

Sunset City Corporation
City Council Minutes
October 21, 2025
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Minutes of a regular meeting held October 21, 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
Nakisha Rigley	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
Alyssa Rodriguez	Court Supervisor
Brendan Davis	Police Sergeant
Dalton Smuin	City Attorney (Electronically)

Others Present:

Katherine Hunter	Sunset
Marcia Hamblin	Sunset
Brenda Ewell	Sunset
Beverly Macfarlane	Sunset
Ronald Wilson	Sunset
Cornel Thomas	Sunset
Jerry Sunderland	Sunset
Martin Harder	Clinton
Ryan Perkins	Perkins Poll Law
Brandon Poll	Perkins Poll Law
Dalton Smuin	Daines and Jenkins
Nic Mills	South Ogden

The regular session was called to order at 6:34 p.m. by Mayor Wiggill.

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

APPROVAL OF VOUCHERS: \$42,203.00 to Young Auto and \$16,294.43 to Premier Installation for the 2026 Dodge Durango and the required equipment. Council Member Thompson asked what the budgeted amount was for the vehicle and whether the expense was within that amount. Chief Jamison confirmed that the purchase was within the budget which was \$120,000.

Council Member Smalling made a motion to approve the vouchers for Young Auto and Premier Installation for the 2026 Dodge Durango and equipment, and Council Member Rigley seconded the motion. The motion passed unanimously with Council Members Bartling, Carlson, Rigley, Smalling and Thompson voting yes.

APPROVAL OF MINUTES: Council Member Bartling stated he had reviewed the minutes and raised a concern with the Recorder Supp. He recommended tabling approval of the minutes to allow time for further review.

Council Member Bartling made a motion to table the meeting minutes from October 7, 2025 and Council Member Thompson seconded the motion. The motion passed unanimously with Council Members Bartling, Carlson, Rigley, Smalling and Thompson voting yes.

Public Comments: Martin Harder – owns commercial property at 269 W 1260 N, Martin Harder approached the podium and stated that he owned a commercial building located at 269 West 1260 North. He addressed the planned water shutoff scheduled for Thursday, noting that he had spoken with a representative from Matt Carter’s development about the possibility of rescheduling the shutoff to the following Monday, which was his day off and also the day off for another business in his building. This change, he explained, would minimize the impact on operations. He requested that the City support moving the shutoff to Monday. Mayor Wiggill thanked Mr. Harder for his comments.

Jerry Sunderland – 398 W 825 N – Mr. Sunderland stated that his family had lived on 825 North for 50 years and that he had attended a recent Planning Commission meeting regarding short-term rentals. He explained his interest in operating an owner-occupied short-term rental (Airbnb) from his home. He shared that he had maintained an Airbnb for nearly 10 years without incident, but recently was informed by the Sunset Police Chief that short-term rentals were not allowed within City limits. Mr. Sunderland described his efforts to gather information about why Sunset did not allow short-term rentals while surrounding cities did. He mentioned that he met with a City representative who explained that the neighboring cities simply had not been cited yet. He expressed frustration that he was unable to continue operating his Airbnb, particularly as he relied on it for income after retirement and while supporting his wife and her daughter. He urged the City to reconsider its position on short-term rentals. Mayor Wiggill thanked Mr. Sunderland for his comments.

Council Member Rigley made a motion to go into a Public Hearing and Council Member Thompson seconded the motion. The motion passed unanimously with Council Members Bartling, Carlson, Rigley, Smalling and Thompson voting yes.

PUBLIC HEARING: To Solicit Input from Sunset City Residents in regards to removing Strategy #4 from Section 4.6 of the Moderate-Income Housing Element of the General Plan – Amend land use regulations to allow for single room occupancy.

Recorder Supp explained that the Planning Commission had been working extensively on the Moderate-Income Housing Plan. While they initially selected the single-room occupancy strategy as an additional option to explore, they ultimately determined it was not a viable fit for the City. The commission therefore recommended removing it from the general plan. Council

Member Thompson asked whether the removal would apply to both long-term and short-term occupancy. Recorder Supp confirmed that it would apply to both.

There were no public comments.

Council Member Smalling made a motion to go out of the Public Hearing and Council Member Bartling seconded the motion. The motion passed unanimously with Council Members Bartling, Carlson, Rigley, Smalling and Thompson voting yes.

