

Sunset City Corporation
City Council Minutes
December 5, 2023
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Minutes of a regular meeting held December 5, 2023 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Madsen presiding.

REGULAR SESSION

Mayor and Council Present:

D Howard Madsen	Mayor
Chad Bangerter	Council Member
Nakisha Rigley	Council Member
Nancy Smalling	Council Member
Scott Wiggill	Council Member

City Employees Present:

Nicole Supp	Recorder
Brett Jamison	Police Chief
Jason Monroe	Public Works Director

Excused:

Beverly Macfarlane	Council Member
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Others Present:

Mark Morris	VODA
Laura Penman	Planning Commission
Mark Becraft	North Davis Fire District
Brian Papworth	Connex
Shawn Jogenson	Connex
Hope Thompson	Sunset Resident

The regular session was called to order at 6:30 p.m. by Mayor Madsen.

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

Regular Meeting:

Approval of Minutes: Council Member Smalling made a motion to approve the meeting minutes for October 17, 2023 and November 7, 2023 as presented and Council Member Wiggill seconded the motion. The motion passed unanimously with Council Members Bangerter, Rigley, Smalling and Wiggill voting yes.

Approval of Vouchers: Weber Basin Water - \$351,616.00 for Annual Water Charges - Council Member Bangerter made a motion to approve the voucher for Weber Basin Water and Council Member Smalling seconded the motion. The motion passed unanimously with Council Members Bangerter, Rigley, Smalling and Wiggill voting yes.

Council Member Bangerter questioned how long the well lease lasts and when it started. Director Monroe replied it started in 2016 and lasts indefinitely.

Public Comments: There were none.

1. **Update from Connex:** Brian Papworth stated in April Connex entered the City, the City has primarily aerial lines, and the excavation drilling is ending this week. He mentioned the fiber poling underground cabinet is live and connections would be done by January 15th. He asked Council if they would like to have a ceremony for completion; Connex would invite the residents, they could ask questions with an open forum and provide feedback. Mr. Papworth articulated he would welcome residents to ask questions pertaining to possible underground construction holes missed and offer solutions to getting those fixed as soon as possible. Mr. Papworth noted there could be an event for children so there would be an opportunity for parents to ask questions and sign up. Some of these events may include cake, plaque and a ribbon cutting ceremony. Mayor Madsen asked how he would advertise for such event. Mr. Papworth suggested advertising on the website, newsletter, etc. The hope is for a January 15th completion date making the event possible in late January-early February. Council Member Wiggill and Rigley suggested food would get residents to come. Mr. Papworth proposed a dance with food to make it fun. Council Member Bangerter addressed a concern of his where a hole was dug in his yard, upon replacement by Connex there were rocks everywhere. He called and spoke with someone from Connex and was promised they would fix his yard. After several attempts he took care of it himself due to it not being taken care of by Connex. Council Member Bangerter asked if there have been many trespassing calls for the Police Department due to Connex. Police Chief Jamison replied there have been some. Recorder Supp advised when there were complaints about Connex, Administration provided the resident with the phone number and email. Mayor Madsen shared there has been some lack of communication on Connex's part. Mr. Papworth assured Council he would like to mitigate the issues now and take care of complaints that are coming in. . Mr. Papworth asked how Connex can do better and Mr. Papworth will fix the issues and reach out. Information will be implemented on the website within 60 days of live connections. Council Member Bangerter asked if they will be responsible for the repairs to sinking holes when it comes spring and everything settles. Mr. Papworth reassured Connex will take care of the issues.

2. **Q & A with Mark Morris for the Form Base Code:** Laura Penman noted there will be two public hearings coming up in two weeks on December 14th for Planning Commission and December 19th for the City Council. She informed Council she was ready to be approved. Mark Morris with Voda is doing amazing work for the City with the Form Base Code shared Ms. Penman. Mr. Morris stated the intent for the Form Base Code is to have Buildings situated in ways you can reuse the building. Uses come and go but the building will remain in majority of cases. The goal is to create development patterns situated in ways to reuse; it will allow developers a range of uses. The 1800 N interchange will have a massive impact to the City and it will be best to get in front of it. Mr. Morris clarified existing Businesses are unchanged; the Form Base Code is for redevelopment. The Form Base Code will not be applied to residential it is only in commercial zones. Mr. Morris showed the zoning map and explained each of the Form Districts. Council Member Bangerter questioned the C2 Zone and could not vision 1800 N as being a

