

**Sunset City Corporation
City Council Minutes
November 7, 2012
Page 1 of 6**

Minutes of a regular meeting held November 7, 2012 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Bangerter presiding.

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 Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Neil Coker	Fire Chief
Norm Noyes	Public Works Director
Brett Jamison	Police Sergeant

Others Present:

Terry Avondet	Citizen Corps
Tehawna & Stephen Henthorn	

REGULAR SESSION

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 Peterson made a motion to approve the minutes of October 16, 2012 as amended. Council Member Andrews seconded the motion. The motion passed unanimously.

Public Comments: Terry Avondet asked Council Member Snow if the Council Members really need iPads to do their job as Council Members. Council Member Snow believes they would be better informed and would be able to receive the agenda information earlier to be better prepared for the meetings. Mrs. Avondet said the Council Members are paid \$3,900 per year or \$15,600 per four year term plus Council Member Furniss receives \$4,800 per year for serving on the North Davis Sewer Board and Council Member Carlson receives \$500 per year for serving on the Mosquito Abatement Board. Sunset is a small City of 5,200 people and the Council is always saying the City is in a serious financial state. The iPads were not included in the FY2012 budget and they are luxury items. Sunset does not have the budget Layton or Syracuse does and its buildings, vehicles and streets that need attention first. The iPad issue really needs to be thought about before it is passed.

1. **Discuss CDL testing policy:** Public Works Director Noyes referred to an overview he had placed in the Council Members' boxes. He has been giving the CDL drivers tests for 25

years, not only for Sunset City drivers, but surrounding cities' drivers as well for no charge because it benefits Sunset by being able to borrow the other cities' equipment free of charge when needed. He does about six per year and the State is requiring instructors to do at least ten per year or they have to be recertified. In order to get the additional tests done, he has to go on a list on the State's website, which means he would be testing for the public as well. The State requires the instructor to give the person three hours in which to complete the test, but it usually only takes 1 ½ to 2 hours to complete. The average rate to charge is around \$100. He doesn't want to do a lot of testing because it wouldn't be feasible for the City, but just enough to do his ten per year. He would also like the right to waive the fee if he feels it would benefit the City in return favors. There are some small liability issues in bringing commercial drivers onto City property. There was discussion about fee, time, waiving the fees, etc. and it was decided Director Noyes could continue with testing, he could waive the fees as he sees fit and the Council would set the fee at \$100 with a resolution at the next meeting.

2. **Discussion and possible approval to purchase and repair bobtailed dump beds:** Public Works Director Noyes explained he had already received approval from the Council Members through emails and the new dump bed is already ordered and the other dump bed is being repaired. He just needs formal approval and to answer any questions they may have. They are good about washing the salt out of the beds, but one truck is 20 years old and the beds just rust out. This cost was not included in the FY2012 budget so the budget will have to be opened at some point so he can still purchase the items he did budget for. The oldest dump bed will be used as a storage container; it just cannot hold the weight of the sand or salt.

Council Member Furniss made a motion to approve the purchase and repair of the bobtailed dump beds at the cost of \$13,264. Council Member Andrews seconded the motion. The motion passed unanimously.

3. **Discuss Department Heads' reports on saving for employee retirement policy:** Recorder Hale said when the budget meetings were going on, she was told to draft a fund to track the insurance premium payments for retired employees. At that time the Council asked the Department Heads to draft a report for their departments on who would be retiring when so they could start saving money in the fund for premium payments. Public Works Director Noyes began by stating there are two Public Works employees who can retire within the next 10 years and believes it would be pretty easy to figure out how much to set aside each year for their eighteen months of insurance premiums. Council Member Furniss said they need to fund for the policy that is in place. Mayor Bangerter wondered if it would be good for the City's Auditor, Jeff Ambrose, to figure out how the City will fund this program. Recorder Hale said it should not be too hard to figure out and does not believe they will need his service on this issue. It was decided to work on this and analyze it at another time.

Council Member Furniss made a motion to table the item until the numbers are put together. Council Member Andrews seconded the motion. The motion passed unanimously.

4. **Discussion and possible approval of media devices:** Council Member Furniss said they have discussed this at length during previous meetings. They have the cost put together now. From R.C. Willey's it would cost the City \$3,999 for ten iPads. They come with a one-year manufacturer warranty and it would be \$59 per tablet to purchase an additional year. He does not believe this is necessary. Council Member Snow said the government contract price through the Apple Store would be \$3,790 for ten iPads. Mayor Bangerter advised the iPad3 is available at \$449 per tablet and the iPad4 is coming out for about \$500 each so for another \$100 each they could have the very best one out.

