

**Sunset City Corporation  
City Council Minutes  
August 19, 2008  
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Minutes of a regular meeting held August 19, 2008 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Gotchy presiding.

**Mayor and Council Present:**

|                                 |                |
|---------------------------------|----------------|
| Dan Gotchy                      | Mayor          |
| James Bridges (excused at 7:30) | Council Member |
| Cheyrl Budge                    | Council Member |
| Ricky Carlson                   | Council Member |
| Ryan Furniss                    | Council Member |

**City Employees Present:**

|                    |                          |
|--------------------|--------------------------|
| Linda J. Youngdell | Treasurer/Office Manager |
| Ken Eborn          | Police Chief             |
| Neil Coker         | Fire Chief               |
| Mickey Hennessee   | Public Works Director    |
| Vicky Gold         | Recreation Supervisor    |
| James Weston       | Asst. Fire Chief         |

**Excused:**

|               |                |
|---------------|----------------|
| Ray Chapman   | Council Member |
| Susan R. Hale | Recorder       |

**Others Present:**

|   |                   |
|---|-------------------|
| Brent Andrews (signed roll, but was not present during meeting) |                   |
| Kim Smith   | Standard Examiner |

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

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

**Approval of Minutes:** Council Member Furniss made a motion to approve the minutes of August 5, 2008 as presented. Council Member Budge seconded the motion. The motion passed unanimously.

**Approval of Vouchers:** Council Member Bridges made a motion to approve the voucher for Ford Motor Credit and Ken Garff totaling \$23,777.56. Council Member Carlson seconded the motion. The motion passed unanimously.

**REGULAR SESSION**

**Citizen Comments:** There were none.

1. **Resolution 2008-10 authorizing lease/purchase of a John Deere backhoe:** Mayor Gotchy explained this resolution is for the backhoe Public Works Director Hennessee has purchased. It was approved in the budget, but Wells Fargo requires a resolution of authorization before financing a lease/purchase.

Council Member Furniss made a motion to approve Resolution 2008-10 authorizing the lease/purchase of a John Deere backhoe. Council Member Budge asked if they don't usually go through Zion's Bank and why they are going through Wells Fargo. Treasurer/Office Manager Youngdell explained the only time the City has gone through Zion's Bank is for the City Building and the City banks with Wells Fargo. Director Hennessee said they are purchasing the backhoe through Scott Machinery and their interest rate was 4.75% and Wells Fargo is a little less. Council Member Furniss asked what Director Hennessee would be doing with the old backhoe. Director Hennessee replied he plans to auction it, but if the minimum bid is not met it will be kept. Mayor Gotchy asked if it would be good to keep it for back up. Director Hennessee said it is 20 years old and would not be cost effective with insurance, etc. and they are able to borrow Clinton City's when they need to. Council Member Budge seconded the motion. The motion passed unanimously with a roll call vote. Council Member Bridges – aye, Council Member Carlson – aye, Council Member Budge – aye, Council Member Furniss – aye.

2. **Approval of Bus Bench & Shelter Advertising Contract:** Public Works Director Hennessee said this item is to authorize Mayor Gotchy to sign a contract for the bus shelters. The old contract with Outdoor Promotions is expired. A new company called Big Sky Outdoor has taken over their bus shelters and the contract can be signed on September 1<sup>st</sup> when the new company officially takes over. City Attorney King has reviewed the contract and negotiated a couple of minor changes. The bus shelters were installed in 1994. The company who installed the shelters put advertising on them to recoup their costs and make money. Now a few cities are asking for a share of those revenues. The contract with Big Sky Outdoor is for 5 years and the City will receive 5% of the revenues generated on the bus shelters in Sunset. The City was not receiving any revenues in the past.

Council Member Furniss asked how the company bases the revenue. Director Hennessee believes it is profit after all expenses are paid. The revenue for the City won't be a huge amount; maybe \$100 a month, but it is better than nothing. Council Member Furniss asked what the Attorney's concerns were. Director Hennessee replied Big Sky originally wanted a ten year contract, but it was changed to five years. It was added that if the Council believed something in the advertising was offensive, they could request that it be removed. There was a tax liability issue that was taken care of and a few typos were corrected.

Council Member Budge made a motion to authorize Mayor Gotchy to sign the contract with Big Sky Outdoor on the 1<sup>st</sup> of September. Council Member Bridges seconded the motion. The motion passed unanimously.

