



Sunset City Corporation

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

Mayor:

Scott Wiggill

Council:

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, September 2, 2025 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 OR INSPIRATIONAL THOUGHT AND PLEDGE OF ALLEGIANCE by Council Member Thompson
- C. APPROVAL OF MINUTES – August 19, 2025 and August 26, 2025
- D. PUBLIC COMMENTS

AGENDA ITEMS

1. Recognize Police Lieutenant Bruce Arbogast for 30 Years of Service
2. Mayor, Council and Department Head Reports
3. Adjourn Regular Session and move into Work Session

WORK SESSION

1. Discuss Flextime
2. Discuss Parking Options at Rachael Runyan Park
3. Discuss Liens/Abatements
4. 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 – August 28, 2025

Nicole Supp, Recorder



CERTIFICATE OF RECOGNITION

This certificate is proudly presented to

Bruce Urbogast

In Appreciation for 30 years of service with Sunset City

SEPTEMBER 2, 2025





SCOTT WIGGILL
Sunset City Mayor

Minutes of a regular meeting held August 19, 2025 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Wiggill presiding.

REGULAR SESSION

Mayor and Council Present:

Scott Wiggill	Mayor
Sam Bartling	Council Member
Ricky Carlson	Council Member
Nancy Smalling	Council Member
Hope Thompson	Council Member

City Employees Present:

Recorder Supp	Recorder
Brett Jamison	Police Chief
Jason Monroe	Public Works Director
Judith Hampton	Police Secretary

Others Present:

Robert F. Smalling	Sunset
Katherine Hunter	Sunset
Cornel Thomas	Sunset
Tom Ewell	Sunset
Brenda Ewell	Sunset
Sarah Bailey	Sunset
Larry Hampton	Clinton
Andrea Hood	North Davis Communities that Care

Excused:

Nakisha Rigley	Council Member
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The regular session was called to order at 6:31 p.m. by Mayor Wiggill.

Council Member Carlson gave a prayer/inspirational thought and led the Pledge of Allegiance.

APPROVAL OF MINUTES: Mayor Wiggill asked if everyone had reviewed the minutes and whether any changes were needed, noting that one change had already been made.

Council Member Thompson said she had already sent in a change but had another question. She did not recall an official decision being made about the Agent Orange Memorial but later saw that it had been announced. Council Member Thompson wondered if the minutes were missing details or if she had missed them, particularly on the first page. Recorder Supp responded that on page four, Mayor Wiggill had started the discussion about the Agent Orange Memorial.

Council Member Thompson confirmed this, explaining that the minutes showed Mayor Wiggill expressing support for the Agent Orange Memorial Project but did not clearly state whether the City was officially moving forward with it. She asked if something more had been discussed after that point.

Mayor Wiggill explained that because of the donated nature of the memorial, a formal Council vote had not been required. Mayor Wiggill said he wanted everyone to be involved in the decision, and recalled that all Council Members had all expressed approval. Mayor Wiggill added that it felt unanimous at the time to proceed. Council Member Thompson clarified that it was unanimous she had only been unsure if a vote was required since it involved a park change.

Mayor Wiggill announced that the new Agent Orange memorial would be placed in the Veterans Park, with the opening planned for Veterans Day, November 11. He emphasized how honored and proud the City was to host the memorial and said details were posted in the City building for residents to view.

Council Member Smalling made a motion to approve the meeting minutes from August 5, 2025 as presented and Council Member Thompson seconded the motion. The motion passed unanimously with Council Members Bartling, Carlson, Smalling and Thompson voting yes.

Public Comments: Sam Bartling – 2243 N 250 W, representing the Sunset Utah Stake of The Church of Jesus Christ of Latter-day Saints, requested that certain dates in 2025 and 2026 be reserved at Rachael Runyan Memorial Park to avoid parking conflicts with stake activities. He listed the requested dates into next year.

Council Member Carlson responded briefly, that one of the listed dates, September 13, 2025, might conflict with the City's Mental Health Fair event. Mayor Wiggill asked that the dates be submitted to the office manager so they could be reviewed and solutions met.

Katherine Hunter – 2104 N 300 W, expressed concern about the Sunset Farmers Market. Ms. Hunter explained that organizers and participants were frustrated with the lack of promotion, fearing that without more community support, the market might be canceled. She urged the City to help raise awareness to ensure its continuation.

Mayor Wiggill thanked Ms. Hunter and said he would work with the office manager and staff to help promote the market.

Recorder Supp asked to comment briefly on promoting outside events and businesses and explained that the City attorney had recently confirmed the City could promote community events and businesses as long as promotion remained fair to all. Mayor Wiggill agreed, as long as the opportunity was open to everyone, promoting such events would be good.

Regular Meeting

1. **Recognize Police Secretary Judith Hampton on her Retirement:** Mayor Wiggill acknowledged recent challenges affecting the Tremonton Police where there was an incident where two officers were shot in the line of duty. He recognized the community's support for first responders. Mayor Wiggill introduced Police Secretary Judith Hampton and noted that Police Chief Jamison would speak about her retirement.

Chief Jamison shared that Judith Hampton had served the Police department for 33 years. He described her as a central figure in the department, recalling how she greeted staff

each day with a smile and how her dedication had impacted countless officers and leaders throughout the years. Chief Jamison said it was hard to imagine the department without her and expressed deep gratitude for her service.

