

**Sunset City Corporation
City Council Minutes
October 1, 2013
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Minutes of a regular meeting held October 1, 2013 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Bangerter presiding.

REGULAR SESSION

Mayor and Council Present:

Chad Bangerter	Mayor
Brent Andrews	Council Member
Ricky Carlson	Council Member
Ryan Furniss	Council Member
Jake Peterson	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Norm Noyes	Public Works Director
Travis Carter	Asst. Fire Chief

Excused:

Kevin Snow	Council Member
Breen Lowman	Fire Chief

Others Present:

Terry Avondet	Citizen Corps
Trystal Peay	Beverly Macfarlane
Chris Hadley	Neil Coker
Cheyrl Budge	Spring Carter
Mary Earl	Jeanna Earl

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

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

Approval of Minutes: Council Member Furniss made a motion to approve the minutes of September 17, 2013 as presented. Council Member Andrews seconded the motion. The motion passed unanimously.

Public Comments: There were none.

- Approval of CDBG contract:** Public Works Director Noyes reminded the Council he had applied for and received approval for a CDBG grant in the amount of \$75,000. This grant will help them replace the waterline, curb, gutter, sidewalk and asphalt along 300 West from 1300 North to 1425 North. The contract is the standard CDBG contract between Davis County and Sunset City to receive the money. The Engineer has reviewed the contract and approval is needed for the Mayor to sign it. The project was estimated to cost \$320,000 and

the City committed to \$150,000. Only \$75,000 in grant money was approved so they will either scale back the project or delay it until the next budget cycle and try to add some funding for it. From the date on the contract, they have two years to complete the project. The total project includes replacing all the sidewalk, curb, gutter and asphalt so if they have to scale it back they will only replace the bad portions. On the asphalt, that would mean only replacing where they did to replace the waterline and then overlaying the whole road.

Council Member Andrews made a motion to approve the agreement between Davis County and Sunset City. Council Member Furniss seconded the motion and asked that the vote be roll call. The motion passed unanimously. Council Member Carlson – yes, Council Member Peterson – yes, Council Member Furniss – yes, Council Member Andrews – yes.

- 2. Discussion and possible approval of selling public works surplus trucks and purchasing a pickup truck:** Public Works Director Noyes explained it was approved in the budget for him to purchase a new 1-ton truck with dump bed and plow, replacing the old 1-ton that will be sold. He would like to also sell the 1997 Mazda and the 1995 Ford Ranger and use the money from all three to purchase a used mid-sized truck. However, as he has looked for one he has found there are not many out there for the amount of money he expects to receive from the sales. He proposed to go ahead with selling all three trucks and setting the money aside. If they find a good truck between now and July, they could use the money to purchase it. If not, the money could go towards purchasing a new pickup in next year's budget.

Mayor Bangerter said the Ford Ranger is not used very much and believes it is a good idea of updating the fleet. He believes one of the estimated values Director Noyes has proposed could be a little higher. These values will be the minimum anyone can bid. Council Member Peterson also believes the 1-ton could be sold for more. Council Member Furniss said during the budget sessions they agreed Public Works could purchase a new 1-ton, the Police could purchase a new police car and the Fire Department could look into purchasing a second ambulance. He is uneasy moving forward with this proposal because it was not approved in the budget. He would rather wait until budget time to discuss it to be fair to all the departments. Director Noyes understands that and said they would be selling the 1-ton anyway and the Ford Ranger just sits in the yard because he has fewer employees. He asked if they could just set the sales money aside to help with purchasing a new pickup truck next budget year in case there is enough money to add to make it possible. They would still need the Mazda if they cannot replace it now. Mayor Bangerter said Director Noyes is not necessarily looking to go out and purchase another truck. It is to sell the old trucks and only purchase a used truck if he can find a good one for the money received. If he did, he would ask for the Council's approval at that time. If he is not able to secure one, at budget time he would ask that the money be added to additional funds to purchase a new truck. Council Member Furniss said they have been criticized heavily for purchasing items that were not in the budget, so he does not believe it would be okay now to purchase this item outside the budget. His understanding is that State Code requires a City to hold a public hearing before selling any surplus and asked Recorder Hale if that was correct. She said she did not know and would research it. Council Member Carlson said his opinion is if the three trucks are sold for say \$12,500 or more and Director Noyes finds a used vehicle for around \$10,000 that

would not be an unfunded budget item. However, if he needs to buy new then the money could be set aside and he could approach the issue during next budget session. Also, the Mosquito District turns around about two pickups every year and are getting ready to put two up for sale and they are in good shape so that might be a place to find a used truck. Mayor Bangerter said he applauds Director Noyes for trying to clean up Public Works by trying to sell the trucks they don't need while they still have some value. He hopes the Council will at least allow him to sell the Chevrolet 1-ton and Ford Ranger. The Council would need to approve any purchase of another truck.

