0.145 per 100 gallons. Recorder Hale explained she was unaware the overage fee was also increased when the North Davis Sewer District increased the base sewer fee.

Council Member Hadley made a motion to approve Resolution 2014-10. Council Member Peay seconded the motion. The motion passed unanimously with a roll call vote. Council Member Peay – yes, Council Member Hadley – yes and Council Member Snow – yes.

6. **Discontinuation of voucher program from Wasatch Integrated Waste Management District:** Mayor Macfarlane said in the past the City has received a certain amount of vouchers so they or another non-profit agency could dump waste for free. She read a letter she received from Wasatch Integrated Waste Management stating the Administrative Control Board of Wasatch Integrated Waste Management decided at their June 4, 2014 board meeting to cancel the voucher system and existing vouchers will no longer be accepted after July 1, 2014, the monthly household fee charged on 90-105 gallon containers is reduced by \$0.05. Effective July 1, 2014 the fee is \$5.20 per month. The board encouraged cities to retain the deduction in disposal rates to cover the cost of waste currently being disposed of under the voucher program. Clean green waste delivered to the green waste recycling facility in a city or county owned vehicle or delivered by a hauler accompanied with notification on official city or county letterhead will continue to be accepted at no charge.
7. **Council Member reports and general information:** Council Member Peay stated she has met with Michael Love to plan something for Veterans Day on November 11<sup>th</sup>. They are trying to make it an annual event. She is compiling a list of Fun Days events the residents would like to see next year. She has been trying to get veterans to be in the parade and the list she will obtain from Mr. Harter will be a great help. She visited the Davis Senior Center and was told Sunset residents are still using the facility. She is in the process of scheduling a meeting with Davis County Economic Development to talk about businesses for Sunset. The breakfast meeting for business owners is still up in the air. They are trying to decide on funding for the breakfast meetings and are aiming for the first meeting to be held at the end of August.

Council Member Hadley said he attended the awards ceremony for the fire fighters, who were very appreciative of the recognition. The new turn outs have been ordered and are expected to be received by the end of the month. They are still trying to get more members for the CERT program and they hope they can be of use at Fun Days. The Emergency Preparedness site is still down and they need to contact the provider.

Council Member Snow stated the DRC committee finally met over signage. The signs were originally going to be placed on the yard side of the sidewalks, but they want them closer to the road. They will meet again on the 25<sup>th</sup>. The Mosquito Abatement Board is beginning the process to build a new office building and lab and to also renovate the existing equipment buildings. There will be a tax increase of about \$3.00 per year from the District and a Truth in Taxation hearing will be held in August. He is planning a city-wide clean up on August 9<sup>th</sup> from 9:00 a.m. to noon. They are still going over the details. Advertising for it will run through the churches. He has been getting complaints about vacant homes with high weeds and also for construction without a permit and/or the construction not being finished. Council Member Hadley asked about the home that is boarded up and Police Chief Eborn replied he has been trying to contact the owner. Council Member Snow said he would still like something about the Better Landlord Program on the website.

Mayor Macfarlane has been working with the Davis Board of Education to get some ideas on the how to utilize the tennis courts at Central Park. The City is very lucky to have the caliber of Department Heads it has, but they can't do everything so having the Council Members follow through with their assignments is very important and helps to move the City forward.

Fire Chief Lowman advised the two fire fighters in attendance tonight have received their badges. It gives them the opportunity to act on the authority the badges represent. They are doing an excellent job. He has now been the Fire Chief here for just over a year and has been trying to find ways to conduct business in the Fire Department. He has talked to Mayor Macfarlane about trying to restructure the Fire Department. As he moves forward with this, he would like to work closely with the Council and receive their support. The Fire Department is run with volunteer fire fighters, but they pull shifts like every other fire department. The shifts are six hours long and they receive between \$12.50 and \$15.30 for the entire shift. In looking at having tighter continuity in the Department, he is proposing a plan to create eight part-time paid positions in the Department. This gives the fire fighters an opportunity for advancement and gives them status as a combination Fire Department instead of just a volunteer department. It also gives him as Chief more control to expect certain things of a paid position differently; not more or less, just differently. It also helps with relationships and perception with other Departments. On top of that it may give them a better ability to progress in relationships with HAFB and Roy City. He can do the restructure within the Fire Department's current budget and at no additional cost to the City. Council Member Hadley said he has reviewed the pros and cons of this and overall he believes this would be a step in the right direction. Chief Lowman believes the restructure will improve the ISO rating in the City, therefore making the citizens home insurance premiums less. This would be implemented on a one-year trial program and the fire fighters hired for the shifts will be notified it is for the one-year trial period. Then they will reevaluate it. If this is implemented, he would have one person on duty for a full 24 hours. There would be much better continuity and a lot better pass-on from crew to crew. Also, he can have that person do more standardized and higher levels of training and conduct inspections while they are on shift. There will be two different types of positions based on qualifications and certifications; 4 senior positions and 4 less senior positions. The senior positions will be paid a flat salary of \$500 per month and required to work one 24 hour shift seven weeks in a row,