Mayor Wiggill and Chief Jamison presented Secretary Hampton with a trophy and certificate recognizing her years of service. Both thanked her sincerely, and the Council and attendees expressed their appreciation. Mayor Wiggill announced that a retirement party would be held for Secretary Hampton on Thursday, August 21, at noon in the Sunset Room, inviting anyone who wished to attend.

2. **Presentation from North Davis Communities That Care (CTC) with Andrea Hood:** Andrea Hood, representing Davis School District and North Davis Communities That Care (CTC) introduced herself to the Council. Ms. Hood explained that CTC was a coalition working on youth substance use prevention and mental health promotion across five northern Davis County cities, including Sunset.

Ms. Hood emphasized that the coalition used data-driven strategies, relying heavily on the SHARP student survey as well as qualitative feedback. She thanked the City for its annual \$1,800 contribution, which had helped support youth clubs, extracurricular activities, and summer programs. Ms. Hood highlighted the Sunset Junior High STEM club and Sunset Elementary student council, which received \$1,500 in grants, and a summer camp at Doxey Elementary that served 98 students with literacy support, social skills development, meals, and field trips.

She noted positive outcomes, such as a 30–40% reduction in family conflict for participants in family programs like Strengthening Families, and recognized retailers who passed compliance checks by refusing underage tobacco sales.

Ms. Hood also described upcoming initiatives, including mentor training, youth and adult mental health first aid, and a new youth summit featuring speakers on leadership, positive decision-making, and wellness. She encouraged the City to help promote these programs on social media now that legal clarification had been provided.

Ms. Hood explained that with the younger generation, intentionality would be very helpful. She said the effort would also have a new credit makeup to help students toward graduation, which was a great addition if needed. Ms. Hood then moved to the next slide and said a social norms campaign was being launched. Ms. Hood shared excitement about the project, explaining that the goal was to partner with schools and also use social media and billboards in the area. She acknowledged that billboards were expensive, so only one might be affordable, but even one would have impact.

Ms. Hood explained that SHARP survey data showed students often believed their peers used drugs and alcohol much more frequently than they actually did. By correcting that misperception, behavior could be positively influenced, since people tended to do what they believed was normal or socially acceptable. Ms. Hood gave an example: the data showed only 4.3% of peers reported using marijuana in the past 30 days, yet many

students believed the number was closer to 16%. By sharing accurate numbers, the perception could be corrected.

Ms. Hood said the example came from Bonneville CTC, and a media company would help tailor it for this community. She invited the Council to partner, offering to create the media content if the City would help distribute it. Ms. Hood then moved to the final slide and shared contact information. Before wrapping up, Ms. Hood said that decisions in the coalition were made based on both the data and who was able to attend meetings. She expressed that it would be valuable to have a City Council representative present to guide decision-making and represent the City's citizens. Ms. Hood noted that some meetings were in person, while others were via Zoom. She also asked for support with distributing materials, both for the social norms campaign and family classes, so citizens would know the programs were available.

Mayor Wiggill said the only request in return would be for Ms. Hood to provide the City with materials and a synopsis of what assistance would be needed to promote or participate. Mayor Wiggill said the Council would be happy to help distribute the information.

Council Member Smalling asked about meeting expectations.

Ms. Hood explained that general coalition meetings were held once a month, with key leader meetings every three months, and work groups meeting monthly. Ms. Hood said attendance could be flexible and based on schedules—if a Council Member could attend general coalition meetings and a work group, that would be ideal, but participation at any level was appreciated.

Mayor Wiggill asked if there were any further questions from the Council, then thanked Ms. Hood for the work already done with schools and social foundations. Mayor Wiggill said the City appreciated the effort, invited Ms. Hood to provide the requested information, and committed to advocating and moving forward with support.

3. **Mayor, Council and Department Head Reports:** Council Member Bartling reported that they were continuing to work with neighboring cities—Clinton, Clearfield, and Roy—on potential collaborations for CERT programs, training opportunities, and exploring North Davis training abilities.

Council Member Smalling reported on attending the Mosquito Abatement meeting the previous week. She stated that the West Nile virus had now been detected in Utah and emphasized the importance of eliminating standing water. Council Member Smalling explained that although water was scarce, any standing water—such as in a bucket or container—should be removed to reduce mosquito breeding. She noted that 108 positive mosquito pools had been found in Utah. Council Member Smalling described the abatement crew, which was smaller now because many student helpers had returned to school. The crew counted and even sexed mosquitoes, which she found remarkable. She noted that although West Nile virus was serious and had caused the death of a Sunset

resident in the past, there were worse mosquito-borne diseases. The Mosquito Abatement program remained vital to protecting public health.

Council Member Smalling also addressed a recent concern raised on social media about mosquito spraying trucks in the City. She explained that when drivers saw people outside, they stopped spraying as a precaution. She acknowledged that in the past, children had even played in the spray, but emphasized that the risk from diseases was far greater than the risk from the spray.

Council Member Smalling continued with updates about the Mosquito Abatement district offices, which were located on 200 North on the west side of I-15. She explained that the office was expanding due to growth and new programs, including the drone program, which had proven successful in treating hard-to-reach mosquito pools. Plans were underway for an expansion, including a pesticide building for safety, a new lab, and additional locker rooms to accommodate all staff, not just men.

Council Member Smalling noted that the expansion could require a tax increase, though options were still being reviewed. The director of the district planned to retire in March, but had emphasized the importance of moving forward with the expansion before leaving. Council Member Smalling suggested inviting the director to a future council meeting for more details.

