

Sunset City Corporation
City Council Minutes
December 20, 2022
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Minutes of a regular meeting held December 20, 2022 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Pro-Tem Scott Wiggill presiding.

REGULAR SESSION

Mayor and Council Present:

Scott Wiggill	Mayor Pro-Tem
Chad Bangerter	Council Member
Beverly Macfarlane	Council Member
Nancy Smalling	Council Member

City Employees Present:

Brett Jamison	Police Chief
Linda J. Youngdell	Treasurer/Office Manager
Nicole Supp	Recorder
Jason Monroe	Public Works Director

Excused:

D Howard Madsen	Mayor
Nakisha Rigley	Council Member

Others Present:

Jeff Ambrose	Auditor
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The regular session was called to order at 6:33 p.m. by Mayor Pro-Tem Scott Wiggill.

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

Regular Meeting:

Public Comments: There were none.

- 1. Presentation of the Fiscal Year 2022 Annual Financial Report by Auditor Jeff Ambrose:** Auditor Jeff Ambrose started off by acknowledging and thanking City employees Recorder Nicole Supp and Treasurer/Office Manager Linda Youngdell for their help in preparing all of the necessary documents to complete the audit. Mr. Ambrose notified Council when he refers to a page number it is not the PDF page number but the actual page number on the document. On page 1 and 2 it is called the Independent Auditor's Report the City was given a Clean Opinion. This is the highest level of opinion that can be given and the City received the best opinion. Everything during the audit turned out clean and good. On pages 3-7 it is called the Management's Discussion and Analysis which was prepared by Recorder Supp, she boiled everything down, it gives great comparisons and she did a great job of summarizing things. The next page is the Statement of Net Position; this is the governmental term for the City's balance sheet. It list's the City's assets (things you own), liabilities (things you owe others) and the net position. Cash increased and the City has no long term debt. It is a very enviable position to be in; you have no bonds, leases or long term

debt. The only debt the City currently has is in current accounts payable and compensated absences which would be accrued vacation and comp time owed to employees. Based on the information provided by the Utah Retirement Systems the City's pension liabilities have reduced to near zero. Mr. Ambrose stated it is a very nice position for the City to be in. The net position of governmental activities increased by about \$636,000 while the net position of business-type activities increased by about \$376,000. Mr. Ambrose guided Council to look at the Statement of Activities. The total expenses went down about \$600,000 from the prior year. Income was also down but Mr. Ambrose said it was due to a grant received in 2021. The Balance Sheet for Governmental Funds showed the City's cash increased and payables were down about \$30,000. As part of the State's compliance Mr. Ambrose is required to test the City's fund balance in relation to a statutory limit the State Auditor's sets forth. The unassigned fund balance was a little over \$1.2 million and should not be higher than just over a million dollars. This was one of the findings shown at the back of the report; Mr. Ambrose said this is actually a good finding. The income statement shows the taxes increased \$203,000 which means sales increased. Revenues were up \$274,000 and expenditures were down \$194,000. On page 20 it shows the City's Statement of Net Position for the Proprietary Funds which is the water, sewer, garbage and storm sewer funds. The cash and cash equivalents increased about \$260,000 from the prior year and total assets were up about \$419,000. No debt in these funds, the change in net position increased about \$376,000 from the previous year. Mr. Ambrose stated the revenues were fairly flat for this fund and he suspects it is due to the residents being more conservative this year with watering their lawns and using water unnecessarily. Due to the safeguarding of water this year, revenues were only up about \$4,000. Storm Sewer expenditures were down \$55,000, overall operating expenses were down \$36,000, making the operating income increased \$42,000. The change in net position was up about \$160,000 from the prior year. The cash flow from capital and related financing showed the acquisition on the water line capital assets. On page 24 it shows the interest collecting from the money being held for Rachael Runyun. Mr. Ambrose informed Council the next few pages are the Notes to the Financial Statements which provides a background for the information he just explained. On page 30 and 31 it shows the activity in capital assets. He asked them to focus on the Construction in Progress line and notified them this is where the work being done on the park will be found. In that account the \$78,000 for the restroom and the \$13,000 for the flag pole for the Veterans Park will sit until the project gets completed then it moves out of Construction in Progress into Improvements. On the next page the capital assets for the Water, Sewer and Garbage fund shows the \$43,000 addition to the water line improvements. At the bottom of the page is a Long-Term Debt note, Mr. Ambrose advised a lot of cities he works with have pages to report on but Sunset has no long term debt to mention besides the compensated absences. Mr. Ambrose said he feels compensated absences are not really a long term debt because he does not foresee all of the employees quitting at once needing to be paid out the compensated absences. Council Member Bangerter asked what if there was a new Mayor and 8 out of the 10 employees did quit what would happen to that fund. Mr. Ambrose said the compensation would need to be paid out according to current policies which would be comp time and accrued vacation time and it would make an impact on the fund. On pages 45-47 it shows a comparison of revenues over expenditures related to the final budget. The biggest variance on the revenue side was the ARPA funds. They were distributed between two years; half was received in 2021 and

