

**Sunset City Corporation
City Council Minutes
November 6, 2013
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Minutes of a regular meeting held November 6, 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
Norm Noyes	Public Works Director
Fire Fighters: Jon Novotny, Kyle Wood, Jessica Tenorio	

Excused:

Ken Eborn	Police Chief
Breen Lowman	Fire Chief

Others Present:

N. Scott Nelson	CEC Engineering
Nate Pussey	Horrocks Engineers
Terry Avondet	Citizen Corps
Beverly Macfarlane	Chris Hadley
Cheyrl Budge	Jaime Meredith

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

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

Approval of Minutes: Council Member Andrews made a motion to approve the minutes of October 15, 2013 as presented. Council Member Furniss seconded the motion. The motion passed unanimously.

Approval of Vouchers: Council Member Furniss made a motion to approve the vouchers for John & Lu Jean Jenkins and HD Waterworks for a total of \$27,282.77. Council Member Peterson seconded the motion. The motion passed unanimously.

Public Comments: There were none.

- 1. Recommendation and approval of Engineering Firm:** Public Works Director Noyes believes it is good to do an RFP for engineering from time to time. He received proposals

from five very qualified firms. He recommended retaining the City's current engineering firm of CEC Engineering for several reasons; their location is close and convenient to Sunset, their vast experience in what the City deals with and their quick response time on questions or help with projects.

Council Member Carlson made a motion to approve retaining CEC Engineering. Council Member Furniss seconded the motion. The motion passed unanimously with Council Members Andrews, Furniss, Peterson, Snow and Carlson voting yes.

Director Noyes introduced Scott Nelson, who is the Senior Engineer for CEC Engineering. Mr. Nelson said he appreciates the opportunity to continue to serve Sunset. He used to work for another firm who was Sunset's engineering firm at the time. He worked with Sunset for about 8 ½ years before he and his partner opened CEC Engineering. When Sunset conducted their RFP at that time CEC Engineering was selected. Council Member Furniss advised Sunset has a contract with Clearfield City for building inspections and asked him if he has ever interacted with Clearfield City. Mr. Nelson said CEC Engineering is also Clearfield City's engineering firm. Mayor Bangerter said he has been pleased in his dealings with CEC Engineering in the past and hopes the incoming Mayor and Council Members will also be pleased.

2. **Discussion and possible approval of cleaning person position elimination:** Public Works Director Noyes said ever since he became the Director, there has been discussion of the City contracting with a professional cleaning company to clean the City Building. They now have the opportunity to do so and it will save the City about \$400 a month. He proposed they eliminate the part-time cleaning position they currently have. Then they will be able to do an RFP for a cleaning company.

Council Member Peterson requested that the proposals they receive be submitted in pdf format as well.

Council Member Snow made a motion to eliminate the cleaning position. Council Member Furniss seconded the motion. The motion passed unanimously with Council Members Andrews, Furniss, Peterson, Snow and Carlson voting yes.

3. **Discussion and possible approval of vacation pay out requests:** Council Member Carlson stated he was prepared to propose a way to pay for a portion of the requests made at the last Council meeting, but all the vacation pay out requests have been withdrawn. He has talked with some of the employees and Department Heads and they are leaning toward eliminating the payout part of the policy for now. He would like to open that up for discussion. Mayor Bangerter explained it can be discussed, but cannot be approved tonight. It would have to come back in the form of a resolution.

Council Member Furniss agreed with that. If they keep the policy, he would like to have a line item for the pay out so it can be budgeted for. He is in favor of looking at both options; eliminating the policy or budgeting for it and setting a maximum they can pay out during the