Before closing her report, Council Member Smalling spoke emotionally about the Agent Orange Memorial project. She said the topic was very personal to her and expressed pride that Sunset had welcomed the project when other cities had declined. She said the memorial would honor service members who had been impacted not only by Agent Orange but also by more recent exposures during military service. Council Member Smalling encouraged everyone to view the display in the City building and expressed gratitude that Sunset was hosting the memorial, particularly for the many retired military residents in the community.

Council Member Thompson began with updates from the Senior Center. They shared that three new activities had been added: Tai Chi for fall prevention on Tuesdays, Texas Hold'em poker, and Theater Thursdays. Council Member Thompson said she was particularly excited about Theater Thursdays. She announced that on Wednesday, August 20, the Senior Center would host a Mad Hatter's Tea Party at 10:30 a.m., with food, themes, laughter, and costumes encouraged. Council Member Thompson said she planned to attend, dress up, and take photos. She then explained that Davis County posted monthly activity lists online, with September's list scheduled for release on Friday.

Council Member Thompson shifted to discuss a community concern about property upkeep. She said Chief Jamison had recently commented on how some yards in the City looked neglected, including her own. She had reached out to residents about organizing a fall cleanup event and received positive responses from 17 people, with only one negative reply. She hoped to schedule a community cleanup event for mid-September, dividing the City into quadrants and forming teams to assist residents. She said the effort could both

improve the City's appearance and help rebuild a sense of community. Mayor Wiggill expressed support for the initiative and encouraged her to proceed with planning.

Council Member Thompson then reported on the Citizens Police Academy, which had begun the previous week with a canine demonstration. She shared that she had participated and even been bitten during the demonstration, which she described as an amazing experience.

Council Member Thompson said that in the 14 years of the academy's existence, no Council Member had ever participated before. She encouraged others to join, describing it as highly informative and realistic. The upcoming sessions would cover topics like LIDAR, use of force, and corrections. She noted that some sessions would leave participants with bruises, but emphasized the value of the program, which was offered in both spring and fall.

Mayor Wiggill reacted by noting how impressive it was to have firsthand knowledge of the law and law enforcement practices.

Council Member Thompson explained that the program covered nearly every aspect of law enforcement over 15 weeks. She admitted she was not looking forward to the correctional officer training but remained enthusiastic about the overall experience. She offered to provide websites and information for anyone interested in joining. Mayor Wiggill thanked Thompson for their participation.

Council Member Carlson said he wanted to echo Council Member Thompson's comments about the Police Academy, noting that he had participated in the past and found it valuable. Council Member Carlson continued, saying he appreciated Secretary Hampton's years of service with the Police department and joked about the department shutting down now that she was retired. He added that the fire department would meet the following Thursday, so he had no report yet. Council Member Carlson also congratulated candidates who had passed the primaries and advanced to the general election.

Director Monroe explained that Public Works had many projects underway, including water line shutoffs and reactivations related to UDOT projects and the Main Street project. He warned the Council that residents might call about leaking valves, explaining this was typical with older systems. Director Monroe said a staff member was currently training to become skilled at managing valves, but it could take days or weeks for the valves to fully seal.

Director Monroe said UDOT remained on schedule to have concrete paving completed by the end of October on the south side of 1800 North to the tracks. Once that section was opened, UDOT would begin tearing up the other side, which would likely cause greater impact on nearby residents and businesses, particularly below Maverik.

Director Monroe then reported on the upcoming Mental Health Wellness Fair, which he had been planning with Council Member Rigley. The event would feature inflatables,

sensory activities like necklace and bracelet making, and coloring stations. Director Monroe admitted event planning was not their specialty but said he was excited about the additions. Parking remained a concern, and adjustments would be needed.

Chief Jamison gave a reminder that on Thursday at noon there would be a lunch for Judy's retirement, encouraging everyone to attend to show support. Chief Jamison explained that the past couple of weeks had been chaotic. An email had been sent out about a citizen who had lit a police car on fire and then turned themselves in after running out of fuel. Chief Jamison noted that incidents like that reflected the challenges faced in the City. The fire caused about \$2,500 in damage to the car. He stated that the individual would hopefully be held accountable and restitution would be pursued.

Chief Jamison thanked everyone for their support, adding that the last few days had been surreal. He reflected on the recent events in Tremonton, noting similarities between that community and Sunset in size and population. Officers there had acted as expected in a tragic situation. Chief Jamison shared that members of the department had taken part in the procession to return the bodies, and two Sunset officers were honored to participate.

Chief Jamison went on to describe, when passing by the City office, he had seen families putting up signs that read, "We love our officers, we support our officers." Chief Jamison said it was uplifting to see, as such visible support often only appeared after tragic events. Chief Jamison noted that in the past 24–48 hours many people had come in to thank the officers personally. He stated that law enforcement support in Utah was strong compared to many other states, which was meaningful though bittersweet under such circumstances.

Chief Jamison emphasized that officers were not looking for sympathy, as they had chosen their profession, but noted how surreal it was for the officers to hear the 911 calls and communications, and then see the reality of lives lost. Chief Jamison reminded the Council that officers were human, with the same emotions and vulnerabilities as anyone else, and that mental health issues often played a role in tragedies of this nature. Chief Jamison remarked that such events opened the eyes of newer officers, who were still adjusting to the reality of what the job required.

