

**Sunset City Corporation**  
**City Council Minutes**  
**March 19, 2019**  
**Page 1 of 8**

1 Minutes of a regular meeting held March 19, 2019 at Sunset City Hall, 200 West 1300 North,  
2 Sunset, Utah; Mayor Pro-Tem Carlson.

3

4 **REGULAR SESSION**

5 **Mayor and Council Present:**

6 D. Howard Madsen	Mayor
7 Chad Bangerter (arrived at 6:50 pm)	Council Member
8 Norm Noyes	Council Member
9 Nancy Greco Smalling	Council Member
10 Scott Wiggill	Council Member

11

12 **City Employees Present:**

13 Susan R. Hale	Recorder
14 Linda J. Youngdell	Treasurer/Office Manager
15 Ken Eborn	Police Chief
16 Jason Monroe	Public Works Director

17

18 **Excused:**

19 Ricky Carlson	Council Member
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20

21 **Others Present:**

22 Jesse Terry	West Vet
23 Garrett Schroder	Circle Inn
24 Hanna Griffith	Youth City Mayor
25 Nathan Alvey	Wanema Butcher
26 Beverly Macfarlane	Shane Garritson

27

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

29

30 Mayor Madsen gave the invocation and led the Pledge of Allegiance.

31

32 **Approval of Minutes:** Council Member Wiggill made a motion to approve the minutes of  
33 February 12, 2019 and February 19, 2019 as written. Council Member Noyes seconded the  
34 motion. The motion passed unanimously with Council Members Noyes, Smalling and Wiggill  
35 voting yes.

36

37 **Approval of Vouchers:** Council Member Noyes made a motion to approve the voucher for  
38 CEC Engineering in the amount of \$16,966.90. Council Member Smalling seconded the motion.  
39 The motion passed unanimously with Council Members Noyes, Smalling and Wiggill voting yes.

40

41 **Public Comments:** Youth City Mayor Griffith mentioned the Youth Council attended the  
42 Youth Leadership Conference at Utah State University and it was a great learning experience.  
43 They talked about how to look at things with a new perspective. They set some goals on  
44 improving themselves and helping people in the community. She showed the Council their new  
45 Youth Council polo shirts.

- 1  
2 **1. Conditional use request from West Vet-Leading Specialty Healthcare for Pets located**  
3 **at 2465 N. Main, Suites 12A, B, 13A and 13B to open a large specialty and emergency**  
4 **veterinary hospital:** Jesse Terry, Veterinary Surgeon and Medical Director of West Vet,  
5 requested the same conditional use they have at their current location when they move the  
6 business into a bigger area of the same building. They appeared before the Planning  
7 Commission on March 13, 2019. Planning Chair Ellsworth stated they plan to remodel the  
8 new area and everything sounded good to them.  
9

10 In answer to Council Member Noyes' questions, Dr. Terry said the business on the corner of  
11 the building they are relocating to is a Lego store and they may take his corner as well when  
12 his lease is up if he chooses to move into where the Veterinary Hospital is currently.  
13

14 Council Member Wiggill brought up that Dr. Terry had approached the Council on  
15 temporarily using a semi trailer to house a pet computer tomography scanner, but the Council  
16 denied that. Dr. Terry stated this move and remodel replaces that idea and they will have  
17 room to install the pet CT scanner.  
18

19 In answer to Council Member Smalling's question, Dr. Terry said West Vet will only be a  
20 24-hour emergency care and specialty care to include specialty surgery, cardiology and  
21 radiology.  
22

23 Council Member Noyes made a motion to approve the conditional use request from West Vet  
24 to be located in Units 12A, B, 13A and 13B of 2465 N. Main. Council Member Wiggill  
25 seconded the motion. The motion passed unanimously with Council Members Noyes,  
26 Smalling and Wiggill voting yes.  
27

- 28 **2. Presentation of and schedule a public hearing date for a request to rezone the property**  
29 **located at 482 West 2300 North from R-1 Residential Single-Family to R-3 Residential**  
30 **Multi-Family:** Nathan Alvey said they would like to tear down the old house and out  
31 building that is on the property and replace is with a tri-plex. They would like them to be  
32 three individually owned condominiums. They need the property rezoned to R-3 to  
33 accomplish that. Planning Chair Ellsworth advised the Planning Commission is in support of  
34 the project because it would clean up the corner and it is in line with their vision of  
35 redeveloping the City.  
36

