

**Sunset City Corporation  
City Council Minutes  
October 6, 2009  
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Minutes of a regular meeting held October 6, 2009 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Pro-Tem Carlson, then Mayor Gotchy presiding.

**Mayor and Council Present:**

Dan Gotchy (arrived 5:40)	Mayor
James Bridges	Council Member
Cheyrl Budge	Council Member
Ricky Carlson	Council Member
Ray Chapman	Council Member
Ryan Furniss	Council Member

**City Employees Present:**

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Neil Coker	Fire Chief
Mickey Hennessee	Public Works Director
Shawn Valdez	Police Lieutenant

Firefighters:

James Weston, Ron Chapman, Justin Arbogast

**Excused:**

Ken Eborn	Police Chief
Vicky Gold	Recreation Supervisor

**Others Present:**

Louenda Downs	Davis County Commissioner
John Petroff	Davis County Commissioner
Bret Milburn	Davis County Commissioner
Jason Gabbert	Planning Commission
Chad Bangarter	Brad Weller

Firefighters: Ron Chapman, Justin Arbogast, Amy Kippen, Adam Wolk, Ben Gevas

The meeting was called to order at 5:30 p.m. by Mayor Pro-Tem Carlson.

**SPECIAL SESSION**

**Davis County Commissioners meeting with the Mayor, Council and citizens:** Commissioner Downs said they were there to interact with the Council and listen to their concerns so they can serve the County as a whole.

Council Member Furniss asked where the City would go to apply for some of the stimulus money. The Commissioners explained Davis County theoretically received \$750,000 in an Energy Block Grant, several cities received money as well and other cities could apply to the Federal or State government. The County plans to purchase hybrid cars and use some of the stimulus money to pay the difference in the amount between regular cars and hybrid cars. They are also planning to spend it on County facilities and projects. Everyone was told there was stimulus money available, but they weren't told how or where to get it. They have not received

the energy money yet, but they have received money for weatherization, so people who qualify for the program can apply for it at the Health Department or Tri-County Weatherization. UDOT also received road stimulus money they are doing a lot of projects with.

They discussed MIDA and how both Sunset and Davis County are frustrated with not having a voice on the Board. The Nation has its eyes and ears on the Falcon Hill project because it is the first one of its magnitude. The biggest issue in Sunset is that the City is all built out and this development will be something wonderful for Sunset. That is why they would like a vote on the MIDA Board.

Residents' concerns were brought up about the increase in property assessments. It was explained the properties in Sunset had not be appraised for five years. Now appraisals throughout the County will be done each year so there shouldn't be such big shifts any longer. There are over 90,000 parcels and over the last three years, they have been trying to get all the parcels assessed to as fair a value as possible. There will always be an appeal process for any errors made. By State statute, the property tax revenue cannot increase from a previous year, except for growth, unless a truth in taxation public hearing is held. To achieve this, when property values go up the tax rate goes down and when property values decrease the tax rate increases. There is also a tax abatement for senior citizens.

Davis County just started their budget process because their fiscal year runs January to December. Currently, their employees will not be receiving a COLA and the merit raises are being discussed. The Sheriff's Office has come in under budget the last couple of years and it has presented a flat budget for the coming year. They have applied for and received a lot of grants to fund their projects. There have been some concerns about the rising cost of animal control and dispatch fees. The Commissioners were asked to remind the Sheriff's Office to provide the quarterly reports they were supposed to be sending, so the Council has the facts to relate when questioned by the residents.

This year Davis County is building a new health building, a library and some flood control projects. They bonded \$27 million for flood control because the bond rates are very low and construction costs are down. The library money has already been saved for and the health building cost is coming out of existing revenue.

## **REGULAR SESSION**

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

**Approval of Minutes:** Council Member Furniss made a motion to approve the minutes of September 15, 2009 and September 22, 2009 as written. Council Member Bridges seconded the motion. The motion passed unanimously.

**Approval of Vouchers:** Council Member Furniss made a motion to approve the voucher for Masimo in the amount of \$8,498.00. Council Member Budge seconded the motion. The motion passed unanimously.

**Citizen Comments:** There were none.

1. **Appoint Chad Bangerter as the Alternate Planning Chair and David Hackett as a full Planning Commissioner:** Mayor Gotchy explained that due to Planning Chair Cobb resigning and Commissioner Gabbert becoming the Chair, the position of Alternate Chair and a full Commissioner seat became vacant. The Commissioners recommended that Commissioner Bangerter become the Alternate Chair and David Hackett become a full Commissioner.

Commissioner Chapman made a motion to appoint Commissioner Bangerter as Alternate Chair and David Hackett as a full Commissioner. Council Member Budge seconded the motion. The motion passed unanimously.

2. **Recognize the Sunset Fire Department for volunteering during the Muscular Dystrophy Association "Fill the Boot" campaign:** Mayor Gotchy read the letter of commendation for the Sunset City Fire Department regarding their efforts during "Fill the Boot" and the Mayor and Council congratulated them for their hard work in earning money for MDA.
3. **Resolution 2009-07 adopting the Natural Hazard Pre-Disaster Mitigation Plan as required by the Federal Disaster Mitigation and Cost Reduction Act of 2000:** Fire Chief Coker gave an overview of the plan and explained Sunset would not receive any FEMA funds in the event of an emergency if this plan is not adopted.

Council Member Budge made a motion to approve Resolution 2009-07 adopting the Natural Hazard Pre-Disaster Mitigation Plan. Council Member Furniss 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, Council Member Chapman – aye.