Regular Meeting

1. **Discuss and Approve Resolution 2025-18 Amending the Moderate-Income Housing Element of the General Plan:** Council Member Thompson asked if the Planning Commission would consider bringing it back in the future. Recorder Supp clarified that the Planning Commission had struggled with aspects of the allowing the single room occupancy, including questions about a potential transient room tax. She noted that while the concept could be revisited in the future, for now the commission wished to remove it.

Council Member Bartling made a motion to approve removing the extra element in the General Plan and Council Member Smalling seconded the motion. The motion passed with a roll call vote with Council Members Bartling, Carlson, Rigley and Smalling voting yes, Council Member Thompson voting no.

2. **Discuss Road Vacate of 175 West with Curtis Carlson for Church of Jesus Christ of Latter-Day Saints Located at 975 North 220 West:** Recorder Supp informed the Council she received an email asking for this item to be tabled until further notice.

Council Member Carlson made a motion to table item #2 and Council Member Smalling seconded the motion. The motion passed unanimously with Council Members Bartling, Carlson, Rigley, Smalling and Thompson voting yes.

3. **Updates from the UDOT Municipal Coordination Team on the 1800 North Project with Beverly Macfarlane:** Beverly Macfarlane explained that she served as the Sunset City resident representative on the UDOT 1800 North coordination team, which also included members from Davis School District, MIDA, local employers such as Charlie's, Clinton City, and contractors involved in the project. The team's purpose was to collect and address public concerns related to the 1800 North construction.

She shared that early in the process, she had raised concerns about Sunset City's water connections, which were later verified by the project's water engineers. She emphasized the importance of ongoing communication between the project team and Sunset residents.

Ms. Macfarlane praised the construction crews, particularly those managing traffic barrels, for their efficient work. She reported that the main complaint received thus far involved the installation of above-ground broadband boxes along the south side of the road, which residents had not expected.

She also shared positive news that MIDA planned future commercial development on the east side of the freeway, potentially increasing Sunset's business tax base.

Ms. Macfarlane highlighted safety efforts for children near the construction area, noting that UDOT had implemented safety training at elementary schools to teach students about

construction hazards. She expressed concern about junior high students' tendency to disregard crosswalk rules and urged continued education efforts.

She encouraged Council members to gather feedback from residents about the project so she could report it back to UDOT. Council Member Thompson asked for a list of the coordination team members, and Ms. Macfarlane agreed to provide it.

Council Member Smalling recalled that when UDOT previously met with the Council, members had expressed strong support for an overpass or safety measure for students crossing 1800 North, but UDOT determined it was unnecessary based on their studies. Council Member Smalling noted that despite assurances, the project had caused more impact on side streets than anticipated. Council Member Carlson also noted that the Council had discussed similar safety concerns several years ago. Ms. Macfarlane acknowledged their comments and reaffirmed her commitment to advocating for the City's interests with UDOT.

Mayor Wiggill thanked Ms. Macfarlane for her continued involvement and dedication. Mayor Wiggill noted that the fire chief had also been monitoring the project closely and that no significant incidents had been reported so far. Ms. Macfarlane thanked Mayor Wiggill and reiterated that she would continue to communicate any concerns to UDOT.

Council watched a short video of some of the training that went on in the elementary schools.

4. **Discuss and Approve Development Agreement for Ascend Development Based on Changes from 10/20/2025:** Next, Mayor Wiggill discussed the previous evening's special meeting, where the Council had reviewed and discussed the development agreement for the Ascend development. Mayor Wiggill asked if there were any remaining questions or comments.

Council Member Thompson stated for the record she did not agree with the decision made during that meeting. Mayor Wiggill acknowledged the comment and called for a motion regarding the development agreement.

Council Member Carlson made a motion to approve the agreement. Before proceeding, Council Member Smalling asked whether Recorder Supp had everything needed to document the changes discussed at the special meeting. Recorder Supp confirmed that all updates had been made and distributed. The motion died due to lack of a second.

The discussion continued with Council Member Rigley asking for clarification about what specific changes had been made to the document as she was not present at the meeting the day before.

Council Member Thompson explained that the timeline changes had been refused. She stated that the developer originally asked for seven years and later reduced the request to five years, which would still amount to seven years total, effectively extending the project to nine years since it had already started three years prior. Council Member Thompson expressed frustration that a single 57-unit building project would take nine years to complete within the City. Council Member Rigley agreed, describing the

situation as “ludicrous” and noting that this concern had also been expressed in her email correspondence.