37 Council Member Noyes commented one of the residents that attended the Planning  
38 Commission meeting told him all the residents he has talked to in the area are in favor of it.  
39 When the setbacks were mentioned, Mr. Alvey said the building would be 20 feet back from  
40 the south side and 30 feet back from the east side, so it would afford more visibility for  
41 traffic on that corner.  
42

43 Council Member Noyes made a motion to schedule a public hearing on April 2, 2019 to  
44 gather public input on rezoning the property from R-1 to R-3. Council Member Smalling

1 seconded the motion. The motion passed unanimously with Council Members Noyes,  
2 Smalling and Wiggill voting yes.  
3

4 **3. Presentation of and set a public hearing date for a request to rezone the property**  
5 **located at 2059 North Main from C-2 Commercial to BMU Boulevard Mixed Use:**

6 Joseph Cook advised this parcel is the third of the three he is combining to build their  
7 proposed development. This parcel wasn't purchased yet when the other two were rezoned  
8 to BMU, so he would like it rezoned so he can continue with their development. Planning  
9 Chair Ellsworth said the Commissioners are in support of the rezone, so the property is  
10 brought in line with the other two.  
11

12 Mayor Madsen recognized Council Member Bangerter had arrived at the meeting.  
13

14 Council Member Wiggill made a motion to schedule a public hearing on April 2, 2019 to  
15 gather public input on rezoning the property from C-2 to BMU. Council Member Noyes  
16 seconded the motion. The motion passed unanimously with Council Members Bangerter,  
17 Noyes, Smalling and Wiggill voting yes.  
18

19 **4. Consider a proposal for a mixed use condominium/commercial development (Lofts at**  
20 **Falcon Ridge) to be located in the BMU zone at approximately 2055 North Main:**

21 Council Member Noyes is concerned about the storm water run off and the sanitary sewer  
22 from this project. Mr. Cook stated the storm water will be taken care of with a Storm Tech  
23 retention system approved by City Engineer Scott Nelson. Using a plat map, Mr. Cook  
24 showed the Council how they would split the sanitary sewer two ways from the property to  
25 mitigate the added sewage. He will also be upsizing the existing pipes. This was discussed  
26 for some time. The civil plans have been re-submitted to Engineer Scott Nelson with  
27 corrections asked for and they are waiting for approval. In the three buildings, there will be  
28 approximately 150 units altogether, plus two commercial units per building.  
29

30 Planning Chair Ellsworth said the conditions for approval of this project were to discuss and  
31 approve signage and the lighting design at a later date. Because he doesn't currently 30 less  
32 parking spaces than the City Ordinance requires, a parking share plan was suggested. Mr.  
33 Cook explained how the Ordinance matrix requires each building to have 78 parking spaces  
34 and 18 parking spaces for visitors. They have a total of 249 parking stalls, but that is not  
35 enough when the commercial parking required is 33 spaces. It is estimated only 50% of the  
36 residential parking will be utilized during the day. Mayor Madsen asked what would happen  
37 during the weekend. Mr. Cook stated they would be look towards more office-type use  
38 because a restaurant would not work in this development. There is about 400 feet of frontage  
39 on Main Street so there would be more on-street parking, although that could not be used  
40 during winter nights.  
41

42 The development was discussed more, and it was decided the Council would not be able to  
43 approve it because the zone is not changed yet.  
44

1 Council Member Wiggill made a motion to table this item until the public hearing is held on  
2 April 2, 2019 and last parcel is rezoned. Council Member Noyes seconded the motion.  
3 Council Member Noyes seconded the motion. The motion passed unanimously with Council  
4 Members Bangerter, Noyes, Smalling and Wiggill voting yes.  
5

- 6 **5. Proposal by Garrett Schroeder, owner of Circle Inn, to change Sunset City Code Title 3**  
7 **Chapter 4: Liquor Control to allow wine and mixed drinks to be served in a**  
8 **bar/restaurant:** Mr. Schroeder commented that the Circle Inn opened in 1941 and is known  
9 for its pizza. It is also a bar, so it competes with other bars and restaurants. A lot of  
10 customers would like to order other drinks besides beer and when they can't provide it, they  
11 go somewhere else. When the new law on the alcohol content in beer passes, they will lose  
12 brands such as Budweiser and Blue Moon, which are two of their more popular choices. He  
13 must have local consent to serve harder alcohol before he can apply to the State for a license.  
14 Right now, there is not one available, but he would like to be able to get on the list for when  
15 one becomes available.  
16