the last half in 2022. Mr. Ambrose pointed most of the departments were in budget; there were only a few small overages there. On the next few pages it shows some schedules and showed they were all in compliance with the State. The last few pages are required documentation by the State; He noted during the audit he did not identify any deficiencies in internal control that were considered to be material weaknesses. The City received a clean report, there were no non-compliances. On page 54 the State Auditor requests the City comply with certain general requirements listed there and Mr. Ambrose found the City to have a clean report there as well. On the last page there is a list of findings he found. He admitted to incorrectly typing the number on the report and has given Recorder Supp a correction page. The City was only over \$197,000 in the fund balance instead of \$1,012,000 which is the limit amount. The mistake was caught when he was preparing his outline to go over tonight. Mr. Ambrose affirmed Recorder Supp will resubmit the corrected page to the State. During the course of the audit there were no changes of scope, no difficulties or hardships. The only changes were audit adjustments that Recorder Supp posted to the records. Mr. Ambrose asked Council if they had any questions. Council Member Macfarlane shared her gratitude and told Mr. Ambrose he did a great job. Mayor Pro-Tem Wiggill thanked Mr. Ambrose, Treasurer/Office Manager Youngdell and Recorder Supp for all their hard work on the audit. He was appreciative of the report and knowing there were no discrepancies.

2. **Consider Resolution 2022-31 Establishing Planning Commission Pay to Attend Outside Meetings:** Council Member Bangerter opened up by saying he feels the Planning Commission is going above and beyond in order to fulfill the grant they received and feels it is necessary to increase their pay. Council Member Macfarlane informed it would be one member of Planning Commission going to the extra meetings and reporting back to the rest of the members. Council Member Bangerter said the Planning Commission is a set of non-elected officials trying to get as much education as possible to help the City.

Council Member Bangerter made a motion to approve Resolution 2022-31. Council Member Smalling seconded the motion. The motion passed unanimously with a roll call vote from Council Members Bangerter, Macfarlane, and Smalling voting yes.

3. **Discuss Econowaste Fuel Surcharge Increase:** Recorder Supp started the discussion by reading the letter Econowaste sent the City as well as the emailed response from the City Attorney. Council Member Bangerter advised he had spoken with the City Attorney and informed him at the time of the contract there was a possibility diesel fuel was at \$3 a gallon but it has now almost raised to \$6 a gallon. The cost of fuel is greatly impacting those trucks running off of diesel fuel. He said he was also concerned with the dollar amount to percentage ratio, considering we already were given a fuel surcharge this year. He wanted to be sure the contract didn't have a percentage that is allowable to increase each year. Council Member Bangerter reported he went to Wasatch Integrated and visited with some of the Council Members and Mayors at the meeting and they notified him if a City challenges Econowaste they will end up walking out on the contract. They are not negotiating and they are not in a spot to absorb the costs anymore. He would like to work with Econowaste and try to see if there is any negotiation next time when the contract comes back around for renewal