budget year. He would even go so far as making it based on hardship. Council Member Peterson would like to get some ideas before drafting a resolution. He was told the vacation cap of 480 hours was implemented because the City doesn't provide short-term disability. Treasurer/Office Manager Youngdell explained an employee would have to be off for 480 hours before they would qualify for long-term insurance. Council Member Furniss suggested forming a committee of one employee from each department to meet with the Mayor monthly until a good solution is achieved, then it could go to the Council for approval. Council Member Snow said everyone keeps saying the employees have earned their vacation hours, but he believes the State and Federal governments do not have regulations on vacation. Half of the States say when an employee terminates you have to pay them out and the other half says the employees lose it. Utah says they don't have to pay them. Sunset's policy says the employees lose their time if they have more than 480 hours, so that tells him if the City has to pay out their vacation when they leave the City, they would have to pay them the hours they would lose over the 480 hours. Secondly, the Council could say tomorrow they are doing away with vacation. They don't have to give vacation. They currently have a policy, but the policy can be changed at any time. He agrees if they are going to have the payout policy, they should plan for it. Mayor Bangerter reminded everyone the item on the agenda is to discuss the vacation pay out part of the policy only. Treasurer/Office Manager Youngdell clarified Council Member Snow is correct that the State of Utah does not mandate vacation time, however Sunset currently has a policy on vacation and the Utah Administration Code does say that an employee's accrued vacation time is part of their wage that would have to be paid. The reason an employee could lose any hours accrued over 480 hours instead of being paid for them is that it is stated in City policy. Council Member Peterson clarified an employee also has sick leave they can use until the long-term insurance kicks in so there is a lot to think about. Again, Mayor Bangerter clarified tonight's discussion is only the cash out portion of the vacation policy, not accruing and/or losing vacation hours. He asked if the Council wants to have a resolution drafted or to wait. Council Member Snow suggested a couple more ideas. To allow cash outs only for hardships and/or to only pay out a certain percentage of the dollar amount on the hours to be paid out. Or maybe only allow cash outs to be requested during budget sessions so they can be budgeted for. Mayor Bangerter asked who would make the judgment call on which situations would be hardships. He recommended either eliminating the policy or honoring it.

Council Member Furniss made a motion to table this item until further discussion or policy can be made. Council Member Andrews seconded the motion. The motion passed 4 to 1. Council Members Andrews, Furniss, Peterson and Snow voted yes. Council Member Carlson voted no.

- 4. Discuss Davis County Council of Governments resolution supporting the moving of the Utah Air National Guard Units from the Salt Lake City Airport to Hill Air Force Base:** Mayor Bangerter stated he wanted this item on the agenda so it is recorded and any resident can see what the potential is. The Council Members have a draft version in their packets, but the resolution was passed by the Davis County Council of Governments at the last meeting. Basically, the Salt Lake City Airport will not be able to handle the new big aircraft that the Utah Air National Guard could be servicing and HAFB can. The advantages are that it will

move about 1,500 Guard members to HAFB for employment and will tie the Utah Air National Guard to HAFB. His understanding is that this will make it a little more difficult for a BRAC closure to take place. It will cost money, but it is a good move for Sunset due to more people traveling through the City and the potential for more growth in opening air related businesses and people moving into Sunset to be closer to their place of employment. The Utah Guard currently services an aircraft that may become obsolete in the next 5 to 10 years and the bidding for the new aircraft may begin around 2017 to 2019. The resolution was important to help prepare for it. If the State of Utah cannot come up with the complete funding for the move, they may come to Davis Counties and then the cities, but he believes it will not come to that. He asked the Council Members to support it and let the residents know about it.

- 5. Report from Council Member Snow on his attendance at the Utah League of Cities and Towns Conference:** Council Member Snow said they announced there has been a change in procurement law and cities needed to make sure their policy is in accordance with the change. During lunch one of the days, he and Council Member Furniss were able to talk with people from the Division of Natural Resources. They are the ones to go to for information and possible grants for trail systems. In another session, Steve Forbes said if they want a robust economy they need to get rid of the uncertainty of the debt limit, sequestration, affordable health care and economy. Once that happens, everything will begin to stabilize. He praised Utah's healthy environment for businesses due to its tax structure, high tech presence and welcoming environment. Dee Eddington talked about how cutting the cost of health care can only be achieved if everyone does their part through eating right and exercising. There is a business that sells tags to sporting type stores for \$1.00 each to give to kids for physical activities they have completed. The kids get a kick out of it, it brings business into the stores and is another way to get kids active. Kevin Lowe from Google Fiber talked to them about a new fiber internet that will be lightening fast. Google is putting a lot of money into the project in Provo. Eventually, they believe it will go world-wide and communities will run cable for it when building a subdivision so it just has to be connected to the homes. He believes the ULCT conferences are important. There are 38 sessions available and if only one or two Council Members attend a lot of the items and networking may be missed. It is important to support the Utah League of Cities and Towns because that is where they get their training on how to become Public Officials.

- 6. Council Member reports and general information:** Council Member Andrews believes the Utah League of Cities and Towns is a great avenue for the Elected Officials to learn from. He is thankful for the little amount of time he has left as a Council Member, for the City employees and for the citizens. He knows the City will be in good hands in the coming year.

Council Member Carlson congratulated Mayor-Elect Beverly Macfarlane and Council Members-Elect Chris Hadley and Trystal Peay. He is grateful for the time he has had to serve the residents of Sunset, for being able to live here and for the opportunity to vote.