17 Mayor Madsen stated this was discussed in Department Heads meeting today and they all  
18 believe changing their ordinance to allow other alcohol to be sold there would not make any  
19 difference due to alcohol already being served there. What the change would mean for the  
20 rest of the City was discussed, with it being said it would not affect other businesses.  
21

22 Council Member Noyes made a motion to consider changing the ordinance. Council  
23 Member Bangerter seconded the motion. The motion passed unanimously with Council  
24 Members Bangerter, Noyes, Smalling and Wiggill voting yes.  
25

- 26 **6. Consider a request from the Northridge High School PTA for a donation to help with**  
27 **their 2019 All Knight Graduation Party:** Council Member Noyes advised the City has  
28 donated \$200 in the past for their graduation night party. The donation was discussed during  
29 the budget public hearing and is in the City budget.  
30

31 Council Member Noyes made a motion to donate \$200.00 to Northridge High School PTA to  
32 help with their All Knight Graduation Party. Council Member Bangerter seconded the  
33 motion. The motion passed unanimously with Council Members Bangerter, Noyes, Smalling  
34 and Wiggill voting yes.  
35

- 36 **7. Consider Resolution 2019-03 approving an agreement for professional plan review and**  
37 **inspection services between Sunset City and West Coast Code Consultants, Inc. (WC3):**  
38 Mayor Madsen stated this had been discussed and tabled from an earlier meeting.  
39

40 Council Member Bangerter made a motion to approve Resolution 2019-03. Council Member  
41 Smalling seconded the motion. The motion passed unanimously with a roll call vote.  
42 Council Member Bangerter – yes, Council Member Smalling – yes, Council Member Wiggill  
43 – yes, Council Member Noyes – yes.  
44  
45

- 1 **8. Consider Resolution 2019-05 approving an interlocal cooperation agreement with Davis**  
2 **County for Municipal Election services:** Recorder Hale explained this agreement is the  
3 same as the agreement for the 2017 Election allowing Davis County to conduct an all by mail  
4 Election for Sunset City. The agreement does not list a total cost because it depends on how  
5 many cities contract with the County due to most of the costs being shared between cities.  
6

7 Council Member Noyes made a motion to approve Resolution 2019-05. Council Member  
8 Wiggill seconded the motion. The motion passed unanimously with a roll call vote. Council  
9 Member Noyes – yes, Council Member Wiggill – yes, Council Member Smalling – yes,  
10 Council Member Bangerter -yes.  
11

- 12 **9. Consider Ordinance 2019-01 amending Subsection A: Regular Meetings of Section 1-6-**  
13 **3 of the Sunset City Code to change the meeting time from 6:30 p.m. to 7:00 p.m.:**  
14 Mayor Madsen stated this has been discussed a couple of times. At first, he believed  
15 everyone was in favor of the time change but understands during the last meeting the Council  
16 was more in favor of not changing the time. He asked for discussion.  
17

18 Council Member Noyes stated he was for the time change with the belief the Council would  
19 almost always have a work session prior at 6:00 p.m. The more he thought about it he  
20 believes they have a good system and the meetings run pretty smooth, so he doesn't believe it  
21 should change. Mayor Madsen said he wanted it on the agenda because he didn't think there  
22 were enough work sessions. However, most people don't attend the work sessions, so he  
23 likes discussing the items during the regular sessions when more residents are present.  
24

25 Council Member Bangerter wanted to discuss the pros and cons. Maybe holding the  
26 meetings later would make it easier for more residents to attend after getting off work. The  
27 work meetings would allow for hashing things out before the regular session. The reason  
28 they tabled the item last time was because Mayor Madsen was unable to attend and they  
29 wanted his opinion as well. He also agreed with the comments made last time and tonight  
30 about discussing items when the public is in attendance. With all the pros and cons he  
31 believes discussing most items during the regular session is better.  
32

33 Council Member Wiggill looks for transparency in government so he believes discussing  
34 items during the regular session is better, also. They can always schedule a work session  
35 when it is needed.  
36

