

Sunset City Corporation
City Council Minutes
October 15, 2013
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Minutes of a regular meeting held October 15, 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
Kevin Snow	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Norm Noyes	Public Works Director
Anthony Scott	Fire Fighter
Bruce Arbogast	Police Lt.
Duane Arbogast	Police Officer
Christina Arbogast	Court Clerk
Matthew Webster	Fire Fighter

Excused:

Breen Lowman	Fire Chief
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Others Present:

Darin Palmer	Utah Local Governments Trust
Terry Avondet	Citizen Corps
Trystal Peay	Beverly Macfarlane
Neil Coker	Jaime Meredith
Scout Troop #157	

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

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

Approval of Minutes: Council Member Peterson made a motion to approve the minutes of October 1, 2013 as presented. Council Member Andrews seconded the motion. The motion passed unanimously.

Public Comments: There were none.

- 1. Presentation of dividend return by Utah Local Governments Trust:** Darin Palmer said the Utah Local Governments Trust is currently the liability insurance carrier for Sunset City.

He said the dividend was made possible because the Liability Pool performed well this past year. He congratulated the City for mitigating its losses. He presented the Mayor and Council a dividend check in the amount of \$8,226.10. The Mayor or Council Members were invited to contact him if they had any questions or concerns.

- 2. Appoint Poll Workers for the 2013 Municipal Election:** Recorder Hale read the names and positions of the Poll Workers to be appointed. Poll Manager – Susan Smith; Touch Screen Technician (TST) – Susan Hale; Poll Book Clerks – Joyce Hammer & Bonnie Loomis, Receiving Clerks – Richard Kelly & Cathryn Stumm; and Provisional Clerk – Bruce Orchard.

Council Member Furniss made a motion to appoint the Poll Workers as named for the 2013 Municipal Election. Council Member Andrews seconded the motion. The motion passed unanimously with Council Members Andrews, Furniss, Peterson, Snow and Carlson voting yes.

- 3. Proposal to use money from sale of Public Works trucks as a down payment on a Police vehicle and transferring the Police Dodge Dakota to Public Works:** Public Works Director Noyes talked with Police Chief Eborn, who said he planned to ask to replace the Dakota during the next budget session. They thought it might be beneficial to propose they use the money from the sale of the Public Works vehicles to fund the down payment on a new Police vehicle and transfer the Dakota to Public Works this fiscal year. Chief Eborn believes Public Works is getting the short end of the stick, but the truck is what they need now so it is a win/win situation for both of them. If it is not approved they will get by with what they have, but if it is approved this will be a good way to obtain a second vehicle for the Police Department this year. They believe the sale of the public works trucks will more than cover the initial payment on a police vehicle. The Dakota is the truck Lt. Arbogast is driving now. They believe a car would serve their purpose better than the truck does. Director Noyes said they were looking for a good used mid sized truck. This one does not start all the time, but they believe that it is because the police equipment draws so much power on the electrical system. This is equipment public works would not need and believes it will work well for them. Council Member Carlson commended the Department Heads for working together on this issue.

Council Member Andrews made a motion to approve the transfer of the Dodge Dakota from Police to Public Works and using the surplus sale money going towards a Police vehicle. Council Member Carlson seconded the motion. The motion passed unanimously with Council Members Carlson, Snow, Peterson, Furniss and Andrews all voting yes.

- 4. Discuss employee vacation time and possible approval of vacation pay out requests:** Mayor Bangerter explained there are five employees requesting to cash out 100 vacation hours each and one employee requesting to cash out 50% of their hours. It has been several years since they have been able to do this for anyone and feels the City is in a situation to grant the requests. The employees can only apply for this once per fiscal year. When employees retire, the City must pay them for their accrued vacation time. In a small City, it

is hard for some employees to take time off and this would help them not lose their earned time as they reach 480 hours, which is the maximum they can carry through to the next year.