Council Member Furniss made a motion to approve the purchase of the iPads for the amount of \$3,999. Mayor Bangerter wondered if the Samsung Galaxy would do the same thing at the lower cost of \$249 each and if the Council Members had looked at anything other than the iPads. Council Member Furniss said his friend has one and he does not believe it is as user friendly for him. Council Member Snow said if they want top of the line the iPad is the best tablet out. Mayor Bangerter said he understood the Council Members just wanted to be able to get their agenda packets earlier so they could study them and believes the other one would do that at a lower cost for the residents' money. Council Member Carlson said he is leaning towards not doing this right now because of the unexpected cost of the dump beds and if they want to do this right now, there are cheaper alternatives, such as the iPad Mini. He questioned whether or not there will be 10 people that will use them. Council Member Snow does not see a problem with Council Member Carlson getting a Mini if that's what he wants. Mayor Bangerter wondered why they can't take the money out of their pay for being a Council Member as it is a small percentage. There are several items he has purchased on his own that he felt would help him as the Mayor. He is also concerned that very few cities are implementing the iPad. There are 23 members of the Wasatch Integrated Board including a City Attorney and three County Commissioners. At their meeting earlier tonight there were three iPads there and only one was being used. Since they are not in this year's budget he wondered if it is really the thing to do now. Council Member Carlson agreed and said maybe they should wait and put them in the FY2013 budget if they still feel they need them. Council Member Peterson reminded them if they are to go completely paperless, they would also need to purchase a scanner for those items not received electronically. Council Member Andrews said he does not want to open the budget to purchase them and agreed with Council Member Carlson on this. Mayor Bangerter called for a second to the motion. Council Member Snow seconded the motion. Fire Chief Coker said again it would be more beneficial for the Fire Department to have an iPhone when he is on a call and the plan for ten of them would be \$464 per month plus the purchase of the phones. Council Member Furniss amended his motion to approve the purchase of up to ten iPads for \$3,790 with the caveat that if someone does not want it, they don't have to have it. Council Member Snow seconded the amended motion. The motion passed 3 to 2. Council Members Carlson and Peterson voted no.

5. **Discussion and possible approval of Resolution 2012-15 adding Tablet computing Device Policy:** The policy was discussed and the following changes were made: 1) Whereas, the.... (TDC) was changed to (TCD); 2) 16.2.2 – Judge was added; 3) 16.3.2 City Recorder was added; 4) 16.4.2.C. Lost or stolen devices must be reported to ?? [the Mayor] as soon as possible. 5) 16.4.4.B. At least a ~~two~~ [one] year warranty must be purchased with

the TCD [unless otherwise offered by the manufacturer].; 5) 16.4.4.C. At the end of the ~~two~~ [four] year lifecycle...; and 6) 16.4.4.D. If a primary user desires to purchase the TCD prior to the ~~two~~ [four] year lifecycle....

Council Member Andrews made a motion to approve Resolution 2012-15 as amended. Council Member Snow seconded the motion. The motion passed unanimously with a roll call vote. Council Member Carlson – yes, Council Member Snow – yes, Council Member Peterson – yes, Council Member Furniss – yes, Council Member Andrews – yes.

- 6. Discuss possible financing options for a new fire station:** Council Member Furniss said municipal bonds are at an all time low. They anticipate 1800 North will be widened and the fire station and part of public works will go. He and Council Member Snow talked with Johnathan Ward of Zions Bank at the Utah League of Cities and Towns Conference and asked him to do a hypothetical plan to see if they could get enough money to build a new fire station, roll the balance of the City Building Loan into the new loan and keep the annual payments about what they are now. Council Member Furniss received an email from Mr. Ward showing how much money they could borrow with issuing bonds. The interest rate could be as low as 3.1% and have about \$604,000 to build the new fire station. He would like to form an exploratory committee to study the issue. The Committee could consist of the Mayor, Council Member Snow, the Fire Chief, maybe the Assistant Fire Chief and some residents of Sunset. He and Fire Chief Coker have talked, so Council Member Furniss knows what they want and can see what the City can actually afford. He does not want to under build the fire station and then have to add on because construction costs are lower at the beginning. In a future date he will bring back a proposal on starting a committee to come up with a plan. He knows the Fire Department does not like this theory, but he would like to see the basement of the City Building used as headquarters and build a very nice four-bay, two-deep steel building on the property next to the City Building that also has a hose room, shower room and all the things they need to function as a Fire Department. Mr. Ward has told Council Member Furniss a loan of this size could be sent out for bond without obtaining a rating. They discussed including the Public Works buildings and infrastructure along with the Fire Station. If they wanted to build a \$1,000,000 fire station, they would have \$600,000 financed and he suspects with the fire station and land UDOT will have to purchase from the City they would have enough to do that.

