



Sunset City Corporation

200 West 1300 North • Sunset City, Utah 84015 • 801-825-1628

Council:

Scott Wiggill
Nancy Smalling
Nakisha Rigley
Hope Thompson
Ricky Carlson
Sam Bartling

CITY COUNCIL AGENDA REGULAR MEETING

PUBLIC NOTICE IS HEREBY GIVEN that the Sunset City Council will hold a regular meeting at 6:30 p.m. on Tuesday, November 19, 2024 at the Sunset City Office Building, 200 West 1300 North, Sunset, Utah. Any information or items for the Council's consideration must be furnished at least ten (10) working days prior to the scheduled meeting to give the needed time to study the request. Agenda shall be as follows:

REGULAR SESSION

- A. CALL TO ORDER & WELCOME
- B. INVOCATION AND PLEDGE OF ALLEGIANCE by Council Member Carlson
- C. APPROVAL OF MINUTES – November 6, 2024
- D. PUBLIC COMMENTS
- E. MOTION TO GO INTO A PUBLIC HEARING

PUBLIC HEARING

- F. To Solicit Input from Sunset City Residents on adding Chapter 12 Internal Accessory Dwelling Units to Title 10 Zoning Regulations
- G. Motion to go back into the Regular Session

AGENDA ITEMS

- 1. Consider and Approve Ordinance 2024-06 Adding Chapter 12 Internal Accessory Dwelling Units to Title 10 Zoning Regulations
- 2. Consider and Approve Conditional Use Permit for Wise Auto Sales for Car Dealership at 1689 N Main Street
- 3. RAB (Restoration Advisory Board) Updates with Lindsay Burt and Mark Roginske
- 4. Consider and Approve Resolution 2024-28 Amending the Personnel Policies and Procedures Section 7 Managing Overtime Point B
- 5. Mayor, Council and Department Head Reports
- 6. Adjourn Regular Session and move into Work Session

WORK SESSION

- 1. Discuss Recycling Program
- 2. Adjourn

Possible closed meeting for reasons allowed by Utah State Code 52-4-205.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the Sunset City Offices, (801) 825-1628, at least three (3) working days prior to this meeting. Anchor location for electronic meetings by telephone device is 200 W 1300 N, Sunset UT 84015. With the adoption of Ordinance 1-6-3, the Council may participate per Electronic Meeting Rules. Please make arrangements in advance. Posted and e-mailed to local newspaper – November 15, 2024

Nicole Supp, Recorder

ORDINANCE 2024-06

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNSET,
UTAH ADDING CHAPTER 12 INTERNAL ACCESSORY DWELLING
UNITS TO TITLE 10 ZONING REGULATIONS**

WHEREAS, the Sunset City Council (“Council”) adopted the Sunset City Code (“Code”) in an effort to promote the health, safety, and welfare of all residents; and

WHEREAS, the City finds that there is a need to amend the City Code to allow Internal Accessory Dwelling Units in Single Family Residential Zones pursuant to Utah State Code section 10-9a-408 as part of the Moderate-Income Housing annual reporting; and

WHEREAS, the City finds that these changes would better serve the needs of the residents by increasing the supply of affordable housing options while respecting the appearance, neighborhood character, and scale of single-family residential development.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF SUNSET, UTAH, THAT:**

SECTION I – ENACTMENT

The attached Exhibit A contains the following Chapter 12 “Internal Accessory Dwelling Units” to be added to Title 10 of the Sunset City code.

SECTION II – EFFECTIVE DATE

This ordinance shall take effect upon its passage by a majority vote of the Sunset City Council and following notice and publication as required by the Utah Code.

ADOPTED AND PASSED by the City Council of the City of Sunset, Utah, this 19th day of November, 2024.