Council Member Thompson added that Mayor Wiggill had to break the tie on which term year to add to the agreement because two Council members had voted in favor and two had voted against.

Mayor Wiggill asked if there were any additional questions or concerns and then called for a motion.

Council Member Carlson made a motion to approve the Ascend Development Agreement and Council Member Smalling seconded the motion. The motion did not pass, with Council Members Bartling, Rigley and Thompson voting no and Council Members Carlson and Smalling voting yes.

Mayor Wiggill remarked that he was surprised by the outcome and stated that the item would need to be revisited at another time. Mayor Wiggill added that he had hoped the development agreement issues would have been resolved to everyone’s satisfaction during the prior meeting, as the Council had participated in the discussion.

Council Member Rigley asked to make a comment and apologized for not attending the previous meeting due to severe illness related to pregnancy. She stated that despite being unwell, she had reviewed every line of the agreement and submitted her concerns in writing, so her vote should not have been a surprise to anyone.

Mayor Wiggill acknowledged that the vote had been taken and recorded, reiterating that the Council had gone line by line through the issues, with the only adjustment being to the project timeline. Council Member Rigley confirmed that the timeline had been one of her major concerns. Mayor Wiggill agreed.

Council Member Thompson then commented that there should be no surprise at the outcome, since both she and Council Member Bartling had voted against the item the night before, and that Council Member Rigley had sent concerns via email in advance of the meeting.

Mayor Wiggill concluded the discussion, stating that the vote had been finalized and that the Council would move forward.

5. **Conduct Interviews for City Attorney in Order of Received:** Mayor Wiggill then announced that the Council would begin interviews for the City attorney position. The interviews would be conducted in the order applications were received. Each candidate would be asked a set of prepared questions, followed by potential questions from the Council Members.

The first interview was with Nicholas “Nic” Clyde Mills. Mayor Wiggill invited Mr. Mills to step forward and explained that the questions had not been provided in advance. Mayor Wiggill then asked Mr. Mills to tell the Council about himself, his experience, and why he was interested in working with the City.

Mr. Mills stated that he did not have a firm but was currently serving as the Kaysville City Attorney in a full-time, in-house capacity. He explained that he handled both civil work and prosecution duties there. He noted that Kaysville had recently approved an

assistant City attorney position, which he had previously managed alone for seven years. Before working in Kaysville, he had been an assistant City attorney for Layton City and began his career as a prosecutor for Salt Lake City. He held a bachelor's and master's degree in criminal justice from Weber State University and a law degree from the University of Utah. Mr. Mills emphasized his strong interest in municipal and local government work and said that passion was what drew him to the position with Sunset City.

Mayor Wiggill asked Mr. Mills how he would balance controlling costs for the City while ensuring quality legal advice, and how he would handle staff inquiries.

Mr. Mills responded that he preferred to work under a flat-fee arrangement. He explained that he was the only attorney in his practice but would contract with a few associates when workload demands increased. He stated that he provided staff with his personal cell phone number and encouraged them to contact him freely without worrying about billable time, emphasizing the value of accessibility.

Mayor Wiggill then asked how much time Mr. Mills could devote to Sunset City given his other professional commitments.

Mr. Mills estimated that he could dedicate 10 to 15 hours per week outside of courtroom time, noting that court appearances would not count toward that total.

Mayor Wiggill next asked if Mr. Mills had been convicted of any criminal offenses within the past five years, excluding minor traffic violations.

Following that, Mayor Wiggill asked about Mr. Mills' availability to City officials, explaining that the City attorney reports to the City Council but is expected to work cooperatively with the City Recorder and Department Heads.

Mr. Mills explained that he would prioritize requests based on urgency, addressing critical matters immediately and others after appropriate consideration. He said that effective triage depended on building good relationships with City staff and maintaining an occasional in-person presence at City offices.

Mayor Wiggill then presented a scenario in which the City Council wanted to take an action that would not be allowed under the U.S. Constitution and asked how Mr. Mills would respond.

Mr. Mills replied that his role would be to provide legal advice while policy decisions remained the Council's responsibility. He said that, when possible, he preferred to offer such counsel privately rather than during open meetings, although he had advised Councils publicly when necessary. He emphasized the importance of having a good working relationship with the Council so that potential issues could be discussed early, often allowing for lawful alternatives to achieve the City's goals. Ultimately, he said, if the Council chose to proceed against his advice, that would be their prerogative.