Council Member Carlson made a motion to put the 1995 1-ton and 1995 Ford Ranger up for surplus sale. Council Member Peterson asked how many bobtails Public Works has. Director Noyes replied they have three with a plow for each of them, but one they primarily use for a sander. If it comes down to it and Director Noyes has to plow they have to put a plow on the third bobtail they use as a sander and there would be five trucks plowing. Council Member Peterson asked how many other trucks Public Works has. Director Noyes answered they have the Colorado he drives, the Silverado, a Ford Ranger and the two small trucks he wants to sell. Council Member Peterson seconded the motion. Council Member Carlson and Council Member Peterson voted yes and Council Member Furniss and Council Member Andrews voted no. This created a tie vote, which required a vote by Mayor Bangerter to break the tie. Mayor Bangerter voted yes. The motion passed 3 to 2.

- 3. Reports from Mayor and Council Members who attended the Utah League of Cities and Towns Conference:** Council Member Furniss was only able to attend one day due to work restraints and reported first on the poverty session. This session made him realize people in poverty have different priorities. There are several families in the community who struggle with poverty and it is evident due to the schools being Title 1 schools offering free lunch and breakfast program. The Council needs to take this into consideration because business in an affluent neighborhood may consist of a spa, dry cleaning, fitness, etc. In a lower income neighborhood the businesses may be fast food, a Laundromat and access to public transportation. In Provo, the place all the people in poverty go to for assistance did not have a bus route. Instead there were bus routes to the malls and theaters, so they had to push for a bus stop where it was needed. These things need to be taken into consideration, along with the fact that poverty stricken people are uncomfortable with speaking at a Council meeting because the Council Members are elevated and dressed in suits. Maybe they could have a meeting now and then in the Sunset Room and sit on the couch to talk to them face to face. Another class was on fitness. There were examples of how cities can build things into their general plan that benefit people's exercise plan. Most people don't exercise and obesity is on the rise. They asked the Councils to look at their neighborhoods and find ways they could promote exercise. For example at a typical Walgreen Drug Store there is a sidewalk, parking strip and then asphalt for parking. Cities who embrace walking put the Walgreen's right next to the sidewalk with a shady spot with a bench and bike racks and a few parking places out back. That makes it more inviting to people who walk and ride bikes. The legal training with David Church was about conflict and how it is okay to disagree with one another. It doesn't have to mean they hate each other, it is just good government.

Council Member Andrews said Chris Matthews wrote a book called Tip and the Gipper about Tip O'Neal and Ronald Reagan. He learned about how they to along by not talking business after 6:00 p.m. It is important to know that just because they disagree with each other it doesn't have to make them enemies. This Country is based on the right of free speech. He seconded Council Member Furniss on the poverty session. He enjoyed every session he attended, but said he was not prepared to go over each one of them.

Council Member Carlson said there was a workshop about online services for cities. The company doing the presentation is contracted with the State to do their website. They are trying to set it up so that citizens can do city level transactions on the State website, such as paying their utility bill or applying for a business license and it wouldn't cost the citizens any more money. The City would have to pay a fee to have the company set up the links. Another session was about impact fees. Cities' general plans should have a 6 to 10 year time frame. They cautioned that impact fees have to be justified and they have to go towards the purpose they were intended for. One workshop was on revitalization and redevelopment of the commercial districts. The item that stuck with him was the examples of City Main Streets. Some were big wide streets with no medians and some had landscaped medians. Tests showed drivers automatically slowed down when there was a landscaped median as opposed to no median. The obvious advantages are safety for pedestrians and they are driving slower past the businesses. Some of the street lighting in cities are lower to the street and shine in motorists' eyes, so they are not the safest type of lighting. That is something to keep in mind as they plan for the 1800 North widening. He learned the Securities and Exchange Commission is watch cities more closely on bonding, with policies and procedures and public disclosures. They have to be done just right or a city could get into trouble. He also attended the session on fitness. The presenter talked about free range kids back in the day where the kids could go outside in the morning, spend all day playing with friends and didn't have to be home until the street lights came on. There are not many free range kids these days because people are afraid to let their kids go out and get the exercise they need. He does not know what the fix is that but agreed with Council Member Furniss that a walkable community could help. Salt Lake City gave a presentation and mentioned that 43,000 people work down town that do not live in the City and there are 5,000 residents in the down town area.