but feels we need to agree to the fuel surcharge raise at this time since the City needs the services they provide. Council Member Smalling agreed and pointed out the City could end up spending more money with another company if they lost Econowaste. Unfortunately everything is going up and they had to pass on what they could no longer afford. She asked if Administration could refigure the numbers and pass along how much the bill went up when it comes. Council Member Macfarlane asked if Econowaste will be adjusting each month the fuel surcharge. Council Member Bangerter replied no. He said the City may have to pass the extra charge on to the residents at budget time. At budget time we may want to put the services out to bid and see what else is out there. Council Member Bangerter trusts Econowaste provides good service with the City, there have been no previous issues and they are reasonably priced. Council Member Macfarlane agreed Econowaste provides great services and if the raise gets passed on to residents it is what it is at this point. Council Member Smalling expressed it is the cost of doing business. Council Member Macfarlane asked how much additionally has been added to the contract. Treasurer/Office Manager Youngdell said Administration will have to take a look at the numbers. Mayor Pro-Tem Wiggill remarked on how we are living in unprecedented times. Most entities are asking for increases at this time. We should not be surprised this has come. It has not increased to a point of concern but we need to reflect on what is best for the residents. He said he hates to have to pass anything on to the residents but it may have to be done. Mayor Pro-Tem Wiggill said everyone is in agreement we will accept the fuel surcharge increase with no negative output. Council Member Bangerter asked Treasurer/Office Manager Youngdell to check the monthly increase and provide feedback per resident per can if possible.

4. Mayor, Council and Department Head Reports: Council Member Macfarlane said she hates to see bills increase because a lot of the senior citizens are on a fixed income. She reported the North Davis Senior Center has been a pivotal point where they have so many offers to help seniors and it has been very busy. The Department of Aging has been doing a lot for the seniors. They have retired volunteer placement, Medicaid, home making, personal care and emergency alert bracelets. The Department of aging will charge on a sliding scale depending on how much the senior makes. They are partnering with the VA to set up caregivers and to have someone go in to see what kinds of services are needed. She has seen several of the City's seniors take advantage of the wonderful services they offer. Council Member Macfarlane shared with Council she has been working on trying to reach someone to help with the issue brought up by resident Skylar Fleming with the bus stops on Main Street. She said Mr. Fleming received an email from UDOT that did not coincide with the information she received from UTA. While in communication with UTA she was able to find out UTA will try to talk to UDOT to see if they can all come together to find a solution and to sort things out. Wasatch Front Regional Council is trying to help with active transportation resolutions and they feel it is a good time to get these issues out in the open because there may be some funding the City can apply for. Council Member Macfarlane thanked everyone for their help with the Senior Christmas party. She said it was very nice and enjoyable. She explained she ended up having to deliver a lot of meals to seniors. The choir did a wonderful job. She did find out Mrs. Wilcox the choir teacher will be retiring as well. Some of the seniors mentioned not knowing about the luncheon and she questioned whether or not the

notice on the water bill could be printed in color to stand out more for the seniors. Treasurer/Office Manager Youngdell stated the colored ink is too expensive, we print our bills in house and it would not be feasible. Council Member Macfarlane shared appreciation for Council Member Rigley's Santa video and letters. She thanked Director Monroe for the crew doing a great job snow plowing the City.