3. **Discuss leasing City well:** Public Works Director Hennessee said this is something he has been working on for a few years. Sunset City contracts with Weber Basin for 1,400 acre feet of water a year. Since he's been tracking it starting in 1993, the City has never gone over the 1,400 acre feet. The rate is \$124 per acre foot. If the City were to go over 1,400 acre feet, the rate would be \$124 plus an additional \$60 per acre foot. The thinking in the past was that the City has a well they can use rather than pay the additional cost if the City has to go over the 1,400 acre feet. Another reason for the well was years ago the City was only fed from

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Weber Basin from only the Layton plant and in the summer there was low flow and pressure. Now Sunset is fed from the Layton and South Ogden pipes so that problem has been corrected. The well has not been used since 1987, but it is turned on once or twice a year. The well is just under 1,000 feet deep. The pump will pump 1,100 gallons a minute and it is located about 370 below the surface. When the pump is turned on, it is so powerful and so much water comes out, it causes the water to depress and the pump will shut itself off. A well is a valuable resource and normally the pump is pulled and maintenance done on it every two years. This pump has been in the ground for 30 years. He has been trying to negotiate with Weber Basin to lease our well so the City would not lose it, just lease it. It would have to be done on a 50 year lease because they would have to go to a lot of expense to bring it up to code. Should the Council decide to use the well, the City would have to bring it up to code. Just to pull the pump out it will be \$7,000 and to replace it would be \$75,000 to \$85,000. There would be another \$5,000 to do the testing to make sure the water quality is good. Then there is the issue of fluoride, chlorination and monitoring the well. It would be well over \$100,000 to bring the well on line. He started negotiating with Weber Basin in the year 2000 and it was almost done, but the Council did not approve it. At the time, the City would have been paid \$10,000 a year, plus the overage rate would stay the same as the base rate. Right now the talks are just starting back up and so far it is leaning toward being a 50 year lease, they would have full control, some of Sunset's equipment would have to be moved out and they would only use it as back up during summer's heavy demands. Sunset has a 30 inch water line up to the West Side Development area to provide water so should they choose Sunset the well may be tied into it somehow. That is complicating the lease negotiations and they are trying to come up with ideas to make the lease work. Director Hennessee would like the water rate Sunset has with Weber Basin to stay the same because when Falcon Hill is built out, the water demand will be about the same as all of Sunset. The pump in the well is almost capable of that.

Council Member Budge asked if it wouldn't be better for Sunset to keep the use of the well. Director Hennessee said no because of the cost of bringing it on line and it costs more to power the pump than to pay the overage fee. When the well was used in 1987, he ran the numbers and it was much more to power the pump than to pay the overage fees.

Council Member Furniss asked if he had talked to the water attorney the City hired last spring. Director Hennessee said he mentioned the issue and the Attorney told him he would help if he needed him to. When they start getting near an agreement he will have the Attorney review it. Council Member Furniss would like Director Hennessee meet with the water attorney first, then have a work session with the Council and maybe invite Weber Basin. Director Hennessee said he is just bringing the issue up with the Council now to find out what they want to do with the well. Council Member Furniss asked if he had reviewed the option of spending the money to bring the well on line and selling the water. Water is a valuable resource so they need to be very careful how they proceed with this. He believes they should get with the Attorney. Mayor Gotchy suggested Director Hennessee talk with Weber Basin to see what they are willing to do and talk with the Attorney to see what he feels they should do. The costs, uses, etc. were discussed more.

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Council Member Furniss thanked Director Hennessee for his forward thinking. He agreed that they need to review the issue with the caution of protecting the City's water rights for the future development of Falcon Hill and any future growth in Sunset.

Council Member Carlson made a motion to direct Public Works Director Hennessee to continue negotiations with Weber Basin on possibly leasing the well. Council Member Budge seconded the motion. The motion passed unanimously.

Mayor Gotchy told Treasurer/Office Manager Youngdell they want to contact the water Attorney to see what he has to say about the issue.

- 4. Council Member reports and general information:** Council Member Bridges thanked the employees for serving dinner at the senior citizens luncheon. There was a good turnout. There are two neighborhood barbeques still to be held. There will be an Emergency Preparedness Fair held on September 20<sup>th</sup> at Central Park.

