

**Sunset City Corporation
City Council Minutes
December 20, 2016
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Minutes of a regular meeting held December 20, 2016 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Macfarlane presiding.

REGULAR SESSION

Mayor and Council Present:

Beverly Macfarlane	Mayor
Chad Bangerter	Council Member
Ricky Carlson	Council Member
Norm Noyes	Council Member
Jake Peterson	Council Member (took office during item #5)
Scott Wiggill	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Jason Monroe	Public Works Director
Anthony Bott	Interim Fire Chief
Chris Whetton	Asst. Fire Chief
Brian Brower	Judge
Brenden Davis	Police Officer

Others Present:

Janet LuJan	Joyce King
Wanema Butcher	McKayla Brower
Lisa Peterson	Matt Bibo
Cheyrl Budge	Michael Love
D. Howard Madsen	Annie O'Connell-Torgersen
Bill Kelley	Lorilee Beazer
Kevin Gilbert	

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

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

Approval of Minutes: Council Member Bangerter made a motion to approve the minutes of December 6, 2016 as presented. Council Member Wiggill seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes and Wiggill voting yes.

Approval of Vouchers: Council Member Carlson made a motion to approve the vouchers for LN Curtis and CXT, Inc. totaling \$58,436.87. Council Member Noyes seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes and Wiggill voting yes.

Public Comments: There were none.

- 1. Swear in Judge Brian Brower and Police Officer Brenden Davis:** Police Chief Eborn thanked the Council for allowing him to hire an Officer before the actual leaving of another Officer and said this will provide for a smoother transition. He introduced Officer Brenden Davis, Recorder Hale administered the Oath of Office and he was congratulated by the Council.

Mayor Macfarlane introduced Judge Brian Brower, stating he has come with high accolades. Judge Jensen will retire January 1, 2017 and by swearing him in now, Judge Brower will be ready to take his place. Recorder Hale administered the Oath of Office and he was congratulated by the Council.

Mayor Macfarlane asked to move agenda item #6 up so Judge Brower can help to answer any questions, as he has to leave soon.

- 6. Consider Court Clerk job description:** Mayor Macfarlane explained Judge Brower is going to allow the Court Clerks to reschedule defendants' court dates a certain number of times, where Judge Jensen did not allow them to. Also, Judge Brower feels being over the budget process would be a conflict of interest, so he would like Court Clerk Christina Arbogast to take on that responsibility. Judge Brower is confident the Administrative Office of the Courts would recommend this to keep the Judge more neutral and unbiased for the court patrons who are heard by him. As many issues that can be removed from the Judge that are more of a management type of responsibility involved with the executive or legislative functions, the better. He is confident Clerk Arbogast can fulfill those responsibilities. He believes these things will provide better customer service, also. Due to the added responsibilities, Mayor Macfarlane advised she has changed Clerk Arbogast's title to Court Supervisor. She would be under the general direction of Mayor Macfarlane and Judge Brower. Mayor Macfarlane asked if the Council had any questions or concerns.

Council Member Bangerter had two concerns. The first being Mayor Macfarlane being over the Court Clerk. In the past a Council Member has been over the Court and asked if that happens again, if the Council Member would then be over the Court Supervisor. Mayor Macfarlane stated the Mayors make that assignment and she kept the Court assignment. Council Member Noyes believed, since the wording is 'under the general supervision of the Mayor' a Council Member could still be assigned the Court. Council Member Bangerter's second issue was the Judge normally doesn't attend the Department Heads meetings, so he doesn't know if it's necessary for the Judge to have the title of Department Head because he is the Judge. Mayor Macfarlane stated Clerk Arbogast would be there in his stead and bring to them anything Judge Brower is concerned about. Judge Brower doesn't believe the moniker of 'Department Head' makes a lot of difference. Although the ultimate responsibility of the Court lies with the Judge, he tends to agree with Council Member Bangerter that it might be better not to call the Judge a Department Head because the more a Judge is removed from executive/legislative branch, the better. Council Member Bangerter likes the direction they are going with this; he just believes they no longer need to have a 'Department Head'. Mayor Macfarlane is good with that and the rest of the Council agreed.