City Center. Mr. Morris' intent for the City Center is not to prescribe uses but the intensity of the developed area. This will be where the highest buildings will be at the intersection; leaving the door open for what the market demands. There was discussion about the UDOT surplus land and the City needing to make contact with Woodbury the developer to see if they can share the vision of the City and have the land hopefully developed into buildings that will eventually mirror Main Street one day.. Council Member Bangerter advised he contacted Woodbury. He read an email stating no specific development plans but it was a good place to start contact. Council Member Bangerter informed Council if Mida is willing to mirror the land, the City will be responsible for water, sewer, policing which in turn will require more employees. Council Member Smalling stated 1800 N will become the entrance to Sunset. Mr. Morris expressed the benefits of Form Base Code are flexibility in uses and the market will drive the development. It all starts with the pre-submission meeting, including an application worksheet for developers to fill out. He clarified the 2050 rendering is not a master plan, the 1800 N interchange is a few years out and development won't happen until that's done. A prototype of how the code will be applied will be the working document during the process. The FAQ page will provide enough information spelled out in a simple way for less confusion. Council Member Rigley thanked Mr. Morris and Ms. Penman. Council Member Smalling thought the prototype looked great and was a nice touch for developers to have in their hands to see what they need to accomplish. Council Member Bangerter shared how he was glad the City was ahead in this aspect instead of behind. He informed Council in the pre-submission meeting a member of the Planning Commission will need to be there as well as City staff. Since a Planning Commission member needs to be there, the Council needs to look at and budget for Planning Commission and account for additional time spent. He has received approval from the Mayor for finishing out this year with the current budget since it is not projected on how many new developments the City will get at a \$45 reimbursement for the Commissioner going to the meeting.

- 3. Consider and Approve Resolution 2023-19 Recertification of Sunset City Justice Court:** Council Member Bangerter made a motion to recertify the Sunset City Justice Court per Resolution 2023-19 and Council Member Rigley seconded the motion. The motion passed unanimously with Council Members Bangerter, Rigley, Smalling and Wiggill voting yes

4. Mayor, Council and Department Head Reports: Mayor Madsen invited Council to a Holiday Social on Friday December 8th at 6pm from Davis Conference Center in Layton for elected officials. He informed Council on December 22nd the Employee Association will have a pizza party and Secret Santa on same date. Christmas bonus will be administered at the party. Mayor Madsen advised he wants to have Council and Department Heads keep their reports within 5 minutes and to report specifically on your duties assigned. Council Member Bangerter asked if a member has an issue how would he like it to be addressed. Mayor Madsen stated he would like to see it put on the agenda in the work session for discussion.

Council Member Bangerter reported on Economic Development. Everything has slowed down, projects aren't growing. He advised he will transfer the Woodbury information to Mayor Madsen. He would like to try and meet with them prior to leaving. He voiced it is important for the Council to not stand still and make the contact with MIDA for the City's behalf. Council Member Bangerter stated he received a phone call from Council Member

Macfarlane in regards to a concern she has and would like to address it. On 1800 N Main Street the weeds are tall on fences. Mayor Madsen immediately notified Council he has already addressed this concern with Director Monroe and it will be completed. Council Member Bangerter also stated the construction areas on 1800 N need to be cleaned up and mowed.

Council Member Smalling shared the Mosquito Abatement treatments are wrapping up for the year. States like Colorado, California and Arizona have people dying from West Nile because they do not treat for mosquitos. She expressed the treatment is not dangerous for humans. Council Member Smalling advised she has a meeting next Thursday with the Mosquito Abatement where they will talk about year-end numbers. The Veterans Program went very well. For the Veterans program they used the piano in the room and it is a great piano but it needs to be treated well and get tuning every year. She suggested getting a lock on the piano so it wouldn't be mistreated by people who rent the Sunset Room and a fee for any destruction caused. Council Member Smalling commended all of the Veterans sand the National Anthem and it sounded wonderful. The program was successful.

Council Member Rigley praised Council Member Smalling for all of her hard work done on the Veterans Program. The Youth Council talked about the events coming up and planning for new ones. They are all excited to attend the Local Official's Day on January 16th at the State Capital. Council Member Smalling shared she would be happy to help at the Local Official's day if needed. Council Member Rigley is trying to get her advisor Peggy and helper Laura to help be chaperones. The Youth Council will be assisting in writing letters back from Santa and Winterfest planning has begun.

Council Member Bangerter asked Council Member Wiggill if he needs any masks for emergency preparedness. Council Member Wiggill said he would check if he needs them.