Chief Jamison concluded by expressing hope that such tragedies would never occur in Sunset. He thanked the community for their overwhelming support, pointing out the flags and the display placed outside the City office by Mayor Wiggill and staff. Chief Jamison described it as tear-jerking and said it meant a great deal to the department.

Recorder Supp commented that it was hard to follow the Chief Jamison's remarks, but provided a brief update. She reminded everyone that there would be a special meeting on August 26 at 6:00 p.m. to canvass the final primary election results.

Mayor Wiggill reported next on the North Davis Sewer board. The board had recently undergone an audit, which went very well. Only four minor discrepancies had been found, all of which could be corrected with documentation. Mechanically and

operationally, the system was running smoothly. Mayor Wiggill noted significant work on Fairfield and Gentile, including nearly a mile of pipe installed along Hillfield Road. Crews had shifted to complete work at the Gentile and Main Street intersection before school began, with Hillfield Road expected to be completed by the end of the month. Financially, the sewer district was on budget, which Mayor Wiggill said was encouraging.

Mayor Wiggill congratulated all candidates who had advanced through the primary election. Mayor Wiggill reminded everyone to campaign respectfully and shared a personal story about running for office the first time, motivated by efforts to save the City's fire department. Mayor Wiggill reflected on that decision and expressed appreciation for the community's support over the years.

Mayor Wiggill also thanked the Police department for their strong showing in honoring fallen comrades, noting that two Sunset officers participated in a national procession. Mayor Wiggill commented that while some outside the community might not understand the significance, such acts were deeply meaningful locally.

Mayor Wiggill closed their remarks with a thought: to always give without remembering, and always receive without forgetting, while remaining kind.

Council Member Bartling made a motion to adjourn the Regular Session and move into a Work Session and Council Member Smalling seconded the motion. The motion passed unanimously with Council Members Bartling, Carlson, Smalling and Thompson voting yes.

Work Session

1. **Discuss Playground Equipment for Rachael Runyan Park:** Mayor Wiggill introduced the first item in the work session: playground equipment for Rachel Runyan Park. He asked if Council Member Thompson would present her research.

Mayor Wiggill began the work session by explaining that the agenda item was the purchase of new playground equipment for Rachel Runyan Memorial Park. The original plan was to place the equipment where the sand volleyball court was located, as it was believed the playground would see more use. Research had been done and a piece of equipment had been identified. Mayor Wiggill asked that Council Member Thompson coordinate with Director Monroe to place the order and manage installation.

Council Member Thompson expressed excitement about the project, explaining that the equipment was called "Fort Deressy," though they jokingly referred to it as the "crayon" set due to its colorful poles. Council Member Thompson reported that she had finished preparing a proposal and letter of intent to apply for a \$7,000 grant from Kiwanis. The grant, if awarded, would reduce the City's costs and potentially allow for the addition of more equipment or fitness stations around the track. She committed to emailing the proposal to the Council for review before submitting it, noting the application deadline was approaching.

Mayor Wiggill explained that funds originally set aside for Central Park improvements had been redirected to focus on Rachel Runyan Park. Mayor Wiggill expressed enthusiasm for enhancing the park and thanked the Council for their support. Mayor Wiggill asked Director Monroe to move forward with ordering the equipment, with the Council giving unanimous approval.

Council Member Thompson asked whether a notice should be issued so residents could use the volleyball pit before it was removed. Director Monroe explained that a net had been put up three weeks earlier but was cut down by someone after only four days.

Mayor Wiggill commented that while the net could not be left up due to vandalism, staff could provide one temporarily if residents requested it. Mayor Wiggill then addressed recent vandalism in nearby Roy, noting that Sunset had been fortunate to avoid similar severe damage. While Sunset had experienced some tagging at the skate park, it had not reached the same level as Roy, where bathrooms had been destroyed at great expense. Mayor Wiggill said efforts would continue to monitor and prevent vandalism in Sunset.

Mayor Wiggill thanked everyone for attending, acknowledging the effort it took to get to the meeting, and expressed appreciation for their participation.

Council Member Carlson made a motion to adjourn and Council Member Smalling seconded the motion. The motion passed unanimously with Council Members Bartling, Carlson, Smalling and Thompson voting yes.

The Regular meeting adjourned at 7:34 p.m.

Approved – September 2, 2025

Scott Wiggill, Mayor

Nicole Supp, Recorder

Sunset City Corporation
Special City Council Meeting Minutes
August 26, 2025
Page 1 of 2

Minutes of a Special Session held August 26, 2025 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Scott Wiggill presiding.

Present: Mayor Wiggill, Council Member Bartling, Council Member Carlson, Council Member Rigley, Council Member Thompson, Recorder Supp, Ronald Fish Wilson, David Silos-Aguirre and Lori Schiess.

Excused: Council Member Smalling

SPECIAL SESSION

The special session was called to order at 6:07 p.m. by Mayor Wiggill.

Council Member Rigley gave a prayer/inspirational thought and led the Pledge of Allegiance.

SPECIAL SESSION

1. Resolution 2025-16 Municipal 2025 Primary Election Canvass: Mayor Wiggill announced the agenda item: Resolution 2025-16, the Municipal 2025 Primary Election Canvass and invited Recorder Supp to share information about the results.