Signed: _____
Scott Wiggill, Mayor

Attest: _____
Nicole Supp, City Recorder

EXHIBIT A

Exhibit A

1-18-3: INTERNAL ACCESSORY DWELLING UNITS:

- A. Purpose: Internal Accessory Dwelling Units (IADUs) in single-family residential zones are an important tool in the overall housing goals and needs of the City and allow for alternative and flexible housing options in owner-occupied single-family residences. The purposes of the IADU standards of this code are to:
- Create new housing units while respecting the appearance, neighborhood character, and scale of single-family residential development.
 - Provide more housing choices in residential zones.
 - Allow more efficient use of existing housing and large underutilized yards.
 - Provide housing options for family caregivers, adult children, aging parents, and families seeking smaller households.
 - Offer a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship, and services.
 - Broaden the range of affordable housing options throughout the City.
- B. Definitions: "OWNER-OCCUPANCY" means that any one of the following individuals resides on the subject property for the entire time during which an Accessory Dwelling Unit or Principal Dwelling is rented or otherwise occupied by:
- An individual who is listed on a recorded deed as an owner of the property;
 - Any person who is related by blood, marriage or adoption to an individual who is listed on a recorded deed as an owner of the property; or
 - An individual who is a trustor of a family trust who possesses legal ownership of the property.
- C. The occupants of an IADU shall be limited by one of the following family categories:
- One person living alone; or
 - Two (2) related or unrelated adults and their children.
 - Any of the above categories plus a temporary guest. A "temporary guest" is defined as a person who stays with a family for a period of less than ninety (90) days within any rolling one-year period and does not utilize the dwelling as a legal address for any purpose.
- D. Local Requirements in accordance with Utah Code 10-9a-530-4, the City:
- Zones - Within the R-1, R-3 and RT zones only, IADUs are allowed in single-family, NOT allowed in multi-family lots or lots that do not meet requirements (parking, setbacks, etc.)
 - Entire structure must be in compliance with all applicable codes, including building, health and fire codes. An initial building inspection and fire inspection must be completed prior to approval of and/or issuance of IADU permit.
 - IADUs may only be rented, not sold.

- d. One IADU maximum per lot.
- e. Lot size must be a minimum of 6,000 square feet.
- f. Separate accessible entrance or stairway that must be located on the side or the back.
- g. Same address number, but refer to the IADU as "Unit B." Addresses must be located in a visible location on the street frontage side of the home.
- h. An IADU must provide living areas for eating, sleeping and full bathroom, including kitchen, bathroom sink, toilet, shower/bath, separate from the principal dwelling unit.
- i. The owner of the property shall occupy either the IADU or the primary dwelling where the IADU is located as their place of primary residence.
- j. Separate utility connections shall not be permitted for IADUs. Owners of lots with an IADU shall be charged for two City utility connections, regardless of shared connection. Owner will be responsible for meter and payment.
- k. IADU's may only be rented for long-term rentals of 30 consecutive days or longer. No rentals less than 30 days will be allowed.
- l. No home occupation business shall be established within an IADU without the express written permission of the property owner, and approval from the City Business License Official.
- m. FOR THE OWNER: Yearly rental license from the City will be required for all IADUs. If the unit is being rented as a long-term rental, a rental license from the City must be obtained by the owner prior to renting out the unit.

E. Parking Requirements:

- a. A single-family dwelling with an IADU shall provide at least one (1) additional off-street parking space for the IADU. In no case shall the number of off-street parking spaces be less than the number of vehicles being maintained on the premises. This shall include covered parking, garages and tandem parking in driveways. Tandem parking within a driveway is allowed to meet the parking requirement. No parking spaces may be located within the front or side yard setbacks adjacent to a street, except for within an approved driveway. At a minimum, all parking areas and driveways shall be paved with concrete, asphalt, masonry, or concrete pavers. Permitted accessory parking standards must meet minimum parking requirements. No IADU may be allowed on any lot that cannot satisfy the parking requirements.
- b. Any parking spaces contained within a garage or carport should be replaced if an IADU is created within that space.

F. IADU Permit Required: All IADUs must be fully permitted and licensed before being occupied. Citations shall be issued after 90 days if land use has not been permitted.

- a. Application must include detailed floor plans and payment of initial permit fee.
- b. Before permit will be issued, evidence of payment of all other required fees and certificates of inspections must be submitted.

WISE AUTO
CONDITIONAL USE PERMITS

- 14 For Sale Spots
- Minimum of 3 Customer Spots
- 7 Auxiliary Spots for Overflow and Employee Parking
- No Repairs and Minimal Maintenance

RESOLUTION NO. 2024-28

A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES
SECTION 7 MANAGING OVERTIME POINT B.