4. **Request from Fire Chief Coker to lift the hiring freeze:** Chief Coker said the Fire Department had initially been authorized 28 firefighters, but during the budget process a hiring freeze was implemented which limited them to their current staff of 24 firefighters. He would like the freeze lifted because there are some firefighters that cannot respond as much as needed due to things like being deployed to Iraq, taking a leave of absence, having a baby, etc. It would cost the City about \$2,400 per year per firefighter. The Council discussed the issue.

Council Member Chapman made a motion to lift the hiring freeze and allow the Fire Department to hire four more firefighters. Council Member Bridges seconded the motion. The motion passed unanimously.

5. **Discuss City Attorney King's opinion of Sunset City Code 4-4-3 – the abatement section of the weeds, junk and abandoned vehicles ordinance:** Mayor Gotchy said they had asked City Attorney King to review the weed ordinance and render his opinion on it. His recommendations are: 1) that the City ordinances designate the person by position to serve as the City Inspector; 2) that Title 4, Chapter 4 of the City Code be amended to bring the language into conformity with the current Utah Code; 3) that any major nuisances such as structures or work involving considerable expenditures not be undertaken by the City without

authorization of a court order and that the abatement procedure and charging the costs back to the property owner be undertaken only with respect to removal of weeds, rubbish and other similar nuisances; and 4) to keep in mind that the property owner means the owner listed on the tax rolls of the County Treasurer and not the occupant, but if the owner is not the occupant, the notice to remove may also be given to the occupant of the property.

Currently, the timeline from the first warning on weeds/junk violation to the resolution could take up to six weeks or more. The Council discussed trying to shorten the time frame. The weed/junk issue is being addressed by several other cities as well. They discussed moving the duties of weed/junk ordinance enforcement to another department or keeping it with the Police Department.

Council Member Furniss volunteered to do some research on this issue for the next Council meeting.

Council Member Bridges made a motion to begin working on the weed/junk ordinance. Council Member Furniss seconded the motion. The motion passed unanimously.

6. **Discuss a security measure for the Court and Judge:** It was decided to skip this item and hold a closed session on it after item #7.
7. **Council Member reports and general information:** Council Member Budge reported there was an issue with Sunset Jr. High School not taking care of their lawn edging and DARE Officer Garcia went out and got the weeds cut. She said that was above and beyond his duties and she really appreciates his efforts. She said the weeds at the old R&J Pawn Shop needs to be addressed. Mayor Gotchy said the same needs to be done with City owned property.

Council Member Furniss wished more residents could have been here for the meeting with the Davis County Commissioners. He reported the North Davis Sewer District is preparing for a big project in Layton and Syracuse. He appreciates the way the Sunset Public Works Department keep up on the City's sewer lines. They need to start preparing a contingency fund for sewer line replacement because the lines in Sunset are very old.

Council Member Chapman advised the Youth City Council is still planning to hold a "Meet the Candidates Night" on October 21<sup>st</sup> at 6:30 p.m. He commented that with the bond rates being so low maybe now is a good time to look at building a new fire station and public works building. The Employee picnic went really well, although he heard rumors that some employees didn't like the idea of having to bring food to an employee appreciation picnic. In 2007 the picnic cost approximately \$1,000 and was catered. In 2008 it cost \$1,700 and it was catered and gifts were given out. This year it was hamburgers, hot dogs and pot luck and it only cost \$181. The food was good and the socializing was great. Mayor Gotchy also thought it went well, but he missed seeing the Public Works employees and all but one of the Police Officers. Council Member Chapman would like to oversee it again next year and will take suggestions on format and date.

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Council Member Carlson thanked the Public Works employees for the good job they have done on the soccer field at South Park. He reported there have been no human cases of West Nile Virus in Davis County so far this year.

Council Member Bridges thanked the firefighters for their efforts on the “Fill the Boot” fund raiser for MDA.

Fire Chief Coker advised they have had no word yet on the stimulus money for fire stations that they applied for. Their open house and emergency preparedness fair went well. An older lady told him today that off-duty Officers Duane Arbogast and Bruce Arbogast stopped to help her change a tire the other day and she wanted to thank them and make the Council aware of their good deed.

Treasurer/Office Manager Youngdell reminded everyone about the “Employee Recognition Program” and said anyone can submit a letter to nominate an employee. The Sunset Jr. High 5K Run will be held this Friday at 2:15 p.m. and Recreation Supervisor Gold will be running in it.

Public Works Director Hennessee said the year to date water usage for this year is lower than he has ever seen since he began tracking it 16 years ago. That tells him people are conserving. He mentioned the price of road salt is up 25% this year. The AYSO soccer program will end on the 17<sup>th</sup> and softball will be finished this weekend.

Mayor Gotchy thanked the Department Heads for taking the Council’s suggestions and working with them over the years to make improvements.

Council Member Chapman made a motion to go into a closed session. Council Member Carlson 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, Council Member Chapman – aye.

**Discuss a security measure for the Court and Judge:** This meeting was held in accordance with Utah State Code Section 52-4-205(1)(f) discussion regarding deployment of security personnel, devices or systems.

Present: Mayor Gotchy, Council Members Bridges, Council Member Carlson, Council Member Budge, Council Member Furniss, Council Member Chapman, Recorder Hale, Treasurer/Office Manager Youngdell, Fire Chief Coker, Public Works Director Hennessee, Police Lieutenant Valdez.

The sworn affidavit is attached.

Council Member Budge made a motion to return to the regular session. Council Member Bridges seconded the motion. The motion passed unanimously.

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Council Member Furniss made a motion to approve the security measure discussed during the closed session. Council Member Budge seconded the motion. The motion passed unanimously.

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

The meeting adjourned at 7:50 p.m.

These minutes have been read and approved at the regular City Council meeting held **October 20, 2009.**

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Dan Gotchy, Mayor

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Susan R. Hale, Recorder