Mayor Wiggill asked about Mr. Mills' experience with land use issues, noting his significance in City business.

Mr. Mills stated that he had over 12 years of experience in land use matters. He had served as a liaison to the Planning Commission while at Layton City and handled annexation and development agreements, zoning issues, and litigation in both Layton and Kaysville. He also served as a land use hearing officer for Syracuse City, adjudicating variances and appeals.

Mayor Wiggill moved on to prosecution-related questions and asked Mr. Mills how he felt about prosecuting domestic violence and abuse cases.

Mr. Mills described such cases as difficult but rewarding, explaining that he had worked as a misdemeanor prosecutor for his entire career. He noted that domestic violence cases were among the most important and complex matters in the misdemeanor system.

Mayor Wiggill asked whether Mr. Mills believed prosecutors should be “tough on crime.”

Mr. Mills said yes, but added that it was more important to be “smart on crime,” focusing resources on repeat offenders. He said that most misdemeanor defendants were good people who had made bad decisions and that his approach would be firm but fair.

Mayor Wiggill then asked about Mr. Mills’ process for handling traffic and ordinance violations and how seriously he regarded them.

Mr. Mills said he took traffic matters seriously and that they made up the majority of his caseload. He had tried approximately 195 bench trials, most involving traffic cases. He emphasized the importance of professionalism and fairness, especially because traffic cases were often the public’s first exposure to the justice system.

Mayor Wiggill presented a question regarding the City’s fines for weeds, junk, and abandoned vehicles, asking Mr. Mills how he felt about prosecuting such cases based on the City’s fine schedule.

Mr. Mills responded that such cases were important because they directly affected residents’ quality of life. He said that while the City’s fine schedule seemed reasonable and standard, he preferred to address the root causes of code violations—often linked to health or personal challenges—rather than simply issuing repeated fines.

Mayor Wiggill clarified that the next question applied only to firms offering both City attorney and prosecution services, asking whether Mr. Mills would be interested in providing both. Mr. Mills said he was primarily interested in prosecution work but was open to providing both services if needed. Mayor Wiggill asked whether he would be willing to provide only one of the two services if requested. Mr. Mills confirmed that he would and reiterated his preference for prosecution, though he had substantial experience in civil matters as well.

Mayor Wiggill invited Mr. Mills to share any additional information or ask questions of the Council.

Mr. Mills said he appreciated the opportunity to interview and had reviewed the City’s caseload, noting approximately 2,500 prosecutions in the past year, most of which were traffic-related. He mentioned his familiarity with the Kaysville Police Department’s

leadership and expressed enthusiasm for the role. Mayor Wiggill thanked Mr. Mills for his time and participation.

Mayor Wiggill then moved on to the next interview with Daines & Jenkins. Dalton Smuin stepped forward on behalf of the firm, Mayor Wiggill began the same set of questions.

Mr. Smuin introduced himself and explained that his firm, Danies & Jenkins, had represented Sunset City for approximately seven years. He noted that the City's primary attorney from their firm had recently become a justice court judge and had encouraged him to continue serving the City. Mr. Smuin shared that he lived in Cache County with his family and had two young children. His firm specialized in municipal law, providing both civil and prosecution services. He listed his experience representing several northern Utah cities in both capacities, including Tremonton, River Heights, Hyrum, North Logan, and Park City.

Mayor Wiggill asked how Mr. Smuin would balance costs while ensuring quality legal advice.

Mr. Smuin explained that his firm maintained dedicated staff for both criminal and civil divisions, allowing work to be efficiently delegated and managed under attorney supervision.

Mayor Wiggill asked who would handle staff inquiries and whether there was another attorney to back him up.

Mr. Smuin said he would serve as the primary contact, with attorney Jonathan Jenkins as his backup. He emphasized that City staff could contact him directly by cell phone without going through office screening, adding that he maintained open communication with City personnel, including the City Recorder.

When asked about his availability, Mr. Smuin said that his private practice schedule was flexible and that he could dedicate approximately 10 to 15 hours per week to Sunset City. He described his availability as broad, noting that he could typically respond to calls or messages quickly except when in court.

Mayor Wiggill proceeded with additional questions regarding his background, availability, and response approach. Mr. Smuin confirmed his accessibility to the City recorder, Department Heads, and other officials, stating that they could reach him directly as needed.

Mayor Wiggill then presented the same hypothetical scenario regarding a Council proposal that would violate the U.S. Constitution and asked how he would advise the Council.