Recorder Supp explained that, under Utah Code 20A-4-301, the Council was required to act as the Board of Canvassers to certify the official results of the election. She shared that she had attended the logic and accuracy audit at the county the prior week, observed how ballots were counted, and described it as a positive experience. Recorder Supp then presented the election results.

Recorder Supp reported that Sunset City had 2,306 active registered voters and that 473 ballots were cast, resulting in a 20.51% voter turnout. Of those, 463 ballots were cast by mail, eight were cast in person on Election Day, and two were provisional ballots. The vote totals were reported as follows:

- Raymond Harold Chapman Jr.: 59 votes
- Ronald Fish Wilson: 91 votes
- Nancy Greco Smalling: 285 votes
- David Silos-Aguirre: 78 votes
- Cornel Wilkes Thomas: 142 votes
- Katherine R. Hunter: 216 votes

Recorder Supp noted that countywide voter turnout was 21.77%. She explained that the candidates declared nominated to appear on the November ballot were Nancy Greco Smalling, Katherine R. Hunter, Cornel Wilkes Thomas, and Ronald Fish Wilson.

Sunset City Corporation
Special City Council Meeting Minutes
August 26, 2025
Page 2 of 2

Mayor Wiggill asked the Council if there were any questions or concerns for Recorder Supp. Hearing none, Recorder Supp presented a certificate of nomination to Ronald Fish Wilson, who was the only candidate in attendance, and congratulated him.

Mayor Wiggill expressed appreciation for the candidate's attendance. He then called for a motion to adopt Resolution 2025-16, the Municipal 2025 Primary Election Canvass.

Council Member Rigley made a motion to approve Resolution 2025-16 Municipal 2025 Primary Election Canvass. Council Member Bartling seconded the motion. The motion passed unanimously with Council Members Bartling, Carlson, Rigley and Thompson voting yes.

Mayor Wiggill congratulated the four candidates who advanced to the general election process and explained that additional resources and information would be provided by the county and city, including guidance from Representative Karen Peterson. Mayor Wiggill expressed excitement about the process and encouraged candidates who did not advance to participate in future elections. Mayor Wiggill noted that this was the first time in several years that a primary had been necessary and expressed appreciation for the voter turnout. He reminded candidates to contact Recorder Supp with questions and to consult the Davis County website regarding campaign rules and sign regulations if need be.

Council Member Thompson requested clarification on the vote totals, as the numbers they had recorded did not match. Council Member Bartling reminded the group that each voter could cast up to two votes per ballot, which could cause the total number of votes to differ from the total number of ballots. Mayor Wiggill acknowledged the clarification and explained that some voters may have chosen to cast only one vote, which was permitted.

Council Member Bartling made a motion to adjourn. Council Member Rigley seconded the motion. The motion passed unanimously with Council Members Bartling, Carlson, Rigley and Thompson voting yes.

The meeting adjourned at 6:15 p.m.

Approved – September 2, 2025

Scott Wiggill, Mayor

Nicole Supp, Recorder

4(II). 5.1 Flextime

- 4(II).5.2 Flextime is an arrangement that allows employees to adjust the start times, end times, or lunch times around the employee's regular work schedule. The total number of hours worked does not change. A flextime schedule is not appropriate for all positions, for all employees, or for all settings. Flextime should not affect the workload or productivity of the employee or other co-workers.
- 4(II).5.3 Flextime may be granted by Department Heads or supervisors when it is reasonable or practical to do so and where operational needs will not be affected. Because services may vary within each department, not every employee will be able to work similar flextime schedules. Flextime is a privilege and may be taken away at the supervisor's discretion.
- 4(II).5.4 Flextime is limited to a maximum of four (4) hours per week. Any flextime schedule must be approved in advance by the employee's direct manager, and the manager must be made aware of the employee's schedule adjustments.
- 4(II).5.5 With flextime, nonexempt employees are still subject to all of the requirements of the Fair Labor Standards Act. Employees who are exempt from the Fair Labor Standards Act are expected to work whatever number of hours are required to accomplish their job duties and may be permitted to set their own schedules with supervisor approval.

8/26/25, 10:53 AM

image.png

Nicole,

I believe this to be a very good tool for the City to use to recoup cost associated with the city cleaning yards up. I also believe word will spread through the community, and will help deter other property owners from allowing their properties to fall into such a state of disrepair as to require the City to abate the property and file a lien.

Please let me know if you have any questions or need any help on this project.

Thanks,

Dustin D. Ericson
Daines & Jenkins, LLP
108 North Main Street
Logan, Utah 84321
(435) 733-4000
(435) 733-4002 (Facsimile)



Chapter 8.07 NUISANCE ABATEMENT

Sections:

8.07.010 Code enforcement officer.

8.07.020 Weeds and other refuse.

8.07.030 Junk and graffiti.

8.07.040 Construction trash or debris.

Prior legislation: Ord. 00-07.

8.07.010 Code enforcement officer.

An employee of the city shall be selected as a code enforcement officer and shall be sworn in as required by law and designated to perform the duties identified in this chapter for a code enforcement officer ("officer").

[Ord. 0-15-2001 § 1; Ord. 0-10-2001 § 1].

8.07.020 Weeds and other refuse.

A. Responsibility to Keep Property Clean. It is unlawful for any person, corporation, partnership or legal entity owning or occupying real property in the city to let the height of weeds on such property grow beyond the maximum permitted, or to fail to remove from the property any such weeds or refuse, dog manure or waste, unsightly or deleterious objects or structures, after having been given written notice by the city.