Council Member Snow congratulated those that won the Election and said it was great to see such a great turn out on Election Day.

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Council Member Furniss said it was a fun race and he looks forward to working with Mayor-Elect Beverly Macfarlane. It is time to get behind her and continue to move the City forward. He also congratulated Council Members-Elect Chris Hadley and Trystal Peay. It takes a lot to put your name on the ballot because it takes its toll on the candidates and their families. It is a good process, but unfortunately there are those who do not take it seriously. He noted it was told to them that an all by-mail Election would boost numbers, but Riverdale was still at only 30% and Sunsets residents did a little better than that with the traditional way. He thanked Police Chief Eborn and the Police Officers for continuing to make ordinance enforcement a priority. He hopes it continues through the winter with people who refuse to shovel their sidewalks.

Council Member Peterson commended all those who voted in this Election and congratulated those who won their bids for Office. He asked Council Member Snow to pass along the Division of Natural Resources information because the Planning Commission is trying to figure out how to make a trail go through Sunset that connects to existing trails in the surrounding cities.

Treasurer/Office Manager Youngdell advised the Planning Commissioners were invited to go to the ULCT conference but none of them were able to attend. The prior tenant has moved out of the City owned rental home and another is ready to move in over the weekend. She congratulated those who won and commended the others for running and caring about the City.

Public Works Director Noyes reminded everyone the Senior Christmas Luncheon is December 11th at noon in the Sunset Room. He asked the Council Members to attend and help serve the seniors. The Weber Basin water shut down today went relatively smooth. They only had one call from a resident with discolored water. It will happen again in a few weeks when they make the repair. The salt/sand cover is being installed. They haven't been able to haul in salt yet due to the cover being built, but they have enough to cover a couple of storms. He appreciates the support of the Council. He informed the newly elected officials that they can visit with him at anytime if they have things they want to know.

Fire Fighter Jon Novotny thanked the Elected Officials who have been serving the City and won't be continuing after January. It has been an honor working with them. He also welcomed the newly elected.

Recorder Hale said Mayor Bangerter had asked her to announce during the next few Council meetings how many days he has left until his term ends. As of tonight he has 61 days remaining. She explained as of Friday there were 55 outstanding absentee ballots and now there are only 11 remaining, so there should be no difference from Election night in who has won their races. Of course this is not final until the Canvass has been conducted at the next Council meeting.

Mayor Bangerter thanked all those who ran for office and said service is what it's all about. He believes the volunteers, Council, etc. that serve without pay or with minimal pay are

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really the heart of the City. The people of Sunset have spoken and he is excited with the results. He has visited a little bit with the newly Elected Officials and believes they will do a good job. Serving with the Council Members has been a great opportunity. He encouraged the Council Members to integrate the newly-elected Officials into the things they are doing before they leave so the transition will go more smoothly. He took Mayor-Elect Macfarlane to the Wasatch Integrated Board meeting today to introduce her and give her an idea what goes on there. Great things are going to happen in Sunset during the next few years and it is important they are unified in their decisions. There are a lot of things going on at Wasatch Integrated lately. There was a resolution for HAFB to protect bond financing and amending the operations budget of 2014. This has to do with building a new steam facility that will allow Wasatch Integrated to provide steam to HAFB for an extended amount of time. Wasatch Integrated had control of the waste in Davis County, but as of January 1st, it was allowed to go other places and they thought they were going to lose about \$1.5 million in revenue, but it has only ended up being about \$470,000. Part of that is due to them charging a reasonable rate of \$27 per ton, where Salt Lake County is looking to go up to \$30 as of January 1st and Weber County is going up as well. Also, by building a 5th cell for landfill, it has prolonged the life of the landfill from 12 to 25 years. Recycling diverts waste that would normally be put into the landfill to other places and Sunset has helped by implementing a recycling program this year. It may cost the residents a little more now, but it protects our future generations from waste transfer costs for a longer period of time.

Jaime Meredith reported on the drug take back event held on October 26th. 324 tons of expired and unwanted medications were taken back throughout the Nation that day. Sunset took in more medications than the other cities in Davis County. Police Chief Eborn, Lt. Bruce Arbogast, Officer Duane Arbogast, Terry Avondet and Jaime Meredith from CERT and Council Member Peterson participated in the take back event. Mayor Bangerter reminded everyone there is a medicine drop box in the lobby of the City Building.

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

The meeting adjourned at 7:50 p.m.

Approved – November 19, 2013.

/s/Chad Bangerter, Mayor

/s/Susan R. Hale, Recorder