Council Member Noyes made a motion to change the job description and title from Court Clerk to Court Supervisor with the guidelines as written. Mayor Macfarlane explained this will give Clerk Arbogast a pay increase but put her on a lower grade. Council Member Wiggill seconded the motion. Council Member Bangerter asked to make sure, if there is anything in the job description mentioning 'Department Head', it is removed. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes and Wiggill voting yes.

2. **Recognize Police Officer Chad Campbell for 5 years of service:** Police Chief Eborn is happy the City is doing this recognition. Officer Campbell has been a great asset to the Department, as all the Officers are, and Chief Eborn hopes he is here for a long time. Mayor Macfarlane presented him with a check and he was congratulated by the Council.
3. **Present Bill Kelley, Lorilee Beazer and Michael Love with Neighbors Helping Neighbors awards:** Mayor Macfarlane stated Bill Kelley, Lorilee Beazer and Michael Love spent about a year volunteering to help former Council Member Peay put together the City's Veterans program. They have found 92 veterans living in Sunset City. The Veterans Day event was amazing this year. She presented a Neighbors Helping Neighbors certificate, one at a time, to all three of them and they were thanked by the Council Members.
4. **Youth City Council reports:** No one was available to give this report.
5. **Interview Council Member candidates and appoint the selected Council Member:** Mayor Macfarlane explained in alphabetical order each of the Council candidates would have five minutes to tell the Council about themselves and why they would like to become a Council Member. The Council will then vote for their top two candidates by writing their names on a slip of paper. The slips will be collected by Recorder Hale, who will read the votes out loud. The top two candidates will then have three more minutes to state why they should be chosen. The Council Members will then vote for one candidate and Recorder Hale will again read the votes out loud. If there is a tie, Mayor Macfarlane will vote to break it. A motion will then be made to appoint the selected candidate.

Matthew Bibo stated he wants to contribute to the City. He has lived here for 15 years and has been active in the community. He would like to work with the youth and veterans of the community. He currently teaches business leadership, accounting and some other things at the Ogden Weber Applied Technology College that might be of use to the Council. He believes the heart of the government starts locally and the more decisions they make for the City the better the City is. He would be happy to serve on the Council.

Cheyrl Budge advised she has lived in Sunset for 50 years this year and cannot think of a better place to raise a family. She began serving the City on some of the committees, then as a Council Member. Now that she has retired, she has the time to spend on the City so she decided to try once more to be a Council Member. She would like to be able to help the City in any way she can and would appreciate being able to work with the Council Members again.

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Bryan L. Cobb was not present.

Michael Love said he applied for the Council position because he wanted to get involved more. He has lived in Sunset for 28 years and has seen many great things. This City sits among giants, as in Roy, Clinton and Clearfield, but needs to make itself heard. It would be an honor for him to serve on the City Council and oversee the funds paid by the taxpayers. He loves the Veterans and is one himself. His sons were involved with the Youth City Council awhile ago. He would like to see the City shine like a diamond amongst these giants. They will need to work at it, using the funds wisely for the members of the community. It would be an honor for him to finish out Council Member Peay's term. She was a great Council Member and he enjoyed working with her. He would still like to see a memorial erected for the members of the military. The Youth City Council has done many great things and he would like to see them do more. He loves this City and wants to get more involved. There are many great people in the Police and Fire Departments.

D. Howard Madsen stated he has been a resident for almost two years and has a deep respect for the Council. He was a Mayor in Coalville from 2002 to 2006 during the busy time of the Olympics. He gained great respect for the Council and said this is where it all starts. He sees this as an opportunity to get back involved in a City. He retired from the Utah Highway Patrol as a Sergeant Program Manager over safety inspection and was over a multi-million dollar budget. He has been in many committees with the youth and in national committees. He has taught for the Federal government on bus safety and represented Utah on the National Transportation Support for School Bus Safety for four years. He would appreciate the opportunity to serve the people of Sunset. It is a great place and he loves it here.