Mayor Bangerter said Council Member Peterson was unable to attend so will not be reporting. Mayor Bangerter said he has been attending the ULCT conferences for about eight years and they are very important, but he does not believe every one of the Council needs to attend. Two or three could attend and report back what they have learned, just as they have tonight. He was only able to go on Friday and attended some of the same sessions the other Council Members attended. In the fitness session they learned their kids are getting fat and they're not doing anything about it. It is interesting to him that they in Sunset argue about the skate park, walking track and what they want to do with the parks, yet there is an epidemic of obese children. He believes Sunset has done a great job trying to provide areas where the kids can get exercise. They have tennis courts, basketball courts, volley ball courts and now a skate park. All of the kids can exercise if they want to get out and do something. The big issue is if the parents can deal with the noise of kids playing, the occasional swearing

and if they can understand they are just kids trying to have a good time. He remembers growing up as a free range kid and how much fun it was. The kids these days are not able to do that because either the parents are worried about their security or the internet is taking over and allowed them to sit and play games all day. It is hard for Sunset to have a Recreation Department, but it has provided recreational areas for the children. Poverty stricken people do not want to talk with Mayors or Council Members dressed in suits. They need to become more accessible, which is hard to do because most Elected Officials have not been in that situation. The biggest eye opener for him understanding the poverty stricken people in Sunset was several years ago working with Steve Mullins, who had education and an understanding of poverty and what it brings to families. He feels this Country is founded on unity, not free speech. Free speech became part of the citizens' rights. It is evident with the Civil War. There was a division there and it wasn't until they became unified again that growth started happening again in this Country. They need to be unified and, even if one doesn't agree with something, they need to stand by the majority decision and stop trying to get the decision changed. An example is the skate park. It was installed eight years ago and he wondered why they keep attacking it. They have talked about the beautification of Main Street over and over again. It is because they are not unified. When talking about covering the canal there all kinds of reasons for not covering it; no money, etc. It is sad they can come up with money for bonuses, iPads, etc. but when it comes to projects that will benefit the citizens they can't become unified and do what is best for the City. They go to the ULCT conference and attend the shows, dinners and some classes. They should bring David Church here to do one-on-one training where they can learn so much more, rather than with a hundred other people where the training is geared to the majority of cities. Sunset is not like any of the cities mentioned in the training; in fact Sunset is not like any other city in Davis County. He does appreciate the tax payers helping to go and hopes he is not belittling the Utah League of Cities and Towns because it is a great organization and it is the organization that makes their jobs easier because they petition for the cities during the legislative sessions. The epidemic of childhood obesity was a big deal. It was mentioned if things continue to go as they are; our grandchildren will probably die from a diabetes related disease before we will. Most people could walk to where they are going, but don't.

- 4. Council Member reports and general information:** Council Member Peterson said he had been over to the skate park talking to the kids with an emphasis on bullying. The kids do not think it is right to bully either. The kids also told him they are frustrated with kids being on the skate park equipment without a skateboard or bike. He asked them to not get mad at the kids who don't understand the flow of the skate park, but to teach them how it works. He would like some ideas from the Council on how to move forward with this issue other than constant supervision, which will not happen. The weather is causing the skate park use to slow down so hopefully they can get something in place to help solve the problems by next spring. He said if anyone has any questions or concerns they can call him. He stated his appreciation for those residents in attendance and for the work of the City employees.

Council Member Furniss said next Thursday the Youth City Council will be handing out a small refund to the participants in the flag program due to the non-delivery on Labor Day. They have written a letter of apology and will be hand delivering the refunds. For those who

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would like to have the U.S. Flag posted in their yard for the Country celebrations, may pay \$25 for the first year so the flag can be purchased and \$20 for each year after that. The Youth Council Mayor moved out of State so they have elected new leadership. Brecklyn Rumsey is the new Youth Mayor, Sydney Furniss is the Mayor Pro-Tem and Sammy Park is the Secretary. They are planning to do a service project this month either at a homeless shelter or the Davis County Animal Shelter. He thanked the Fire Department for conducting an annual open house.

Council Member Andrews thanked the citizens and employees of the City. While he was at the ULCT Conference he talked with a lot of people and explained where Sunset was.

Public Works Director Noyes reported the Public Works employees have noticed a significant reduction in the amount of trash they have had to pick up since the last Council meeting. A few weeks ago Council Member Furniss had asked him to check into lighting the tennis courts at South Park. He has gotten some estimates and it would cost \$10,000 to \$15,000. He put out an RFP for the City Engineer and has received five proposals. He would like a couple of the Council Members to review them and give him their opinions. He has copies in his box for them to use for their review and he would need to get them back. Council Member Carlson asked if they could be scanned and emailed to them and Director Noyes advised they were each a booklet. All of them are good, competent firms. It all comes down to what they offer versus what they want to charge Sunset. \$20,000 was approved in the budget to cover the salt/sand bins and the bid he is accepting will be \$19,311.95 from a contractor they have used before.