Council Member Bangerter agreed the Senior Christmas party was great. He said he also took a few meals out to some of the seniors. He noticed a lot of the seniors who used to come to the party have since passed away. The newest generation of seniors is his age range and a lot of them are still working during the day and can't always leave to come to events. Council Member Bangerter disclosed a lot of the seniors are scared to come out; COVID really frightened people to the point they don't want to go out anymore. He said one of the seniors he brought a meal to seemed leery of even taking the food from him. 38 people showed up and we supplied food to another 20 or 30 who didn't show up and we did the best we could. Council Member Macfarlane interjected and said most of the seniors she took food to told her it was snowing or they were sick. He thanked everyone who helped make the luncheon happen. He thanked Public Works for the great job at snow removal and Police for their hard work. Council Member Bangerter touched on the subject of UDOT and UTA he said unfortunately in his opinion they are not going to work together. The bus stops on the opposite side of the road are unsafe to get to especially with the poor street lighting. We have been working with UDOT for a while to try to get lighting up on Main Street but it has not happened and feels like a waste of time at this point. Council Member Bangerter suggested pushing UDOT on the lighting on Main Street and including the bus stops so the City has the support of UTA and maybe something could happen then. Bus stops without crosswalks are worthless and unsafe. Council Member Macfarlane notified Council she spoke with Mr. Fleming and told him for years Council has been trying to work with UDOT regarding multiple items and they have provided a good lip service, but no actual progress or solutions on the issues. She doesn't want him to get his hopes too high. She said she was surprised he received the response he did from them. Council Member Bangerter said he feels the City needs to support the bus stop issue and stay on track with it. Council Member Bangerter supplied he had heard the project on 1300 North may be at a standstill because the property owners have put the land up for sale. Director Monroe informed Council with interest rates so high building is not feasible. Treasurer/Office Manager Youngdell said the owners applied for their demolition permit but they have no communication. She said Recorder Supp has tried to communicate but has not received responses. Council Member Bangerter asked if anyone has heard on any other developments within the City. Treasurer/Office Manager Youngdell informed Council she had seen on Facebook the old Circle Inn property will be relocating to another city. She mentioned hearing the Ally's Pizza owner retired and the new owners will be taking Ally's to Clearfield City. Treasurer/Office Manager Youngdell said resident Neil Coker informed her he approached a bakery to come to Sunset. They are looking for a property of at least 2 acres. She researched available property she know of and planned on calling the contact after the first of the year. Council Member Bangerter expressed how beautiful the Veterans Park looked with the lights in front and wished everyone a Merry Christmas.

Council Member Smalling remarked on how fun the Seniors Program was, she also did not know Mrs. Wilcox was retiring. She said she is going to email her a special thank you for how wonderful the Jr. High choir performed. Council Member Smalling suggested next year the City try a sign up list for the luncheon so we having a better idea of how many seniors can attend. Council Member Smalling noted on the price of the Mosquito Abatement services will also be going up as they gear up for the new season. They have to order vehicles now that they will not get for two years. She said she understands why they have to raise their prices. Council Member Smalling reported this year on the Mosquito Abatement board she has been appointed as the chair. At the North Davis Fire District board they were discussing budgets again. The new fire station is moving along as well. She mentioned years ago she was a firefighter and you had a hard time trying to get on to a department. You would start out as a volunteer firefighter and have to work your way up but right now the Fire District is stressing the need for more firefighters. She said once a firefighter always a firefighter; it is a very rewarding career. She asked if anyone knows anyone wanting to be firefighters please send them to the Fire District. She mentioned the Fire District told her they were willing to come help serve at the senior functions and they used to be taste testers at the Chili Cook-Off and they are still willing to come help serve the City in those capacities. Council Member Smalling commented on the Santa Clause riding around on the firetruck and said it was something to be proud of to see our small City doing fun things. Council Member Smalling asked if anyone has heard any information on the 475 development. Recorder Supp stated they are trying to get their SWPPP permits from the State. She questioned the 1800 North project and Director Monroe said the work will begin in 2025. UDOT was awarded funding for multiple projects so they will be completing the 5600 South project before the 1800 North project. She wished everyone a Merry Christmas.