Mr. Smuin explained that when becoming an attorney, an oath was taken to uphold and defend the Constitution. He stated that while his allegiance to the City and Council was strong, his first duty as an attorney was to the Constitution. Mr. Smuin advised that the City should not take the proposed action, but if the City ultimately decided to do so, he would still represent the City's interests. However, Mr. Smuin strongly urged against proceeding with the action.

Mayor Wiggill asked about Mr. Smuin's experience handling appeals and other land use issues, noting that such matters had been and would continue to be a consistent part of City business.

Mr. Smuin shared that he had been involved in land use appeals within City appeal systems, as well as in cases before the Property Ombudsman and in district court litigation involving land use issues in various cities within Cache County. Mr. Smuin noted that Sunset City had not had such a case during their tenure but explained that he had litigated similar matters both in district court and before the Property Ombudsman.

Mayor Wiggill then transitioned to questions about prosecuting services and asked how Mr. Smuin felt about prosecuting domestic violence and abuse cases.

Mr. Smuin referenced earlier remarks about serving as Tremonton City Attorney, explaining that about a month and a half prior, two police officers had been killed in the line of duty while responding to a domestic violence call. This tragedy, he said, reinforced the importance of prosecuting domestic violence cases. He acknowledged that these were difficult cases, as victims were often uncooperative or sought to minimize the incident. Each case, they said, must be approached individually. Even when victims were uncooperative, Mr. Smuin often proceeded with prosecution, recognizing that convictions could be difficult but emphasizing the importance due to the serious federal consequences that could result from failing to prosecute domestic violence offenses.

Mayor Wiggill then asked about Smuin's approach to prosecuting traffic and City ordinance violations and the seriousness of such cases.

Mr. Smuin explained that traffic cases and ordinance violations were viewed separately. For traffic offenses, he reviewed the individual's driving record. Because nearly everyone speeds at some point, first-time offenders typically received a "plea abeyance" — they paid a fine, but the offense did not affect their record long-term. Repeated violations, however, were handled with increasing severity. Mr. Smuin noted that while traffic offenses might seem minor, they could have serious consequences, such as DUIs that, though classified as misdemeanors if no one was injured, remained significant.

Regarding ordinance prosecutions, Mr. Smuin said the primary goal was compliance rather than punishment. The focus was on encouraging residents to clean up their properties or cease unapproved activities, such as renting out single bedrooms. Mr. Smuin cited a recent trial where the City sought compliance from a property owner engaged in such rentals. While the goal was voluntary compliance, he explained that prosecution was necessary when residents refused to cooperate.

Mayor Wiggill then asked about prosecuting abandoned vehicle cases, noting the City's fine schedule that increased from \$50 for a first conviction to \$1,000 for a fifth.

Mr. Smuin said that a predetermined monetary fine schedule was the fairest method for enforcement, noting that the state used a similar system. He felt such consistency was appropriate and ensured fairness, while the final decision on fines or penalties rested with the judge. Mr. Smuin commended Judge Brower for being fair and consistent in sentencing.

Mayor Wiggill then asked whether Daines and Jenkins firm would consider providing only one of the two services — City attorney or prosecuting — if requested.

Mr. Smuin responded that the current proposal was a package deal as submitted, but the firm would consider a modified arrangement if the City proposed one.

When asked if he had any additional information to share, Mr. Smuin said he appreciated the opportunity to speak. He recalled having assisted Sunset City years earlier while working as a paralegal at the same firm before attending law school. Since then, he had worked with the City on both criminal and civil matters and expressed gratitude for the opportunity to continue serving.

Mayor Wiggill thanked Mr. Smuin for participating and invited the next group, the Perkins & Poll prosecution team, to present.

Mr. Perkins began by introducing himself and Mr. Brandon Poll, noting that they had worked together for many years. Mr. Perkins said they were always seeking meaningful opportunities to serve and that working in Judge Brower's court was particularly appealing due to past professional connections. Mr. Perkins clarified that their firm was not interested in City attorney work, despite listing it as an option in the proposal, and emphasized that their focus was on prosecution. Together, they brought over fifty years of combined experience, having worked for multiple cities, and both held primary positions with the Davis County Attorney's Office — a background Mr. Perkins said brought valuable benefits to their work.