Annie O'Connell-Torgersen said she would like to be the new City Council Member. Her professional experience is varied and has prepared her for working well within a diverse group of people with the critical thinking necessary to tackle and solve a lot of challenges. She has been an Alternate Member of the Sunset Planning Commission for a little over a year and has learned a lot about planning and all the work it takes to do so. She wants to contribute more, so that is why she is here. She has excellent communication skills and has a background in training, practice and legal mediation. She learns tasks quickly and is enthusiastic about working with new people on new projects and challenges. She believes any problem can be solved with enough thought, perseverance and teamwork. She holds a Bachelors Degree from the University of Washington, a Masters in Business Administration and plans to work toward her PHD when her daughter graduates from High School. In March, she will have lived in Sunset for nine years and plans on staying. She would like to get more involved in making Sunset a better place to live. She thanked them for their consideration.

Jake Peterson advised he has lived in Sunset for about 15 years and has even moved within the City one time. He has worked for the Sunset Public Works Department and has served for years on the Council. He has read all the City Codes and the Personnel Policies and Procedures manual. In what he does for a living, he surrounds himself with a lot of people

who have a lot of knowledge about cities. He spent hours and hour campaigning to get on the Council last time, so this is an easier way to begin again. He is ready to come back.

Shara Willard was not present.

Mayor Macfarlane called for a vote, Recorder Hale collected the slips of paper and read the names. Jake Peterson received three votes and the rest each received one so Mayor Macfarlane had to choose one to break the 5-way tie. She chose Michael Love. Recorder Hale stated Mr. Love and Mr. Peterson would each have three more minutes to state why they should be chosen.

Michael Love stated to him, the Council is one of the highest privileges a person can have in the City. They can oversee the City, make sure things run good and see that the resources are available for people to achieve what they want to achieve. It is an honor to be involved in the government of this City that is so small, yet can be so big out in the world. This City is so important to him because it is where he's raised his children, where he has gotten involved and where he comes to the Council meetings to see how it works. He believes the Council Members have done a great job with their assignments. He would love to be a part of the decision making. Council Member Noyes asked how he felt about a tax increase to enhance or improve services to the community. Mr. Love replied this City has a lot of people who are fixed incomes and he has seen the fees go up on the utility bills. He knows the City needs to run, but he would need to get the opinions of the citizens of the community. There is a fine line on when and how much to increase taxes and for what it goes for.

Jake Peterson did spend a lot of time proving himself by running a campaign the last time he was elected as a Council Member and he spent four years on the Council. He answered Council Member Noyes' question by saying he works for a City that has a lot more money than Sunset. He has read their budget and they spend money on things Sunset can only wish for. If they could look at something with a good direction in mind, he would consider a tax increase. He could not say he would vote for it, but he would look into it thoroughly and talk to a lot of residents. If the tax increase was for something he felt really good about he would fight for it.

Mayor Macfarlane called for the second vote. When the votes were collected and read, Jake Peterson was selected by a vote of three to one.

Council Member Bangerter made a motion to appoint Jake Peterson as a Member of the City Council. Council Member Carlson seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes and Wiggill voting yes.

Recorder Hale administered the Oath of Office to him and he joined the Council on the bench.

- 7. Discuss Sunset City Personnel Policies & Procedures Chapter 17 – Use of City Electronic Communications, Section 17.5.1:** Mayor Macfarlane read Sunset City

Personnel Policies & Procedures 17.5.1 as a reminder for all of the Council, “Employees and elected officials are to be professional in their use of electronic communications systems, as e-mail, instant messaging, texts, voice-mail, and other electronic communications can be used in court proceedings as evidence. Use of profane, vulgar, inflammatory, disrespectful or derogatory language is unprofessional and is not appropriate in any City correspondence.” The reason she brought this up is because they expect the public to treat them with respect and she wants the Council to treat the public with respect as well. This was just a reminder for everyone, including herself, to be professional.