Council Member Carlson thanked Director Hennessee for his efforts in the Public Works Department. He and Mayor Gotchy attended the signing ceremony for Falcon Hill and appreciated Senator Hatch for talking to them while they were there.

Council Member Budge advised the Beautification Committee has been out the last couple of weeks judging for the beautiful yard awards. It has been fun driving through the City seeing the good care a lot of people are taking with their yards. She said the senior lunch yesterday was really good and it is fun to attend those lunches because you can meet people who you wouldn't ordinarily meet.

Council Member Furniss said he is happy the contract for Falcon Hill has been signed. Now the wheels can really start turning. He would still like Sunset to have a vote on the MIDA Board. The North Davis Sewer Board has been talking about some items that will directly affect Sunset's citizens. One is odor and there will be money needed to fund the study on older sewer lines. Also, there may be a rate increase to pay for their operating costs and upgrades. The Board has authorized a study to review that. Council Member Bridges said he thought the new plant was supposed to cut down odors. He feels the odors are increasing. Council Member Furniss said the waste is on the north side of the plant and when it is churned the neighboring people are affected by the odor. He referred to a compensation survey he handed out to the Council Members previously. He feels they need to look into it. There is some software the City can purchase for \$300 and it is what Syracuse used for their major compensation study. He feels they need to pay the employees more, particularly the Police Department. This is just one more resource they have to help in reviewing wages. He has found it difficult to obtain wage information from other cities. Treasurer/Office Manager Youngdell said she can get the information for him. Council Member Furniss said he would come in and talk with her about it.

Public Works Director Hennessee mentioned they would be awarding the bid for the CDBG contract next month. He is waiting for some plans from the Engineers to install sidewalks on

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the east side of Main Street from 2300 North and 1800 North to the bus shelters. There are cross walks so people can cross the street, but there are no sidewalks for them to walk on to get to the bus shelters. After he receives the plans, he will submit them to UDOT and UDOT should approve those and then they can be installed. They'll do 2300 North first, then 1800 North. He commented the roll off dumpster at the shops seems to be working well.

Police Chief Eborn reported that the officer who had applied for another job with Clinton City was not selected. He understands he is at the top of their list to consider when another opening comes up.

Recreation Supervisor Gold reported the Senior Luncheon went well and they served over 100 people. Flag football will begin and a softball tournament will be held in September and AYSO Soccer begins on Saturday.

Mayor Gotchy thanked all the employees who helped serve during the Senior Luncheon. He attended the Falcon Hill contract signing and it was a great thing to attend. They had some time with some pretty influential people. He met with Bruce Evans and he is going to ask him and his staff to lunch so they can sit down and talk about some issues. Mr. Evans strongly suggested to him that the Council be very aggressive in talking about the tax base system before the Senate meets again. If they don't get on it, they could possibly be left short when it comes to distributing the taxes. He asked the Council Members to attend that lunch also. He believes something is going on that they are not aware of and he wants to find out what it is. He asked Director Hennessee to report on how much trash is being left at the skate park. Director Hennessee said when the issue came up a couple of months ago he spent a lot of time talking with the kids about it and it got better. Then for the last month or so, the garbage has gotten really bad. He went over there Monday and told them he would be taking out a component and if the trash doesn't get any better, he'd take out another component and so on. But if the trash issue gets better he'll put the component back. Before he left, the kids had it all picked up. In the last few days it has really improved, but he is still going to take out a rail so they know he means what he said. Police Chief Eborn said the Officers have told him when they are at the skate park talking with the kids that are there, the kids are eager to pick up the garbage, put the benches back and tip the garbage cans back upright. When they leave either that group or another group that comes in after trashes the place. Mayor Gotchy said the last two weekends have been horrible with trash. He went over there for a walk on Monday morning and they had dumped over a garbage can, there was broken glass everywhere and trash was scattered all the way up to the restroom. It seems like the effort of lifting the garbage can lid is beyond their control. Director Hennessee said they took another can without a lid over there and they seem to be using it better.

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Council Member Bridges made a motion to adjourn. Council Member Furniss seconded the motion. The motion passed unanimously.

The meeting adjourned at 7:20 p.m.

These minutes have been read and approved at the regular City Council meeting held **September 2, 2008.**

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Dan Gotchy, Mayor

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Susan R. Hale, Recorder