When asked about controlling legal costs while maintaining quality service, Mr. Perkins explained that the City would be working directly with them, supported only by a clerical secretary, ensuring no unnecessary staffing costs. He emphasized that they valued direct communication and accessibility, noting that City officials would have their personal contact information. They preferred a low-maintenance approach — handling legal issues quietly and efficiently so City officials would not need to worry about problems arising from court or prosecution operations.

Mayor Wiggill then asked who would respond to City staff inquiries and how workload would be managed.

Mr. Perkins explained that he and Mr. Poll were nearly interchangeable in their prosecution work due to their long partnership and shared experience. Either one could respond promptly to questions. He mentioned that the City's Police Chief already had their contact information and that Mr. Poll had recently communicated with the court staff in preparation for covering court duties.

Regarding time commitment, Mr. Perkins said they had a realistic understanding of the City's needs. He agreed with earlier assessments from other applicants about the workload and explained that their firm would not handle civil matters.

Mayor Wiggill then asked about their availability and response time to City officials should issues arise.

Mr. Perkins replied that response times would depend on urgency, but they always addressed important matters promptly. He said that their extensive experience meant they often did not need additional research and could provide quick, informed responses.

When asked how they would handle a situation where the Council proposed an action that violated the U.S. Constitution, Mr. Perkins said the answer was straightforward: he would never advise or permit an unconstitutional action. He emphasized his commitment to uphold both the U.S. and Utah State Constitutions, as required by his oaths and as citizens.

Mayor Wiggill asked about their experience with land use appeals and other related issues, and then followed with a question on prosecuting domestic violence and abuse cases.

Mr. Perkins said one major advantage of their firm was their experience at the county level, where they had authority to decide whether to file cases as Class A misdemeanors or felonies in district court. He explained that their experience reduced the need for multiple trials, sparing victims from testifying twice, and emphasized their comfort and experience with jury trials at the district court level.

On the question of being tough on crime, Mr. Perkins said that while toughness was important in serious cases — such as domestic violence, DUIs, child abuse, or animal cruelty — they were mindful that prosecution often involved their own community members. He aimed to balance firmness with fairness, quoting the philosophy of being “nice until you’re not.”

When asked about prosecuting traffic and City ordinance violations, Mr. Perkins said their extensive experience gave them perspective to distinguish between serious and minor cases. He sought outcomes that encouraged compliance without unnecessary hardship, ensuring justice while maintaining efficiency.

Regarding ordinance violations, such as weeds, junk, and abandoned vehicles, Mr. Perkins said the City’s fine schedule was reasonable and consistent with other courts. He stressed that compliance was the primary goal and that fairness was essential since these cases involved neighbors and residents. He wanted penalties to encourage cooperation while maintaining community trust and the court’s legitimacy.

Mayor Wiggill thanked the Perkins & Poll team for their time and invited any further questions from the Council.

6. **Mosquito Abatement District – Davis Proposed Tax Increase:** Council Member Smalling explained that the mosquito abatement program had outgrown its current building and that Davis County’s growth required expanded resources. The proposed tax increase was intended to fund improvements for pesticide storage, laboratory space, and employee facilities.

Council Member Smalling described the inadequacies of the current 27-year-old building, noting that it lacked sufficient space for safe chemical handling and modern equipment use. She detailed the increased need for mosquito control due to population

growth, expanded subdivisions, and rising West Nile virus cases — including two deaths in Davis county during the previous season.

She explained that new mosquito control products were more effective but significantly more expensive, with costs rising from \$75 to \$295 per gallon. She also described new drone technology being implemented for spraying operations and the need for appropriate storage and handling facilities to support this equipment.

Council Member Smalling discussed plans for laboratory upgrades to enhance surveillance and disease testing, as well as expansions to locker rooms and office spaces for the growing number of seasonal and full-time employees. The project, she said, would modernize operations while remaining on the same site footprint.

The proposed tax rate increase would move from 0.000093 to 0.000117, meaning that the average Davis County homeowner, with a \$600,000 property value, would see an annual increase of approximately \$7.92.

Council Member Smalling acknowledged discomfort with proposing any tax increase but stressed the importance of maintaining effective mosquito control for public health and employee safety. She noted that a public hearing on the proposal would be held on December 11th, with options for in-person or electronic attendance, and encouraged residents to participate and voice their opinions. She concluded by providing location details for the Mosquito Abatement District office and reiterated appreciation for the program's service to the community.