Public Works Director Monroe conveyed his department has been very busy snow plowing this season. There was a water leak on Sunday they were able to take care of quickly. He notified Council he is down an employee at the moment. He has one of his crew members completing a sign survey through iWorQ. She will be doing a reflectivity test and will be driving around at night sometime soon to complete it. Dominion Energy has run into some utility problems on the construction on 1300 North. They are going to have to tear up the canal. The canal boxes are just getting ready to go in on the south end. He reported 1300 North will be shut down for at least two and a half more months. Council Member Bangerter asked how it works in the winter time for compaction. Director Monroe confirmed there is a compaction test they have to complete and they have a concrete blanket they put on the concrete so it doesn't freeze. Director Monroe expressed it was an honor playing Santa for the firetruck ride this year. He had so much fun even though he froze. He passed out 500 candy canes and had one parent chase down the firetruck so her son could see Santa. He suggested next year they play Christmas music instead of the sirens because they are so loud but had a blast doing it.

Treasurer/Office Manager Youngdell explained there have been some sickness and injuries in administration but the department is getting through it. She thanked Recorder Supp for helping her keep everything on track. She reminded everyone business license renewal is due by the 15th and if they are not paid by then they will get hit with a late fee. She explained she

is finishing up payroll year end closing and it is a stressful time especially since she made the mistake of scheduling a vacation between Christmas and New Year's. She joked about it and notified Council she will be gone from December 25th to January 2nd. Mayor Pro-Tem Wiggill commented Treasurer/Office Manager Youngdell deserves the time off.

Police Chief Jamison reported the City has a record number of cases this year. As of today there have been 8,400; 1,400 more than we have ever had. Next week the Police Department will be fully staffed; but he will be losing an officer mid-January and be back down to needing to fill a position. Chief Jamison described there are 700 law enforcement positions open in the State of Utah. He remembered when he was first hired there was a line; there would be 100 applications for one position. Now, there are 700 positions open and only 13 people in the last police academy class. Council Member Macfarlane asked if he knew the reasoning behind the shortage. Chief Jamison listed the wages, other departments snagging officers and nobody wants to do the job. Mayor Pro-Tem Wiggill said he feels there is a lot more liabilities to be an officer now than there used to be. Council Member Bangerter shared he feels it is also because you always hear bad stories about cops but not the good ones. Social media ridicules police officers instead of highlighting the good. He said the youth these days have no interest and it is sad to see. Council Member Bangerter said we need to instill in the youth the honor in becoming a police officer. Mayor Pro-Tem Wiggill noted on the context of things can also get construed, there is less training and education and the honor in being an officer doesn't mean as much to this new generation. Chief Jamison relayed an incident that happened two weeks ago at Smith's. A man went in the store and walked out with Mucinex without paying. When the security employee from Smith's confronted him about not paying the shoplifter beat up the employee and walked out of the store with the medicine. One of our officers' approached the man walking and asked him to stop to talk about the situation, he kept walking, the officer asked him to stop again but he kept walking. The officer tapped him on the shoulder and the man turned on the officer and started to fight him and several other officers there. The Clinton officer ended up getting four hard punches to the face and a bloody nose. They ended up having to tase the man two times before he was able to be controlled enough to be arrested. Chief Jamison received a complaint from a woman within an hour of the incident claiming she had seen everything and the man did absolutely nothing wrong and the Sunset officers beat him up. She told him his officers needed to be reprimanded because the man was not doing anything wrong, he was walking down the street. Council Member Macfarlane thanked Chief for explaining the incident so they can dispel some of the comments or concerns residents may have. Council Member Smalling asked if everyone was wearing a body cam. Chief Jamison assured her everyone has a camera. Mayor Pro-Tem Wiggill said he cannot think of any other job where you can expect you might get your lights punched out of you on the job. You have to actually want to be a cop and there are not too many people with that desire. Chief Jamison explained a new technology the department has; the taser cameras have sensors on the bottom of them, once the taser is activated the body camera will automatically turn on. They also have sensors now on the bottom of the handguns; once your handgun is removed from the holster everybody's body camera automatically turns on. Mayor Pro-Tem Wiggill said we have to have those things in place now to protect ourselves and our officers.