Council Member Bangerter stated there is nothing in the policies to define profane, vulgar, inflammatory, disrespectful or derogatory language. If they are going to use this policy to prove unprofessional conduct, they need to describe what those terms are. Mayor Macfarlane said they could do that and asked Recorder Hale to work on it. She could send it to the Council to receive their input, then they could talk about it during a Council meeting.

8. **Mayor, Council and Department Head reports:** Council Member Bangerter explained the Council is trying to keep taxes lower and are looking for opportunities to entice businesses to the City, so they have partnered with EDCUtah for \$1,500 per year. EDCUtah will help them put Sunset’s land and/or opportunities out there for businesses to see. The Council can also now attend business shows that normally cost thousands of dollars to attend for a much smaller amount. At those shows they can present their available properties to different companies they would like to see come into Sunset. Farmington Station was developed through this program. If they can get an anchor store or restaurant that people would have to come to Sunset for, he believes others will follow. They may have to spend up to \$5,000 a year for Economic Development to bring them in, even though it may be a few years before they can get businesses that would be good for Sunset. The Sierra R.V. property was brought up and it was clarified the City can work with them to bring businesses in, but the City cannot control it. So far, the businesses interested have found the property was too small or too big and one just found property elsewhere. The Planning Commission is currently working on redesigning the zoning on the property as a multi-use. Council Member Bangerter thanked all the Council candidates for applying and those who have served the City in any way. He encouraged them to run for office in the upcoming election. He expressed his admiration to Cheyrl Budge for her previous service as a Council Member. Prior Council Members decisions are what the present Members build on and that goes for the City employees as well.

Council Member Carlson echoed Council Member Bangerter’s appreciation for the Council candidates. He also applied like they did tonight, but didn’t get selected, so he ran again and was elected. Budget meetings are coming up for the Mosquito Abatement and they are looking at a small tax increase.

Council Member Noyes advised he also went through the selection process when Council Member Carlson did, didn’t get selected and then ran in the next election and was elected. As he went around the City handing out 96 Christmas decoration door hangers, he received a lot of positive feedback. He would like for this program to continue.

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Council Member Wiggill finished the trifecta for having applied, not being selected and then elected during the next election. He also thanked all the applicants and appreciated their willingness to serve. He mentioned he has talked with some of the Council Members about the funding that is coming from Proposition 1 and they believe it would be good to improve or repair the sidewalks around the schools. He will be talking with Public Works Director Monroe about grants to help with that as well. He is trying to work with UTA as well on some grants for projects.

Council Member Peterson thanked Trystal Peay for her service as a Council Member; especially for the Veteran's Day event. He looks forward to working with the committee on that.

Treasurer/Office Manager Youngdell reminded everyone the City Building will be closed on the next two Mondays for the holidays. She congratulated Council Member Peterson and also encouraged the other candidates to run during the election.

Police Chief Eborn reported the two old police cars they had for sale are sold. Tomorrow is normally 'Lunch with the Mayor', but it is an early out day for the school so they decided not to hold it this month.