Whereas, the Sunset City Council currently maintains a Personnel Policies and Procedures policy regarding compensatory time for non-exempt employees, and

Whereas, the Sunset City Council desires to modify the existing policy to establish quarterly timeframes and maximum accrual limits, and

Now, Therefore, be it resolved by the Sunset City Council the Personnel Policies and Procedures Section 7: Managing Overtime point B be amended to read as follows:

All non-exempt employees, including department heads, will be given compensatory time in lieu of overtime. The compensatory time must be taken within the same quarter it was earned, with a maximum accrual of 40 hours per quarter. The department head has the authority to permit overtime or request the employee take compensatory time.

Approved and adopted by the Sunset City Council this 19th day of November, 2024.

Scott Wiggill, Mayor

Attest:

Nicole Supp, Recorder

Current Policy:

All non-exempt employees will be given compensatory time in lieu of overtime. The compensatory time will be taken off during the same pay period or within the pay period immediately following the pay period the overtime was incurred. The department head has the authority to permit overtime or request the employee take compensatory time.

Suggested Language for Policy Updates:

All non-exempt employees, including department heads, will be given compensatory time in lieu of overtime. The compensatory time must be taken within the same quarter it was earned, with a maximum accrual of 40 hours per quarter. The department head has the authority to permit overtime or request the employee take compensatory time.



COUNCIL AGENDA

November 12, 2024

Agenda Item #15b

Continued Discussion on Recycling Program Rollout.

Background

This memo outlines key considerations and proposed options for a curbside recycling program in the City. The program includes decisions on recycling can ownership and management, service frequency, service type options, and additional operational aspects. It should be noted that the City will receive a rebate on landfill costs based on the tonnage of recycling material diverted from the waste stream into the landfill.

The City aims to ensure a recycling program is efficient, cost-effective, and meets the needs of the community.

1. Recycling Can Ownership and Management

- a. For simplicity and logistical reasons, and based on previous feedback from the Council, it is proposed that the city both own and manage the cans in order to streamline control and accountability.
- b. City ownership provides more control over service levels and quality. If the hauler owns the cans, the City will act as an intermediary between residents and the hauler, adding administrative burden without full control over services.
- c. **Technology:** Recycling cans would be equipped with RFID to enable more efficient management.

2. Proposed Service Frequency

- The typical schedule for recycling pick up is bi-weekly (every other week) to balance efficiency and cost-effectiveness with trash service.

3. Service Type Options

In our September work session, the City Council indicated they would like to move forward with a bundled service option.

A. Bundled Service

- Customers pay a set fee regardless of whether they use recycling and green waste services.
- **Considerations:**

- Customers could elect to refuse the recycling cans, however, the bundled fee would remain the same.
- Green waste collection would not be part of the bundled service. However, the City Council would like to promote the program with the rollout of the recycling program.
- Townhomes have limited space for can storage and placement, so multiple cans may not be possible. We recommend that all townhomes with 3 or more units attached or homes that have 3 or more units that share a private driveway, that they be excluded from the bundled service. We would still allow them to opt in if desired.
- **Projected Impact:** We estimate that out of 10,000 residences that currently have regular waste, 9,200 would be included in the bundled service. We have identified 800 townhomes or multifamily units that would be excluded based upon the previous bullet point.

4. Commercial and Apartment Operations

- Similar to garbage pickup, recycling services for commercial businesses and apartments operate separately and not be managed through the City's residential recycling program.

5. Grant Opportunities

- The City has access to grant funding to offset costs. Wasatch Integrated can assist with purchasing cans at \$15 per can through The Recycling Partnership. This would be reimbursed to the city after we purchase the recycling cans.

6. Hardship Policy

- A hardship policy may be necessary with the Bundled Service option. One option is to mirror the State of Utah Heat program and Utah State Courts legal assistance which states that families under 150% of the poverty level could qualify for a hardship waiver. Here is a sample table from the HEAT program:

FEDERAL POVERTY LEVEL (FPL) & MONTHLY INCOME LIMITS

Effective 3/1/2024

Household Size	100% of Poverty	150% of Poverty HEAT/HELP	Household Size	100% of Poverty	150% of Poverty HEAT/HELP
1	\$1,255	\$1,883	8	\$4,394	\$6,590
2	\$1,704	\$2,555	9	\$4,842	\$7,263
3	\$2,152	\$3,228	10	\$5,290	\$7,935
4	\$2,600	\$3,900	11	\$5,739	\$8,608
5	\$3,049	\$4,573	12	\$6,187	\$9,280
6	\$3,497	\$5,245	13	\$6,635	\$9,953
7	\$3,945	\$5,918	14	\$7,084	\$10,625
			Family over eight, add \$		\$673