Council Member Thompson asked if the Truth in Taxation meeting would be held on the 11th at 6:30pm. Council Member Bartling clarified that the meeting would begin at 7:00 p.m., and Council Member Smalling noted that parking at that location was limited. Council Member Bartling added that the address was 85 North 600 West. Council Member Smalling commented that crossing the road there could be difficult, agreeing that the location posed some challenges.

7. **Mayor, Council and Department Head Reports:** Council Member Carlson reported that there had not been a North Davis Fire District meeting recently. He shared that he and Mayor Wiggill had attended an open house for a firefighter, Harold Weeks, who retired after 36 years with the department. Council Member Carlson said it was a pleasure to celebrate and visit with members of the department.

Council Member Thompson shared updates on senior citizen activities, explaining that October events were wrapping up but that each day of the coming week would feature a different activity, culminating on Friday with a "Monster Bash." The event would include a costume contest, games, food, and other fun activities. Council Member Thompson also noted that the Senior Expo would take place the following day, with buses provided for transportation. Unfortunately, due to funding cuts, two support groups — for Alzheimer's and Parkinson's — had been reduced to one meeting per month each, and one dance class had been canceled. However, new multicultural dance and enhanced fitness classes had been added on Mondays and Thursdays. She encouraged anyone interested to join.

Council Member Smalling stated that most of her items had already been discussed but wanted to provide additional clarification about the Mosquito Abatements proposed rate increase — explaining that it rose from \$30.69 to \$38.61 per year, an increase of \$7.92 annually or about \$0.66 per month. She said it was helpful for residents to understand how that broke down. Council Member Smalling then expressed excitement about upcoming veterans' activities, announcing that the Veterans Day program would be held on November 15th at 10:00 a.m. in the morning. The theme would be the Vietnam War, marking its 50th anniversary. A groundbreaking ceremony for the new Agent Orange Memorial would also take place that day at 11:30 a.m. Council Member Smalling shared enthusiasm about the project, noting that she had secured a speaker and was finalizing details. She said that honoring veterans was one of her favorite parts of serving on the Council.

Council Member Carlson then added an additional comment, saying he had forgotten to mention earlier his disappointment about the development agreement discussed that evening. Council Member Carlson explained that during the prior meeting with the City attorney, they had reviewed the agreement line by line and originally settled on a four-year term as a fair compromise between the City's initial two-year proposal and Mr. Cook's seven-year request. The City attorney, had recommended three to five years, and he believed the compromise was appropriate.

Council Member Rigley stated she stood by her decision regarding the agreement. She explained she had reviewed the document several times to ensure her concerns were clear, even though she could not attend the meeting in person. Council Member Rigley said her primary issue was the timeline and that she felt many of the Council's concerns were not addressed. Council Member Rigley expressed frustration that the developer resisted including language requiring compliance with federal and state laws, calling that stance "outrageous." She said she did not feel the outcome represented a true compromise but appreciated the effort of those who attended.

Council Member Rigley then reported that she was still working on forming a Youth Council, noting that while several individuals had expressed interest, none had yet completed the application form. She planned to continue outreach efforts. Council Member Rigley also mentioned excitement for the City's "Trunk or Treat" event scheduled for October 24th from 6:00p.m. to 8:00 p.m. in the City hall parking lot. She expected it to be a fun event for families.

Council Member Bartling said he had been contacted by two residents about properties in poor condition. One property, located on 2300 North just north of the elementary school, had significant weed problems. Another property nearby had clutter and even a forklift parked in the yard. Council Member Bartling explained that one of the homes was a rental and the other was owner-occupied. The landlord of the rental property expressed frustration that code enforcement notices were placed only on the door, and she was unaware of violations until later. He suggested the City consider a way to notify landlords directly when code violations occur at their properties.

Director Monroe asked permission from Mayor Wiggill to contact the developer early the next morning regarding the unpassed agreement, hoping to prevent the developer from

coming to City offices upset and taking it out on staff. Director Monroe emphasized the importance of protecting employees. Council Member Rigley responded that if harassment occurred, the police should be called. Director Monroe agreed and clarified his goal was to prevent any escalation.

Director Monroe then updated the Council on several projects. At the 1800 North construction site, contamination had entered a water line within a park area. The situation was isolated, and crews were testing, chlorinating, and flushing the lines. Residents might notice a large amount of water being discharged as part of the process. Director Monroe reported improvements at Veterans Park, where bark around the water feature was being replaced with decorative rock to improve the park's appearance before the upcoming groundbreaking ceremony. Public Works was managing these projects despite limited staff, with a new employee starting the following week.