Interim Fire Chief Bott congratulated Council Member Peterson. He is happy there was a lot of interest in applying for the position. Hilary Stevens and Captain Long will be shopping for the family they chose for Sub for Santa. So far they have raised \$325 in cash and gift cards. Ms. Stevens is also trying to organize it so the Fire Department can cook breakfast and dinner for the family. This family has 5 children and they would like things like a coat, headphones, boots, shoes, coloring books, activity books, pots and pans and a couple toys. They want this to be from the City and not just the Fire Department. Mayor Macfarlane advised the audience that part of the funds came from the donation given to the City in Paul Reid's name. Interim Fire Chief reported they met with the medical control doctor on Wednesday and have added more medications to their list and deleted one. The doctor bought off on the Davis County EMS protocol so Sunset will be in line with the rest of the County. He will make sure he goes through Sunset's EMS reports on a monthly basis. The Fire Department held a training session on bus extrication with a bus they received and it went really well. A Captain from Syracuse, an Engineer from Layton and 3 crews from HAFB joined them in the training. He has heard numerous comments about how good the training was. He gave an update on the ambulance cab and chassis remount. The manufacturer is waiting for a build date. From what he's heard, they build the vehicle on that date and it ships out that day. When the manufacturer receives that date, he will notify Interim Chief Bott so he can take the ambulance to them. The ambulance they will be taking down had to go out of service again due to a knocking in the motor. The oil level was okay, so they will be having Public Works look at it. The Chief's truck is at Sunset Auto getting a body repair. Once it comes out, Engine 13 will go in for its body repair. Annual business inspections will begin the first of 2017 and they will go alphabetically in getting at least one a week done. He apologized to the Mayor and Council for any disrespect or unprofessionalism in his emails or acts during the work session last Tuesday. He needs to

learn how to reign in his passion for the Fire Department. It means a lot to him, he has been here for 12 years and plans to serve at least 20. Kevin Gilbert handed Interim Chief Bott a \$25 gift certificate for the Sub for Santa.

Public Works Director Monroe reported the toilets arrived for the restroom four months late and they've been installed. They should be able to do the punch list on Monday. The Seniors Luncheon was last week and it went well with good attendance. He thanked everyone for getting the word out. Public Works has been busy fixing things, such as the timer for the Christmas lights, the a/c unit of the City Building and heaters in the Fire Station and Shop 2. They spent most of Friday cleaning leaves off of the storm drain grates.

Mayor Macfarlane advised Council Member Peterson that prior Council Member Peay had gotten things underway for Winterfest and he will be able to continue. She mentioned the meeting with EDCUtah went very well and she will be a part of the Board, with Council Member Bangerter attending the meetings she is unable to attend. She asked Senator Buxton to give the Council a report on any legislation that would involve Sunset. She attended an informal dinner at the Governor's mansion representing Sunset. She spoke with Val Halford, with the Wasatch Front Regional Council and he will have an Envision Utah 2050 in the next little while and she asked him to put the Council Members on his email list so they get a personal invitation. With the 1800 North project looming, she wants all the Council to be on board with what that vision is going to be. She told him of her concern that the Wasatch Front Regional Council seems to do things for the larger cities and forget the smaller ones and asked him to do some things for them as well. She confirmed the letters of intent for the grants from the Wasatch Front Regional Council has been turned in by the Planning Commission and Council Member Bangerter and have been accepted. Council Member Bangerter believes they will need some help with their applications and asked if anyone could help them so they don't lose the grants. Public Works Director Monroe clarified the grant he is applying for is a CDBG one and his letter of intent is not due yet. Mayor Macfarlane said they would help Council Member Bangerter and the Planning Commission as much as they could. The North Davis Sewer District Board has finished their budget. The Kiwanis Club is also doing a Sub for Santa for a military family. She attended the 'Lunch with the Mayor' with Clinton Mayor Adams at Clinton Elementary because some Sunset students go there. She has been named Alternate Chair for a sub-board of Wasatch Integrated Energy Systems called NUERA. She is excited that Christmas lights have been put up at Sunset Square. They have done a lot of fixing up in the last year. She thanked all the Council applicants and also asked them to run for the Office next year. She thanked everyone for all they do.

Council Member Carlson made a motion to adjourn to the work session after a five minute break. Council Member Bangerter seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

WORK SESSION

- 1. Discuss the future of the Fire Department:** Mayor Macfarlane apologized for the way the agenda item reads; like they are trying to do away with the Fire Department and they are not.