7. Pricing Structure

- Pricing for a recycling can would cost between \$3.50 and \$4.00. This is an estimated cost based on 9,200 services.
- We would create a new bundled service which would include one black can (regular household waste) and one blue can (recycling). Additional cans would be available for an added cost.
- What would be the maximum number of cans the city council would allow at a residence? Total number of black, green, and blue?
- Estimated Costs:
 - 10,000 recycling cans including freight = \$600,000
 - Assembly and Delivery by Rehrig = \$45,000
 - Vision software to track RFID's = \$11,800
 - Total cost included in budget opening = \$660,000
 - Grant Reimbursement = \$150,000
- Does the council want to retrofit all black and green cans with RFID stickers?
 - This would be an additional cost to the city.

8. Rollout Plan

- **Pre-rollout Education:** A public education campaign should begin 3-6 months prior to the program's launch to ensure community awareness and understanding.
- **Implementation Date:** In order to get all contracts, materials, and education campaign in place, the suggested timing of rolling out the new program is April 2025.

Discussion Goals

Discuss the various considerations regarding the recycling program and provide guidance to the Administration on next steps.

Example

RESOLUTION CR 24-82

A RESOLUTION OF THE MORGAN COUNTY COMMISSION TO APPROVE CHANGES TO THE WASTE MANAGEMENT FEE SCHEDULE TO INCLUDE RECYCLING.

WHEREAS, the Morgan County Commission in support of Wasatch Integrated in their attempt to extend the life of the two landfills currently used by Morgan County residents, AND

WHEREAS, the cost of trucking waste having increase exponentially over the years, AND

WHEREAS, the County has been given the opportunity to participate in a grant that promotes recycling as a means of extending the life of the landfills in question, AND

WHEREAS, in partnership with the City of Morgan, the County Commission supports a change of the waste management fee schedule to \$ 25.50 per month which shall include a bundled service of both waste and recycling. No additional implementation costs shall be levied on the customer for adding recycling services.

ADDITIONALLY, if the customer meets the definition of 'hardship' the fee schedule shall be \$ 19.12 per month or a 25% discount, whichever is greater. Hardship is defined as a home that qualifies for either Homestead Credit or Circuit Breaker.

NOW THEREFORE, BE IT RESOLVED, that the Morgan County Commission hereby approves the changes to the waste management fee schedule to now include recycling. This shall be effective on the first day of June, 2025.

PASSED AND ADOPTED this 29th day of October, 2024.

ATTEST:

MORGAN COUNTY COMMISSION:

Michael Newton, County Commission Chair

APPROVED AS TO FORM:

Garrett Smith, Morgan County Attorney

Leslie A. Hyde, Morgan County Clerk/Auditor

COMMISSION MEMBERS VOTING:

	AYE	NAY	ABSENT
Michael Newton	_____	_____	_____
Jared Andersen	_____	_____	_____
Blaine Fackrell	_____	_____	_____
Robert McConnell	_____	_____	_____
Matt Wilson	_____	_____	_____

Morgan City and County Recycle Program Estimates 10.01.24

<u>Bundles Service</u>		<u>Opt. Out</u>		<u>Difference in Cost</u>
Can Cost	\$57 - \$15	Can Cost	\$57 - \$10	\$5.00
Hauling Cost	100%	Hauling Cost	55%	\$1.50
Tipping Fee		Tipping Fee		\$0.00
Can Payback	\$42 / 24	Can Payback	\$47 / 24	\$0.21
Total		Total		\$1.71
Current garbage		Current garbage		
				\$20.00
Total per month		Total per Month		\$1.71
25.50/ month or hardship of 19.12/ month (25% discount), bundled service regardless with no implementation cost to customer. Hardship is defined as a home that qualifies for either Homestead Credit or Circuit Breaker.				
	A	New rate with 75% - 25%	1st Can	\$20.22
			Recyle Can	\$6.74
	B	New rate with 80% - 20%	1st Can	\$21.57
			Recyle Can	\$5.39
	C	New rate with 85% - 15%	1st Can	\$22.92
			Recyle Can	\$4.04