Treasurer/Office Manager Youngdell advised representatives from Costco will be in the City Offices on October 9th from 11:00 to 12:30 if anyone is interested in becoming a member. The renter occupying the City owned rental home has given his 30 day notice to vacate. He has been a really good tenant, so they are sorry to see him go. Four months ago, there was a problem with the server. The server contains three hard drives that mirror one another. When one failed, it corrupted the other two. Everything was fixed and a week and a half ago the second hard drive failed. The IT company got it going and ordered a new hard drive. The next day the third hard drive failed. Now they are running on the hard drive replaced in April. Servers are good for about 3-5 years, so she had planned to budget for a new one next year. At this point, she had to purchase a new server now. It has been installed and is being converted tonight. The Administration capital outlay line item will be over budget, so she will cut back on everything she can to try to make up for it.

Asst. Fire Chief Carter reported their open house went well and he thanked the citizens and Council Members who attended. They have received some bids on Squad 11, the Suburban, on repairing it and to save the City some money they are going to have most of it done at the City shops. They picked up some of the remnant carpet from downstairs and had it laid by a volunteer in their day room. It looks really good so Chief Lowman wants to use some more. In Sunset Square, a business has put up a chain to prevent people from driving down the alley behind the building. According to the International Fire Code, the lane has to remain open.

Police Chief Eborn stated the chain has a reflective no trespassing sign on it. He had received a couple of calls about it being blocked with cars from some patrons of another business who like to use the alley when leaving. To Sunset Square's credit, they responded to their tenants complaints about cars speeding through the alley way. He is working with the property manager on a solution to keep the fire lane open, while keeping his tenants safe. He said the Fire Department did a great job on their open house and the volunteers of CERT helped them. There was a motorcycle show held later that day. They were told there would be about 200 motorcycles, but only about 25-30 bikes were displayed. There was also a car show fund raiser being held at Charlie's Service and there were no issues at either event. He wishes more people would have attended the open house and other two events. They will hold another drug take back event at Smiths on the 26th.

Mayor Bangerter said the Youth City Council are doing a great job and advised Council Member Furniss to make sure their conference registrations are in early. He stopped by the skate park on two Sundays, saw parents with small children there and it was the parents breaking the rules by smoking. He went there on a weekday and spoke with the teens there. They knew the skate park had been discussed and word had spread through Facebook and word of mouth. They assured him it was not the skaters causing the problems mentioned. It was the people there without skateboards that have nothing to do so they dump the garbage can and throw things at the skaters. The little kids there don't realize the bigger kids have bigger tricks to do and they get in the way. One of the rules of the skate park is you're not even supposed to be on the concrete if you don't have skate equipment. He would like to see the City provide skate equipment to the kids who register for the skate program, if one is started. There is also a little frustration because the smaller kids don't know about taking turns. The skate season is winding down and will pick up in the spring with a new group of kids. He apologized for not attending the Fire Department Open House; he got the time wrong and was at Charlie's car show fund raiser. He is sad the bike show fund raiser wasn't bigger. These types of events are great for the City. He would like to see these events advertised on the City's Facebook and website to help bring more people in. Bringing people into the City also helps the businesses. He thanked the Davis County Sheriff's Department for having the inmates clean the garbage along the freeway. He attended meetings at Hill AFB and had the opportunity to see the first F-35 program come in. They are working hard to maintain a squadron at the base. 1979 is when the F-16 was brought in and Hill has done the maintenance on them since that time. The F-35 is the new war bird and five other allied countries will also have F-35s. It is interesting to know they will be getting F-35s from other countries in for maintenance. He attended Col. Colby's summer party at Club Hill. She announced two ground breakings; one on November 1st for a commercial building to be built outside the gate and the second a three story office building inside the secured area. The City needs to continue their support of HAFB. They tried to find a resident who could be involved but that hasn't worked out very well, so he will be trying to find someone who can be, preferably a retired military person who knows the protocol a little better. He would like the Elected Officials and resident to participate in any fund raisers they have for the active military. There is a charity Round Up coming up and tickets can be purchased through Smith Tix. Council Member Carlson has attended one and it is really fun.

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

The meeting adjourned at 8:05 p.m.

Approved – October 15, 2013.

/s/Chad Bangerter, Mayor

/s/Susan R. Hale, Recorder