their eighth week would have no shift and then it would start over. Their less senior positions, depending on certifications, would be paid between \$400 and \$450 per month. That will leave enough money in the budget to manage the call back times to pay for fire fighters who are actually out on fire calls. The other volunteer positions will remain the same at six hours a shift. He encouraged the Council Members to drop by the Station to see the numbers. Mayor Macfarlane advised the minutes will document the program and it probably won't begin until at least September or maybe even October. They want to have all the ducks in a row before implementing the program. The part-time positions will be opened to internal applicants. If the positions are not met, they'll open it up to outside people. The Chiefs and senior officers will conduct strict management of the call backs and how many people stay at the station. If they can't manage that right, they won't be able to make this program fly. He clearly stated that from the start date, if they fill those eight positions, it will be a one-year term position, purely on a trial basis and that the program will be reviewed at the one-year mark to see if it's the right thing for the City. He will not begin this program until the Council has had time to discuss it between them and with Mayor Macfarlane and she gives him the okay to move forward. That will also give him time to write some position descriptions and such. He then went on to other items. They purchased the first set of 19 turnouts from the FY2014 budget and he thanked the Council for their support in that. The new Chief's vehicle is having the lights and sirens installed and should be ready for Fun Days. They are getting the old squad ready for sale. When Mr. Kirshner heard some fire fighters did not have a badge, he donated \$100 towards the purchase of one. They had his name printed on the back of one of the badges and it was labeled the Kirshner Badge. It has been presented to Jacob Sobers, who received the 2013 rookie fire fighter of the year award. As he progresses or moves on, that badge will have the legacy of being passed on from fire fighter to fire fighter in the Department. They really appreciate his donation.

Mayor Macfarlane said the Police Department is doing good work with ordinance enforcement and follow up so the yards are getting cleaned up. She asked Lt. Arbogast to pass on her thanks for that.

Public Works Director Noyes reported 300 West is torn up with the construction going on and the contractor is a couple weeks behind. He hopes they get caught up and will get done with the project on time. He reminded the Council when the Council decided to do away with the Recreation Department; Public Works absorbed it as an additional burden. His only concern is if they want to expand on the recreation programs, they will need to consider hiring an event coordinator. Recreation Supervisor Maylin does an amazing job, but he also has other duties within the Public Works Department. Mayor Macfarlane said Public Works Director Noyes was on vacation and came home early to help fix a major water main break. She noted the City's infrastructure is getting old and will need some major upgrades in the future. She thanked the Public Works Department for also keeping Main Street looking good.

Recreation Supervisor Maylin advised Mann Music will be donating their time and equipment to run karaoke in the afternoon on Saturday. M.O.D. Taekwondo will also be donating their time to put on a demonstration before the fireworks. They are having an issue

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with the skateboard contest this year. The man who ran it for the last two years called Friday and said he was unable to sponsor and/or judge the contest any longer. Since they need a judge who has experience and knows what to look for, it may be difficult to find someone to take on the position with this short of notice. He suggested just holding a skateboard party with pizzas, drinks, music and inviting the skaters and their families to attend. They could also raffle off prizes during the party. Mayor Macfarlane would really like them to work hard at finding a judge so they can hold the competition and hold a party only if that can't be done. He outlined the schedule for Fun Days. The skateboard and baby contests will be held on Friday along with the movie in the park. Since the Police are not doing the DARE Auction, they are doing a DARE 5K Saturday morning. Christy is in charge of the parade and has said the number of entrants is down from last year. Chad Bangerter has been promoting the car show and Timothy Slater will be playing during it. Mann Music will be doing Karaoke at 3:00, there will be a tractor pull, a M.O.D. Taekwondo demonstration, the Polluters will be playing before the fireworks, there will be skydivers at dusk and fireworks at dark.

Mayor Macfarlane has been working with the School District on redoing the tennis courts. The Steering Committee for the Zions Bank Commercial Redevelopment Plan has met and a survey will be going out to the residents. She wants to do some things with the City drinking water well and is talking with a water attorney and Weber Basin. She will involve the Council when they get a little further into it. The well has been unused for many years and could bring additional revenue to the City. This Council body has been in office for six months now and she believes they have made great progress and she wants to see more progress in the future. She appreciates everyone for their hard work in improving the City. She stated her appreciation for Jenni's newspaper coverage of the City.

Council Member Hadley made a motion to adjourn. Council Member Peay seconded the motion. The motion passed unanimously.

The meeting adjourned at 8:35 p.m.

Approved – August 5, 2014

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Beverly K. Macfarlane, Mayor

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Susan R. Hale, Recorder