B. Weed Control Standards. Weeds shall not be permitted to reach a height of more than six inches at any time or to otherwise create a fire hazard to structures or habitat for disease, insect vectors, or vermin. As used in this chapter, the term "weeds" means plants which are unwanted in the location where they are growing and which are not a part of landscaping, xeriscaping, or native plant landscaping. The term "weeds" also includes noxious weeds which are described under the Utah Noxious Weed Act, defined by the State Weed Committee of the state of Utah and by Utah County. In addition, the following plants are designated as noxious weeds by Eagle Mountain City:

1. Kochia (*Kochia scoparia*);
2. Russian thistle (*Salsola tragus*);
3. Jim Hill mustard (*Sisymbrium altissimum*);
4. Cheatgrass (*Bromus tectorum*);
5. Bur buttercup (*Ceratocephala testiculata*);

6. Tausi mustard.

C. Examination of Property for Compliance. The examination and investigation authorized by this section shall not include physical entry to private property in the city, unless probable cause exists to believe that a violation of this chapter is present. The officer of the city is authorized to make observations based on conditions in plain view from public property or from the property of a complaining witness and nothing in this section shall be construed to prevent the officer from entering on property to deliver a notice to the occupant of the property.

D. Violation – Notice to Owner. Upon a determination that a violation of the provisions of this section exists, the officer shall ascertain the name of the owner and a description of the premises where the violation exists. The officer shall serve notice in writing upon the owner or occupant of such property, either personally or by certified mail, postage prepaid, addressed to the owner or occupant at the last known post office address as disclosed by the records of the county assessor, requiring such owner/occupant, as the case may be, to eradicate, destroy or remove the weeds, refuse, objects or structures causing the violation within such time as the officer may designate, which shall be no less than 10 days from the date of service of such notice.

E. Civil Penalties.

1. Determination of Civil Penalties

- a. Civil penalties shall be assessed per violation per day at the rate established in the Eagle Mountain City consolidated fee schedule.
- b. Civil penalties shall continue to accrue until the violation(s) has/have been brought into compliance with the city code or applicable state codes.

2. Modifications of Civil Penalties.

- a. Upon completion of the notice of violation or administrative enforcement order, the administrative law judge may modify the civil penalties on a finding of good cause.
- b. Civil penalties may be waived or modified by the administrative law judge if there is finding of good cause based on the responsible person's claim of nonconforming use or conditional use and:
 - i. The city's need to verify the claim; or
 - ii. The responsible person's filing of an application for either use before expiration of the date to correct.

F. Property Cleaned by City When – Costs.

1. If any owner or occupant of property described in the notice provided in this section fails to eradicate or destroy and remove such weeds, refuse, dog manure or waste, objects or structures in accordance with such notice, the officer is authorized to employ necessary assistance and cause such weeds, refuse, dog manure or waste, objects or structures to be destroyed or removed at the expense of the city.
2. The officer shall prepare an itemized statement of all expenses incurred in the removal and destruction of same and shall mail a copy thereof to the owner demanding payment within 20 days of the date of mailing. Such notice shall be deemed delivered when mailed by registered mail and addressed to the last known address of the property owner.
3. Costs – Alternate Methods of Compelling Payment. In the event the owner fails to make payment of the amount set forth in such statement to the city treasurer within 20 days of the date of mailing, the city may cause suit to be brought in an appropriate court of law, or pursue remedies as provided in Section 10-11-1 et seq., Utah Code Annotated 1953.
4. Costs – Collection by Lawsuit. In the event collection of expenses of destruction and removal are pursued through the court, the city shall sue for and receive judgment for all expenses of destruction and removal, together with reasonable attorney's fees, interest and court costs, and shall execute upon such judgment in the manner provided by law.
5. Costs – Included in Tax Notice – Procedure. In the event collection of expenses of destruction and removal are pursued as provided in Section 10-11-1 et seq., Utah Code Annotated 1953, the provisions of this subsection apply:
 - a. Upon receipt of the itemized statement of the costs of destroying or removing the weeds, refuse, objects or structures, the city treasurer shall forthwith mail one copy to the owner of the land from which the same was removed, together with a notice that objection in writing to the city may be made within 30 days to the whole or any part of the statement so filed. The city treasurer shall, at the same time, deliver a copy of the statement to the city recorder.
 - b. If objections to any statement are filed with the city, a date for hearing shall be set, giving notice thereof, and upon the hearing of the matter, fix and determine the actual cost of destruction or removal; hearing findings shall be reported to the city treasurer.
 - c. If no objection to the items of the account are made within 30 days of the date of mailing, the city treasurer shall comply with the requirements of Section 10-11-1 et seq., Utah Code Annotated 1953. [Ord. O-18-2021 § 2 (Exh. A); amended during 2008 codification; Ord. O-15-2001 § 2; Ord. O-10-2001 § 2].

8.07.030 Junk and graffiti.

A. Responsibility to Keep Property Free of Junk or Graffiti. It is unlawful for any person, corporation, partnership or legal entity owning or occupying real property in the city to allow the accumulation of junk, to fail

to remove from the property any junk, or to fail to remove graffiti from the property within the timeframe required by this section.