Mayor Pro-Tem Wiggill detailed his recently had knee surgery but has been trying to keep himself as informed as possible by reading the minutes, talking to people and watching from afar. He expressed his disappointment in receiving the normal complaints regarding Santa's ride on the firetruck around town. He said the City provides these things for the residents but there is always a down turn. People want notice of when Santa is coming down their street, some kind of Santa tracker; they don't want to have to wait an hour to see where Santa is. He feels it will never be enough. Every year it is different complaints but he is appreciative of the suggestions to improve. He thanked Director Monroe and the on call Public Works employee who came in to assist when he had to leave early. Resident Charlene White of 63 years passed away and he needed to leave the firetruck ride. He said he will miss her; unfortunately we are losing an entire generation. He thanked Director Monroe for his participation in making the Santa ride a wonderful experience. Council Member Macfarlane asked Director Monroe if he set up a meeting with Sam Bartling regarding the fireworks. Director Monroe said no meeting has been scheduled yet. Council Member Bangerter suggested having the firetruck ride down 250 West like on the parade route so people won't miss Santa. Director Monroe commented saying he doesn't feel the residents would like that. Chief Jamison said Clinton City they have hourly blocks on where Santa will be. Mayor Pro-Tem Wiggill thanked everyone for their suggestions but reminded them the firetruck has always started on the South end of town and worked its way to the North. He wished everyone a Merry Christmas and a Happy New Year.

Council Member Bangerter made a motion to adjourn and go into the Work Session. Council Member Macfarlane seconded the motion. The motion passed unanimously.

WORK SESSION

1. **Discuss Dedication of the Veterans Park:** Council Member Smalling suggested dedicating the Veterans Park in the April-May timeframe when things are fresh and starting to bloom; she thought a mid-morning time on a Saturday may get the best resident turn out. Council Member Smalling said she needs to figure out the budget she has for it but is hoping to get the Military Academy to come and do a color ceremony, she would like to see a member of the community hoist their flag from their branch and possibly seeing if she can bring an old military vehicle for display. Another thought she had was having the Jr. High's choir or a member of the community sing the National Anthem. Council Member Smalling entertained the idea of hosting the dedication the weekend before Memorial Day; May 19th at 11am. She asked Council for their thoughts on her ideas. Council Member Macfarlane stated how nice she felt the park looked and she really likes the flags. Mayor Pro-Tem Wiggill asked if there was going to be a bowery. Director Monroe said there are no plans for a bowery but he is looking for a bowery kit to put together. Mayor Pro-Tem Wiggill said the park needs a bowery; he was under the impression there was going to be a bowery when it was finished. Council Member Bangerter clarified some items on the list had to be removed and would be added back in as time went by and more money was saved. He specified we want the best for the park so that is why some things had to wait for additional funds. Council Member Smalling commented on the lovely walking path and how she loved the lighting. Council

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Member Macfarlane asked if the Veterans in the City will be receiving personal invitations. Council Member Smalling said she will work on some ideas for spreading the word. Council Member Macfarlane voiced her opinion on a personal invitation for the Veterans would be a nice idea.

Mayor Pro-Tem Wiggill asked for a motion to go back into the regular session. Council Member Bangerter made a motion to adjourn the work session. Council Member Macfarlane seconded the motion. The motion passed unanimously.

Council Member Bangerter made a motion to adjourn. Council Member Smalling seconded the motion. The motion passed unanimously.

The meeting adjourned at 8:03 p.m.

Approved – January 17, 2023

Scott Wiggill, Mayor Pro-Tem

Nicole Supp, Recorder