Council Member Bartling asked for an update on the City's road and sidewalk evaluations. Director Monroe said sidewalk assessments were about 50% complete and that the contractor would soon deliver a detailed report with recommendations. The City would then prioritize repairs based on the budget. He added that the road and signage survey was completed and available in the City's maintenance software, noting that while the results were concerning, he would help guide future budget planning.

Chief Jamison said he would review the addresses Council Member Bartling mentioned earlier and look into any related issues. He congratulated those running for office, noting that the next meeting would reveal the election results. Chief Jamison expressed appreciation for all the City prosecutors who had worked with the department over the years, saying they were all capable and dedicated.

Council Member Rigley then asked Chief Jamison whether it would be considered harassment if the developer came into City hall and yelled at staff. Chief Jamison said that while the situation would depend on specific behavior, he would be prepared to address it if it occurred. Council Member Rigley reiterated that staff's safety was a priority and that such conduct would be unacceptable. Director Monroe agreed, emphasizing they were simply trying to prevent issues before they occurred.

Mayor Wiggill then asked if Recorder Supp had any updates. She advised she did not at this time.

Mayor Wiggill reported that new custom-made picnic tables had been delivered and installed at the Veterans Park, funded through the prior year's budget. The tables looked great and were a welcome addition. He thanked Public Works for their efforts.

Mayor Wiggill added several updates, including cleanup efforts for fall, ongoing construction on 1800 North, and improvements at Sunset Elementary School. He encouraged residents to keep gutters clear of debris to prevent drainage problems. Mayor Wiggill also praised Public Works for their work at Veterans Park and expressed appreciation for the retiring firefighter, Battalion Chief Harold Weeks, for his many years of service. Mayor Wiggill invited residents to the upcoming City "Candy Crawl" event and noted that while discussions with the developer had been challenging, communication remained open and respectful.

8. Council Member Smalling made a motion to take a short break and then move into a Work Session and Council Member Bartling seconded the motion. The motion passed unanimously with Council Members Bartling, Carlson, Rigley, Smalling and Thompson voting yes.

Work Session (8:44pm)

1. **Discuss Attorney Interviews:** The Council had some additional questions to ask the candidates for attorney services. Mayor Wiggill explained that each candidate would be asked the same questions.

Council Member Thompson questioned Mr. Mills first, confirming that his RFP focused primarily on criminal prosecution. Mr. Mills replied that criminal work was his main interest but that he would be willing to do both civil and criminal work if needed.

Council Member Thompson then asked the same question of Mr. Smuin, who explained that his proposal covered both criminal and civil services. His bid listed \$6,250 for prosecutorial work and \$190 per hour for civil services. He said if he were awarded only one area, he would adjust accordingly, noting his civil rate might differ slightly.

The same question was posed to Mr. Perkins and his partner, who indicated they were open to providing both services or just one, depending on what the City decided. They later clarified that their interest was primarily in prosecution.

Additional questions were asked regarding preferred contract length and reasons why the City might or might not choose each candidate. Mr. Mills said he prefers a one-year contract and the City might choose another firm for reasons of continuity or experience but felt each applicant brought strong qualifications. Mr. Smuin expressed enthusiasm for working with the City and said a one-year contract was also his preferred time. He shared he was young and willing to serve the City for a long time. Mr. Perkins expressed they wanted to serve as long as the City found the partnership beneficial. If the City wants someone experience, they, were it.

After the additional questions, the Council briefly recessed to deliberate.

Council Member Smalling expressed gratitude and shared this is a big decision for the Council to make. Council Member Bartling thanked all four applicants for their interest in serving the City.

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

Regular Meeting

9. **Discuss and Award Request for Proposal for Attorney Services:** Council Member Thompson then announced the Council's decision: to award the civil legal services contract to Dalton Smuin with Daines and Jenkins, and the prosecutorial services contract to Perkins and Poll. Both firms accepted.

Mayor Wiggill thanked all participants and noted that staff would coordinate next steps, including final contract details.

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Council Member Thompson made a motion to award the attorney services request for proposals and Council Member Carlson seconded the motion. The motion passed unanimously with a roll call vote from Council Members Bartling, Carlson, Rigley, Smalling and Thompson voting yes.

The Regular meeting adjourned at 8:59 p.m.

Approved – November 18, 2025

Scott Wiggill, Mayor

Nicole Supp, Recorder