B. Junk Defined.

1. "Junk" means any salvaged or scrap copper, brass, iron, steel, metal, rope, rags, batteries, paper, wood, trash, plastic, rubber, tires and waste, or other articles not stored for recycling purposes in a fully enclosed container, or materials commonly designated as junk. "Junk," except as provided in subsection (B)(2) of this section, shall also mean any motor vehicle not currently registered and dismantled, wrecked or inoperable, motor vehicles or parts thereof which are stored or parked on property outside of an enclosed building and which remain in such condition for a period of time in excess of 60 days.

2. One truck with a capacity of one ton or less or automobile which is inoperable may be stored in a side yard, except a side yard which faces on a street or a rear yard on property, for a period not to exceed two years; provided, that the automobile or truck is secured with the windows closed, the trunk and hood closed and the doors locked and is not damaged or exposing jagged metal and is fully covered and concealed with a covering maintained in a secure good condition which does not extend closer to the ground than the lowest point on the vehicle body.

C. Graffiti.

1. "Graffiti" is defined as the unauthorized painting, writing, drawing, application of stickers or logos or any material or otherwise marking of any property which defaces, detracts, or diminishes the value or reasonable appearance of the property.

2. Graffiti must be removed within seven days of the time by which it should reasonably have been discovered.

3. The officer may grant an extension of up to 14 days of time for the removal of graffiti for good cause shown.

D. Examination of Property for Compliance. The examination and investigation authorized by this section shall not include physical entry to private property in the city, unless probable cause exists to believe that a violation of this chapter is present. The officer of the city is authorized to make observations based on conditions in plain view from public property, from the property of a complaining witness, or from anywhere else where the officer is lawfully present and nothing in this section shall be construed to prevent the officer from entering on property to deliver a notice to the occupant of the property.

E. Penalties. Any person who violates the provisions of this section shall be subject to criminal and civil penalties as set forth in this section.

F. Violation – Penalties and Remedies.

1. Violation of any of the provisions of this section is punishable as a Class B misdemeanor upon conviction. In addition, the provisions of this section may also be enforced by injunctions, mandamus, abatement, civil penalties, or any other remedies provided by law.
2. Any one, all, or any combination of the penalties and remedies set forth in subsection (E)(1) of this section may be used to enforce the provisions of this section.
3. Each day that any violation continues after notification by the officer that such violation exists shall be considered a separate offense for purposes of penalties and remedies set forth in this section.
4. Accumulation of penalties for continuing violations, but not the obligation for payment of penalties already accrued, shall stop upon correction of the violation.

G. Violation – Persons Liable. Any person, corporation or other entity, whether as owner, occupant, agent or employee, who causes, permits or otherwise participates in any violation of the provisions of this section may be held responsible for the violation, suffer the penalties, and be subject to the remedies provided by law.

H. Violation – Notice and Order.

1. Upon inspection and discovery that any provision of this section is being violated, the officer shall provide a written notice of violation and order to the property owner and to any other party who may be responsible for the violation.
2. The written notice shall:
 - a. Indicate the nature of the violation;
 - b. Order the action necessary to correct the violation;
 - c. Give information regarding the established warning period for the violation; and
 - d. State the action the officer intends to take if the violation is not corrected within the warning period.
3. The written notice shall be delivered personally or mailed, postage prepaid, certified, return receipt requested, to the property owner, as shown on the records of the county recorder, and to any other person who may be responsible for the violation. "Receipt of notice" shall mean three days after the date written notice is delivered or mailed as provided herein.
4. The written notice shall serve to start any warning periods provided in this chapter, commencing upon receipt of notice. If the violation remains uncured within five days after the expiration of the warning period, a second notice of violation and order shall be delivered in the same manner as the first notice. The second notice shall serve to start the civil penalties.

5. In cases where the officer determines that a delay of enforcement would pose a danger to the public health, safety or welfare, or would otherwise compromise the effective enforcement of this section, the city attorney may seek immediate enforcement without prior written notice by instituting any appropriate remedies.

I. Civil Penalties.

1. Determination of Civil Penalties.

a. Civil penalties shall be assessed per violation per day at the rate established in the Eagle Mountain City consolidated fee schedule.

b. Civil penalties shall continue to accrue until the violation(s) has/have been brought into compliance with the city code or applicable state codes.

2. Modifications of Civil Penalties.

a. Upon completion of the notice of violation or administrative enforcement order, the administrative law judge may modify the civil penalties on a finding of good cause.

b. Civil penalties may be waived or modified by the administrative law judge if there is finding of good cause based on the responsible person's claim of nonconforming use or conditional use and:

i. The city's need to verify the claim; or

ii. The responsible person's filing of an application for either use before expiration of the date to correct.

3. Violation Appeal Procedure.

a. The council, as it determines, shall constitute an appellate panel to consider matters relating to the violation of this section or it may appoint a hearing officer to consider matters relating to the violation of this section.

b. Any person having received notice of such violation, or the owner of any affected property, may appear before the council or a hearing officer and present and contest such alleged violation of this section.

c. The burden to prove any defense specified in subsection (H)(3)(d) of this section shall be upon the person raising such defense.

d. If the council or a hearing officer finds that no violation occurred and/or a violation occurred but one or more of the defenses set forth in this subsection is applicable, the council or hearing officer

may dismiss the written notice of violation. Such defenses are:

- i. At the time of the receipt of the written notice of violation, compliance would have violated the criminal laws of the state of Utah.
 - ii. Compliance with the subject sections of this chapter would have presented an imminent and irreparable injury to persons or property.
- e. If the council or hearing officer finds that a violation of this section occurred and no applicable defense exists, the council or hearing officer may, in the interest of justice and on behalf of the city, enter into an agreement for the timely or periodic payment of the applicable penalty by the violator.
- f. No action by the council or hearing officer shall relieve the violator from complying with any of the provisions of this section. [Ord. O-52-2024 § 2 (Exh. A); Ord. O-18-2021 § 2 (Exh. A); Ord. O-15-2001 § 3; Ord. O-10-2001 § 3].