Mayor Bangerter is a little concerned because UDOT is still in the study stage and there is no funding yet. Even on the quick side, they are probably looking at five years before the fire station will be taken. He does not believe a Committee would be able discuss some things due to UDOT still being in the study stage. However, it is a great idea and now is the time to borrow money if they are going to do it. He would feel better about the committee after the study has been approved by the Federal Highway Commission. Council Member Furniss is worried the interest rate will go up by then. He would like to work more with everyone involved and eventually form a committee to look at all options. Mayor Bangerter encouraged him to give it to Council Member Snow who is over the Fire Department and Council Member Peterson who is over Public Works to work with those Department Heads to see what their concerns are. Council Member Furniss said he would talk with Mr. Ward again to do another plan that includes another \$1,000,000 for infrastructure and a public

works facility. Mayor Bangerter would like to have the issue go through the Council Members who are over those Departments, but Council Member Furniss is fine to work with them on it. He asked the Council Members to keep him informed of what they are doing so they're not stepping over each other in trying to do the same thing.

- 7. Council Member reports and general information:** Police Chief Eborn reported all Sunset Officers are back to work and doing well. When Officer Kirby resigned, they lost Sunset's Firearms Instructor so they are in the process of getting another Officer trained and certified to become the Instructor. In the meantime they will be using other Departments' instructors.

Public Works Director Noyes advised he had begun the process of applying for a Federal Highways grant of over a million dollars with a 7% match. The money won't fund until 2019, but they have to start the process now. If someone else's project falls through, Sunset's could be moved up. The grant is to repair collector and arterial roads such as 2300 North and 800 North. He put a crack seal project out for bid this week and they will be opened on Friday. They want to complete the project this fall if the weather holds out. If it doesn't happen, it will be done in the spring. He may need to get the Council's unofficial approval to get the project done this fall.

Treasurer/Office Manager Youngdell reported Recorder Hale is working on the CAFR and it will be presented by the Auditor before too long.

Council Member Snow asked if they should still put the flags out Monday for Veterans Day if there is a lot of snow. Mayor Bangerter said it was up to Council Member Snow.

Council Member Furniss said the North Davis Sewer Board is beginning to work on their budget soon because their budget year is a calendar year. At their last meeting they adopted an Impact Fee Capital Plan study to look for developments that will cause a greater strain on the infrastructure that it would normally have, such as Falcon Hill. Then the developer will have to pay for the improvements for the line to handle it. He thanked Police Chief Eborn for his reports and for patrolling the streets. He asked Treasurer/Office Manager Youngdell to get their Social Security Numbers removed from their pay stubs. He stated they were given a memo by Mayor Bangerter to hand their keys in and asked Treasurer/Office Manager Youngdell if the employees have handed theirs in. Treasurer/Office Manager Youngdell replied all but two have done so. Council Member Furniss said this has not been done in the five years he has been a Council Member and believes the reason is ultimately to attempt to take a Council Member's key away, who has not been charged and there is no grounds. If all keys are not returned to them, this will become a bigger issue. He asked Mayor Bangerter to call it what it is and if he wants to take someone's key not to send out a cover memo to do it.

Council Member Andrews thanked the Sunset Employee Fund for the flowers sent due to his father's passing. He thanked the Police Department and Public Works for helping with their 300 West neighborhood dinner and the trunk or treat event by putting out barricades for them. He also thanked the two citizens and CERT member for being at the Council meeting.

Sunset City Corporation
City Council Minutes
November 7, 2012
Page 6 of 6

Mayor Bangerter said he has asked the Econo Waste owner and a Representative from Wasatch Integrated to speak to them at their next Council meeting about green waste collection and recycling. He asked the Council Members to be talking to their neighbors about it and getting their feelings. He has the Financial Report from the Wasatch Waste Management District if anyone is interested in viewing it. He knows the Council Members are free to put any item on the agenda they want, but asked them to notify him out of courtesy when they put items on the agenda so he will have an idea what the items are about when he conducts the meeting.

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

The meeting adjourned at 8:20 p.m.

Approved - November 20, 2012.

Chad Bangerter, Mayor

Susan R. Hale, Recorder