They need to address the building. They have looked into some things and they want to make it safe for the firefighters. Council Member Bangerter has heard of a lot of items needing repair or updating, but he has yet to see an actual list with costs for the repair work. They don't want to see their firefighters housed in a dangerous building, so he would like to address the main concerns, write them down and review them for cost of repair or replacement. Interim Chief Bott and the Council discussed the down phone and fax lines, the heating system and the bedrooms not having two ways out. It was brought up that, years ago, when the firefighters wanted an ambulance, the bedrooms not meeting fire code was not an issue and now all of a sudden it's an issue. However, now they have to figure out how to protect the firefighters and get them out of the building if there is a fire. Solutions to all the issues need to be identified. They need to put together a list of everything, come up with the solutions and figure up the costs of those solutions. Everyone is concerned about the life issue, but they can't do anything without knowing what the facts and figures are.

2. **Discuss NIMS training:** Council Member Bangerter stated they know not being NIMS certified can interfere with Federal grants. They need to figure out how to get the Mayor and all the Council Members trained. There are some they can complete online and there are a couple that have to be completed in a classroom. Interim Chief Bott is trying to get a man he knows to teach the classroom courses, but they would have to offer it to other cities as well so he could get a full classroom. They wondered if they could get the ULCT to host classes during their conferences. Interim Chief Bott reminded them the certification is also required to get FEMA money in times of disaster.

3. **Discuss Sunset City Code 1-6-3, Section C, Emergency Meetings:** Mayor Macfarlane explained earlier this month a situation came up and Council Member Wiggill did not know how to call an emergency meeting, she didn't either and wanted to inform the newer Council Members as well on what the procedure is. She read Sunset City Code 1-6-3.B. In summary, to hold an emergency meeting three Council Members agree to hold it and notice has to be given as soon as possible, but at least three hours in advance. She asked if this answered his questions. Council Member Wiggill said he believes he was looking at it from a different perspective; he didn't believe it required an emergency meeting. He called all the Council Members and told them what happened. The Davis County Sheriff wanted to meet with him, Council Member Carlson asked Recorder Hale to stay, Mayor Macfarlane was unavailable and it just went down. From that meeting, a lot of other stuff happened. One of the things he thought about after was they, as the Mayor or Council, reacted to something before they had all the available information on it. He wondered if that was the way they should do things, should the Department Head have the opportunity to respond to the issue or what. The directions on how to call an emergency meeting are perfectly clear; what gets them to that point is not. He believed he didn't have to notify any of the Council, just the Department Head.

For reference, Council Member Carlson gave the timeline of what happened. He was contacted at 3:30 p.m. by Sheriff Richardson, who wanted to meet at 4:00 p.m. He called Recorder Hale and asked how much time was needed to call an emergency meeting and it was determined they didn't have enough time. He and Council Member Wiggill met with

Sheriff Richardson an hour and a half later. He tried to contact Mayor Macfarlane because it was his intention to have Mayor Macfarlane and Council Member Wiggill, who's assignment is the Fire Department, in that meeting and not himself. Council Member Bangerter stated he was also contacted as the Mayor Pro-Tem, but could not attend either, and pointed out that Council Member Carlson went through all the right channels. Council Member Carlson went on to say, since there was not enough time to hold an emergency meeting, only two Council Members could attend. Mayor Macfarlane clarified after they met with Sheriff Richardson, they didn't feel another meeting was necessary. After the meeting, Council Members Carlson and Wiggill talked about the seriousness of it and agreed for Council Member Wiggill to contact Interim Fire Chief Bott, which he did, and it went on from there.