Council Member Furniss asked Recorder Hale where the money would come from. She answered it would come from the employees' department wages and the budget would have to be opened for it if it would cause the department to go over their budget. Council Member Carlson said this is a City liability that will have to be paid out anyway, so it would be better to pay out a little at a time and at a lower cost. Council Member Snow believes that is relative because everything keeps going up. The employees may be making more later, but the cost of living will also be higher. Mayor Bangerter said that belief concerns him because as time goes by and wages, taxes, etc. does go up, so it would be cheaper for the City to pay down the hours now. Council Member Snow believes the City will have more revenue in taxes later on so it all evens out. Council Member Furniss asked who the employees were that were asking for the pay out. Mayor Bangerter answered there are two out of Public Works, three out of Police and one out of Administration. He believes the amount is coverable or he would not have brought it before the Council. Council Member Peterson wondered why so many employees applied for the pay out at the same time. Mayor Bangerter said it has been a few years now that the City could not cover a payout and the employees knew that. He believes word got out that someone was applying for it and others decided they would apply for it also. Most of the employees applying for it are close to or above the maximum vacation hours allowed to carry over. Council Member Carlson believes they should let the Department Heads look at their budget and decide how much they are able to pay out. Council Member Furniss said the Council doesn't have a dollar amount in front of them and it is not budgeted so he is not prepared to vote on this tonight. Mayor Bangerter stated that accrued vacation is a liability the City is required to pay out at the time an employee terminates employment even if it is not in the budget. To be able to pay that liability down a little at a time benefits the City and is the reason the Council implemented the program. Council Member Furniss reiterated there is no dollar amount in front of them. Treasurer/Office Manager Youngdell said the total amount including taxes is \$16,414. The issue was argued back and forth for a time.

Council Member Carlson made a motion to ask the Department Heads to review each case and bring back a proposal of what they can do. Council Member Peterson seconded the motion. The motion failed 2 to 3. Council Members Carlson and Peterson voted yes and Council Members Furniss, Snow and Andrews voted no.

Council Member Furniss made a motion that if the Department Heads can stay within their current budgets, they will grant the pay outs. Council Member Andrews seconded the motion. Council Members Peterson and Carlson said that was pretty much what the first motion was. Council Member Furniss asked for a roll call vote. The motion passed 4 to 1. Council Member Andrews – yes, Council Member Furniss – yes, Council Member Peterson – not voting, Council Member Snow – yes, Council Member Carlson – yes.

- 5. Council Member reports and general information:** Council Member Andrews thanked the citizens and employees of the City for all they do. He is thankful for all the good things

the City has to offer such as the streets they drive on, the Police to serve and protect and much more.

Council Member Carlson reported the Mosquito Abatement District just passed their tentative budget. They spend \$522,000 on labor, \$220,000 on general operations, \$140,000 on capital additions, \$236,000 on airplane spraying and \$483,000 on the chemicals to spray. Utah had four human cases of West Nile Virus and zero deaths this past year. South Dakota had 162 human cases, Texas had four deaths and 44 deaths nation wide. When looking at the national data, you can tell the states that have active mosquito control and those who don't.

Council Member Snow said the Citizens Corp is looking for volunteers for all the different branches. They usually meet on the 1st Wednesday of each month. It is a good way to get involved in the community and be prepared in case a disaster happens.

Council Member Furniss said regarding the remark made about employees receiving compensation, any employee knows he will help when the money is there. When there was money for bonuses, the employees got them. When first got elected he fought for employee raises and got it done. The vacation payout is hindsight and not in the budget. If the money is there, he will vote for it. He is concerned they are worried about cashing out vacation hours when there are members of the community who don't even have a job right now. He has talked with the representative over the Utah State Youth Council Symposium and the conference will be March 16-18, 2014. As soon as they open up registrations, he will see if the funds are there for the Youth Council to register. The Youth Council will be doing some service work for the St. Anne's Shelter in Ogden.

Treasurer/Office Manager Youngdell advised the server is up and running smoothly. All this week she is attending the Treasurer's Academy at the University of Utah.

Fire Fighter Bott said they have been to all the schools for Fire Prevention Week except Fremont Elementary and they will go there on the 31st. The ambulance will be out of service for a time tomorrow while it is having a diagnostic check. The Fire Department will host the candidate debate on Thursday, October 17th at 7:00 in the Sunset Room.

Police Chief Eborn advised another Prescription Take Back event will be held on October 26th in Smith's parking lot. The Police Department has been approved for a small reimbursable grant, but has been advised not to spend any money yet due to the government shut down.

Public Works Director Noyes reported copies of the RFPs received for engineering has been put in the Council's Drop Box for them to review. He will assume they have no input and will trust in his decision if he has not heard back from them in a week. He encouraged them to review them and give him his input. He hopes to have it on the agenda at the next Council meeting. Council Member Furniss asked him to furnish them his thoughts and recommendations, also.

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Mayor Bangerter encouraged Council Member Furniss to review the cost of the iPads because he does not believe it was only \$3,000.

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

The meeting adjourned at 7:15 p.m.

Approved – November 6, 2013.

/s/Chad Bangerter, Mayor

/s/Susan R. Hale, Recorder