- 37 **10. Mayor, Council and Department Head reports:** Mayor Madsen met with a local Boy  
38 Scout Leader and one from the District. They are looking for someone to sponsor them and a  
39 place to hold their meetings. He told them a City should not sponsor a Scout Troop. The  
40 only room the City has is the Sunset Room, but it is more of a banquet room and not  
41 appropriate for Scouts to use. He asked for the Council to let him know if there is any place  
42 they think of. Council Member Wiggill suggested the basement of the City Building, but  
43 proper egress and restrooms would prevent it.  
44

**Sunset City Corporation**  
**City Council Minutes**  
**March 19, 2019**  
**Page 6 of 8**

1 Council Member Bangarter mentioned Logan City has a new Mayor and he wants to close  
2 the annual Cache Valley Cruise In cruise along Main Street. When Council Member  
3 Bangarter called the Logan City Council Members, not one of them knew the Mayor had  
4 done this. He brought this up to show how important it is for them to discuss items before  
5 acting on them individually. This Council is really good at working together. He  
6 encouraged the Council Members to attend the ULCT conference in April. He apologized  
7 for not attending the Planning Commission meetings, but he trusts they are doing good work.  
8 He thanked Mr. Schroeder for coming before the Council.  
9

10 Council Member Smalling attended the Mosquito Abatement Board meeting last week and  
11 they are gearing up for the season by hiring people and preparing their equipment. They are  
12 being better trained on the drone use and will be able to use it more this year. It can access  
13 areas they cannot get into with their trucks and 4-wheelers. She was able to attend the Youth  
14 City Council Conference dinner in Logan and got to hang out with the youth for a little  
15 while. Her daughter that is one of the advisors was really impressed the speakers and the  
16 youth. They are planning for the Easter Egg Hunt and Fun Days.  
17

18 Council Member Wiggill stated he will not be able to attend the ULCT conference. He  
19 commended Public Works Director Monroe for his patience and diligence in dealing with the  
20 recent sewer issue. He also commended the Planning Commission for their professionalism  
21 in the work they do. Last week, the Mayor and Council attended the Clearfield City Council  
22 meeting where they unanimously approved the resolution to annex Sunset City into the North  
23 Davis Fire District service area for fire protection, emergency medical and ambulance  
24 services. Now the District will move forward in becoming independent from Clearfield City,  
25 so any governmental items they do will not have to be done by Clearfield City. Mayor  
26 Madsen mentioned NDFD is looking to becoming its own jurisdiction by mid-April. Once  
27 the annexation is signed he and Council Member Wiggill will become voting members of the  
28 Board. When the District becomes independent there will be another seat open so Sunset  
29 will have three voting members, as will Clearfield and West Point.  
30

31 Council Member Noyes noted Clearfield Council meetings run similar to Sunset's meetings.  
32 There were a couple of minor differences he would like to discuss in the future. The  
33 Developmental Review Committee for MIDA will meet on Thursday to discuss some  
34 upcoming projects.  
35

36 Police Chief Eborn advised last night someone smashed windows and randomly slashed tires  
37 of six or seven cars in Sunset and a few in Clinton. They put a post on Facebook to ask  
38 people to call them with any information they may have. That has prompted the press to call  
39 which may help obtain information. He reported the new officer is doing well in the  
40 Academy and is on track to begin work in May. When the academy lets them leave early he  
41 will ride with Officers to begin his training.  
42

43 Treasurer/Office Manager Youngdell stated the Easter Egg Hunt will be advertised on the  
44 Utility Bills and the marquee. Recycled Earth, where the City's recycling is taken to, is

1 increasing their fees. For the last eight months, the average bill for them is \$237.64. The  
2 fees will be based on weight.  
3

4 Public Works Director Monroe stated his office will be moved from the City building to the  
5 Public Works trailer office tomorrow. 2300 North is good with asphalt being laid today.  
6 They are getting ready to start working on the City's park maintenance.  
7

8 Mayor Madsen thanked all the City employees for doing an incredible job with people being  
9 out sick when the flu went through this last few months. He advised he asked Director  
10 Monroe to move his office back to the public works shop office so he can be closer to his  
11 employees, with the absence of an operations manager. He has a meeting on April 18th with  
12 people from the Davis County School District in reference to Sunset Jr. High. He believes  
13 they would like to work out something with the property, so he would appreciate any input  
14 from the Council before then. Council Member Bangerter said they need to maintain as  
15 much of the City property as they can, so they should not give the District any of it for three  
16 reasons: 1) the City doesn't have much park space, 2) the contract with the LDS church, who  
17 gave the City the property, and 3) the potential commercial development which would  
18 benefit the City. Mayor Madsen agreed he did not want to give them any property.  
19