Mayor Macfarlane said this agenda item was just for information because Council Member Wiggill told her he didn't know if he acted in the proper sequence of events or if he should have done it differently. She believes they did a great job and likes that they had Recorder Hale stay to record the meeting so they could all hear it. Council Member Carlson said that was something they didn't have to do, but he wanted all the Council to hear exactly what they heard. Council Member Wiggill reiterated there is nothing that said he had to contact all the Council Members, but he also didn't want to appear to be hiding anything. The aftermath was terrible with everything that happened and he wanted to know how to avoid that in the future. To make sure she understood, Mayor Macfarlane clarified he was saying it didn't matter what department it concerned, whoever was assigned that department will take care of the problem with the Department Head. If they believed an emergency meeting was necessary, they would call it immediately. Council Member Wiggill didn't want to make a decision until he got information from the Fire Department, which he did and believed the issue was getting taken care of.

Council Member Noyes expressed his concern was only that Mayor Macfarlane had sent them an email stating she was going to meet with the Sheriff and he didn't believe there should have been any more meetings until all the Council Members were included in the meeting. He was glad they did it how it was done and that it got recorded.

Council Member Bangerter said the impression he got from Council Member Carlson that night was that it was serious, but Council Member Wiggill did not impress upon him that it was serious. After the Council meeting on Tuesday night, he asked Recorder Hale what had happened and she told him just a couple things, he was very upset and talked to Mayor Macfarlane. Two days later, Mayor Macfarlane listened to the minutes and she thought it was so serious she took the ambulance out of service. This was a big deal and an emergency meeting should have been held immediately. During that meeting, Interim Chief Bott would have had the opportunity to explain and maybe they would have calmed down and maybe they wouldn't have. He said the City Attorney should have been contacted immediately because this had the potential to cause liability to the City.

Council Member Wiggill said maybe some of the things done were wrong, but they shouldn't be making decisions to shut down a department until the department has an opportunity to speak. He is fine about holding a special meeting, but doesn't understand why it took a week

to call it. When they left that meeting with Davis County, the Sheriff and Lieutenant were comfortable with the direction they were going, so nothing made him think he needed to call a special meeting. He believes everybody concerned did something not quite right and this gives them an opportunity to figure out maybe a different alternative. Maybe whoever thought it was an emergency should have called an emergency meeting before even talking about shutting the ambulance down. The reason he wanted this item on the agenda was to review the way it was handled and move forward. If there are things they can do better in the future, he would like to discuss it.

Council Member Bangerter stated the Council Members cannot be afraid to talk to the City Attorney. Mayor Macfarlane agreed he should have been contacted, but the problem is all Council Members might be talking with the City Attorney about the same issue. That is why they need to let the Mayor know first so they don't run up the Attorney bill. Council Member Bangerter suggested if any one of them feel they might possibly want a special or closed session held, they should contact at least two other members to see if they agree.

Council Member Bangerter made a motion to return to the regular session. Council Member Carlson seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

Council Member Noyes made a motion to go into a closed session in accordance with Utah State Code 52-4-205(1)(a). Council Member Bangerter seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

CLOSED SESSION

In accordance with Utah State Code 52-4-205(1)(a) discussion of the character, professional competence, or physical or mental health of an individual.

Present – Mayor Macfarlane, Council Member Bangerter, Council Member Carlson, Council Member Noyes, Council Member Peterson, Council Member Wiggill, Recorder Hale

Affidavit attached.

Council Member Bangerter made a motion to return to the regular session. Council Member Noyes seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

Council Member Noyes made a motion to adjourn. Council Member Bangerter seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes, Peterson and Wiggill voting yes.

The meeting adjourned at 10:30 p.m.

Approved – January 17, 2017

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder

AFFIDAVIT FOR CLOSED SESSION

State of Utah)
 §
County of Davis)

I, Mayor Beverly K. Macfarlane, being first duly sworn under oath, state the following:
I hereby certify that the sole purpose for the closed session held on December 20, 2016 was to discuss the purposes described under Utah State Code Subsection 52-4-205(1)(a) - the character, professional competence, or physical or mental health of an individual.

Dated this 17th day of January, 2017.

/s/Mayor

Subscribed and sworn (affirmed) to before me on this 17th day of January, 2017.

/s/ Susan R. Hale
Notary Public