Recorder Supp mentioned Business Licenses are due January 2nd and a 50% late fee will be applied if not paid by January 2nd.

Police Chief Jamison advised there have been a major influx of psychiatric issues and mental health issues the past little bit. As of 12/5/23 the Police Department have reached 11,100 cases. Chief Jamison informed Council there has been a separation from Officer Alessana and he is requesting to move forward on entertaining bringing back an officer who previously worked for the City, Joshua Altoff. Chief Jamison stated Mr. Altoff has 13 years of Law Enforcement. Council Members Bangerter, Rigley and Smalling gave approval for him to entertain replacement for Officer Alessana. Chief Jamison thanked them for their support. Mayor Madsen praised Chief Jamison on the new look of the car designs. Council Member Wiggill asked Chief Jamison if there is trainings provided to the Officers when dealing with mental health crisis. Chief Jamison assured Council there is a Crisis Response Team who will come to the call and will take over in situations if need be. Council Member Bangerter asked if any of the old cars have been sold. Chief Jamison stated the cars have been stripped down and are ready to go to auction.

Director Monroe reported his crew stripped the four Police cars. Council Member Bangerter asked if the Police car at Charlie's was the City's. Chief Jamison replied yes. Director Monroe stated Public Works did some salting over the weekend. Director Monroe mentioned the car lift was moved from the old shop to the new shop. The Senior luncheon will be on December 13th at 11am. Golden Corral will provide the lunch, he has ordered poinsettias from the nursery and the Jr. High Choir will come to sing. Council Member Smalling mentioned the holiday decorations look nice. Director Monroe thanked Council for his employee who passed his water tests has now been moved up to a Maintenance III. Council Member Bangerter asked when the vehicles will be going to auction. Director Monroe stated on December 19th they will be sent to auction. He has also switched the Code Enforcement Officer to the Durango instead of the Colorado.

Mark Becraft advised his staff have been busy with 38 calls in November. There have been a couple tragedies in Sunset. On Thanksgiving Day there was a reckless burn. We recently had a working fire at Falcon Hill. It was a single alarm on the second floor. The sprinkler helped the situation and they had to perform forcible entry for their rescues because the Nox box had no key to the specific building. Chief Becraft stated his crews rescued the victim through laddering outside into the window. The victim sustained smoke inhalation. Luckily, the Fire Department were able to isolate the water sprinkling to the second floor. Unfortunately, there was water damage. Chief Becraft said if he would have had a key in the Nox box he would have been able to reduce some of the damages. The problem has been ramified and there are now keys in the Nox box. Chief Becraft stated this has not been an easy time of year and has been a very busy time of year. Within the District there have been numerous suicides and bad fentanyl issues. On November 28th the District switched to Layton dispatchers. So far the adjustment has gone well. Chief Becraft provided an update on the new station. The interior is heated, the exterior has been bricked and they are on budget.

Council Member Bangerter made a motion to move into the Work Session and Council Member Wiggill seconded the motion. The motion passed unanimously with Council Members Bangerter, Rigley, Smalling and Wiggill voting yes.

WORK SESSION

- 1. Discuss Potential of Property Located at 1913 N 400 W:** Mayor Madsen spoke about the previous renters are cleaning it up. Council Member Bangerter stated the renters should be vacated by now and the property should be secured. There were agreements made and broken so the renters should not have any access to the property. He shared he has two people who are potentially ready to rent the house. Council Member Bangerter stated the Council has options on what to do with this property. It could be sold to help pay for the new Public Works facility or turned into a dog park. Council discussed the two options and came to majority vote to sell the property as originally discussed in a prior Public Hearing. Council Member Bangerter asked if the City would be willing to do a rent to own option. Council Members did not entertain the idea and wanted to continue on with the decision to sell the property and pay it towards the Public Works facility.

2. **Discuss Santa on the Firetruck:** Mayor Madsen informed Council Santa will be riding on the Firetruck next Saturday, December 16th. Council Member Rigley shared the Sunset Room will be open from 8am to 9am where the kids can come and take a picture with Santa and get some hot chocolate. Council Member Wiggill stated the Fire truck will start on the South end of town to the North. Council Member Smalling wanted everyone to not panic over the sirens on Saturday.

Council Member Bangerter made a motion to adjourn the work session and regular meeting. Council Member Smalling seconded the motion. The motion passed unanimously with Council Members Bangerter, Rigley, Smalling and Wiggill voting yes.

The meeting adjourned at 8:18 p.m.

Approved – December 19, 2023

D Howard Madsen, Mayor

Nicole Supp, Recorder