20 Council Member Wiggill made a motion to go into a work session after a ten minute break.  
21 Council Member Smalling seconded the motion. The motion passed unanimously.  
22

### 23 **WORK SESSION**

24 **To discuss future projects and their effect on the budget:** Mayor Madsen talked about a  
25 recent sewer problem and said Treasurer/Office Manager Youngdell was going to get  
26 information on a mass notification program that could help them get word out to the public on  
27 many things. He said he wanted to advise the Council what items he would like to see done in  
28 the City, so he gave the following list and explained the reason for each one: 1) a new water line  
29 along Main Street from 1300 North to 800 North; 2) a sewer camera for Public Works, with an  
30 ambulance or something similar outfitted with the camera system; 3) work on the entrance into  
31 Public Works for when the 1800 North project begins; 4) amending the pay scale so the first  
32 grade is brought up to minimum wage age and increase the rest of the grades accordingly; 5) hire  
33 a part-time code enforcement officer; 6) purchase a big-toy for Central Park using the money  
34 saved from the lease of the billboard; and 7) he wants more input on this, but he feels adding  
35 another person in the office would help the office staff. He would appreciate everyone's opinion  
36 on these items and they can discuss the details later.  
37

38 The Council discussed what will happen when the Treasurer/Office Manager, Recorder and  
39 Accounts Payable Clerk retire within the next 10 years or less, so someone should be hired and  
40 trained before they leave. They discussed the entrance into Public Works and whether UDOT  
41 would compensate the City now if they move forward with any changes. The Council also  
42 discussed perhaps moving the shop area up to the vacant land next to the City Building and leave  
43 the property by the train tracks for storage. They could also beautify the area by the tracks. No  
44 matter what, the City will have to spend a lot of money once the 1800 North project begins.  
45

**Sunset City Corporation**  
**City Council Minutes**  
**March 19, 2019**  
**Page 8 of 8**

1 Council Member Bangerter listed the items he would like to see happen: 1) raising the donation  
2 limits; 2) work with UDOT on removing the houses they purchased and boarded up the  
3 windows; 3) review putting slats in the fence between Sunset and I-15; 4) building a sally port  
4 for the Police Department; 5) putting a walkway in for the employees on the north side of the  
5 employee entrance to the City Building; and 6) lights to shine on the City Building.  
6

7 Council Member Smalling advised the Youth City Council does not want to do the baby contest  
8 during Fun Days. There was very little participation and they're not comfortable judging  
9 people's babies. It was said the baby contest doesn't have to be held any longer.  
10

11 Council Member Carlson mentioned North Davis Deputy Fire Chief Taylor has offered to do  
12 code enforcement for the City. Mayor Madsen stated the Code Enforcement Officer must be Cat  
13 1 certified, so he/she can write the citations when needed. If a person is not, they can only tell a  
14 Police Officer where there is a violation and have the Officer do the citation. Council Member  
15 Carlson suggested asking UDOT to modify the bridge, so the entrance could go under the bridge  
16 to 450 West and the Council discussed it saying it is almost impossible.  
17

18 Mayor Madsen advised the Council he has received invitations he needs to pass on to them. On  
19 May 10<sup>th</sup> the Spike 150 Committee will have a big celebration for 150 years since the tracks  
20 joined. An Economic Outlook hosted by Zions Bank will be held at West Point City Hall on  
21 March 28<sup>th</sup>. The Davis County Children's Justice Center will have an open house on April 18<sup>th</sup>  
22 from 11 a.m. to 1 p.m.  
23

24 Council Member Noyes made a motion to go back into the regular session. Council Member  
25 Bangerter seconded the motion. The motion passed unanimously with Council Members  
26 Bangerter, Carlson, Noyes, Smalling and Wiggill voting yes.  
27

28 Council Member Carlson made a motion to adjourn. Council Member Bangerter seconded the  
29 motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes,  
30 Smalling and Wiggill voting yes.  
31

32 The meeting adjourned at 9:10 p.m.  
33

34 Approved – May 7, 2019  
35  
36  
37

38 \_\_\_\_\_  
D. Howard Madsen, Mayor

\_\_\_\_\_  
Susan R. Hale, Recorder