8.07.040 Construction trash or debris.

A. It shall be unlawful for every owner of property, building permit holder or lessee of a commercial or construction trash container to allow trash or debris to spill or be blown by the wind from the construction or other trash container and/or to cause litter to the property of others or to property of the public.

B. Examination of Property for Compliance. The officer is hereby authorized to make examination and investigation of all real property in the city to determine whether the owners of such property are complying with the provisions of this section.

C. Penalties. Any person who violates the provisions of this section shall be subject to criminal and civil penalties as set forth in this section.

D. Violation – Penalties and Remedies. Violation of any of the provisions of this section is punishable as a Class B misdemeanor upon conviction. In addition, the provisions of this section may also be enforced by injunctions, mandamus, abatement, civil penalties, or any other remedies provided by law.

1. Any one, all, or any combination of the penalties and remedies set forth in subsection D of this section may be used to enforce the provisions of this section.
2. Each day that any violation continues after notification by the officer that such violation exists shall be considered a separate offense for purposes of penalties and remedies set forth in this section.
3. Accumulation of penalties for continuing violations, but not the obligation for payment of penalties already accrued, shall stop upon correction of the violation.

E. Violation – Persons Liable. Any person, corporation or other entity, whether as owner, occupant, agent or employee, who causes, permits or otherwise participates in any violation of the provisions of this section may

be held responsible for the violation, suffer the penalties, and be subject to the remedies provided by law.

F. Violation – Notice and Order.

1. Upon inspection and discovery that any provision of this section is being violated, the officer shall provide a written notice of violation and order to the property owner and to any other party who may be responsible for the violation.
2. The written notice shall:
 - a. Indicate the nature of the violation;
 - b. Order the action necessary to correct the violation;
 - c. Give information regarding the established warning period for the violation; and
 - d. State the action the officer intends to take if the violation is not corrected within the warning period.
3. The written notice shall be delivered personally or mailed, postage prepaid, certified, return receipt requested, to the property owner, as shown on the records of the county recorder, and to any other person who may be responsible for the violation. "Receipt of notice" shall mean three days after the date written notice is delivered or mailed as provided herein.
4. The written notice shall serve to start any warning periods provided in this chapter, commencing upon receipt of notice. If the violation remains uncured within five days after the expiration of the warning period, a second notice of violation and order shall be delivered in the same manner as the first notice. The second notice shall serve to start the civil penalties.
5. In cases where the officer determines that a delay of enforcement would pose a danger to the public health, safety or welfare, or would otherwise compromise the effective enforcement of this section, the city attorney may seek immediate enforcement without prior written notice by instituting any appropriate remedies.

G. Civil Penalties.

1. Determination of Civil Penalties.
 - a. Civil penalties shall be assessed per violation per day at the rate established in the Eagle Mountain City consolidated fee schedule.
 - b. Civil penalties shall continue to accrue until the violation(s) has/have been brought into compliance with the city code or applicable state codes.

2. Modifications of Civil Penalties.

- a. Upon completion of the notice of violation or administrative enforcement order, the administrative law judge may modify the civil penalties on a finding of good cause.
- b. Civil penalties may be waived or modified by the administrative law judge if there is finding of good cause based on the responsible person's claim of nonconforming use or conditional use and:
 - i. The city's need to verify the claim; or
 - ii. The responsible person's filing of an application for either use before expiration of the date to correct.

3. Violation Appeal Procedure.

- a. The council, as it determines, shall constitute an appellate panel to consider matters relating to the violation of this section or it may appoint a hearing officer to consider matters relating to the violation of this section.
- b. Any person having received notice of such violation, or the owner of any affected property, may appear before the council or a hearing officer and present and contest such alleged violation of this section.
- c. The burden to prove any defense specified in subsection (G)(3)(d) of this section shall be upon the person raising such defense.
- d. If the council or a hearing officer finds that no violation occurred and/or a violation occurred but one or more of the defenses set forth in this subsection is applicable, the council or hearing officer may dismiss the written notice of violation. Such defenses are:
 - i. At the time of the receipt of the written notice of violation, compliance would have violated the criminal laws of the state of Utah.
 - ii. Compliance with the subject section of this chapter would have presented an imminent and irreparable injury to persons or property.
- e. If the council or hearing officer finds that a violation of this section occurred and no applicable defense exists, the council or hearing officer may, in the interest of justice and on behalf of the city, enter into an agreement for the timely or periodic payment of the applicable penalty by the violator.
- f. No action by the council or hearing officer shall relieve the violator from complying with any of the provisions of this section. [Ord. O-18-2021 § 2 (Exh. A); Ord. O-15-2001 § 4; Ord. O-10-2001 § 4].

The Eagle Mountain Municipal Code is current through Ordinance O-32-2025, passed July 15, 2025.

Disclaimer: The City Recorder's office has the official version of the Eagle Mountain Municipal Code. Users should contact the City Recorder's office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://eaglemountaincity.com/>

City Telephone: (801) 789-6610

Codification services provided by [General Code](#)