

Sunset City Corporation
City Council Minutes
February 18, 2020
Page 1 of 6

Minutes of a regular meeting held February 18, 2020 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Madsen presiding.

REGULAR SESSION

Mayor and Council Present:

D Howard Madsen	Mayor
Chad Bangerter	Council Member
Beverly K. Macfarlane	Council Member
Norm Noyes	Council Member
Nancy Greco Smalling	Council Member
Scott Wiggill	Council Member

City Employees Present:

Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Jason Monroe	Public Works Director

Excused:

Susan R. Hale	Recorder
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Others Present:

Janet D. LuJan	Robert F. Smalling
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The regular session was called to order at 6:30 p.m. by Mayor Madsen.

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

Approval of Minutes: Council Member Noyes made a motion to approve the minutes of February 4, 2020 as presented. Council Member Smalling seconded the motion. The motion passed unanimously with Council Members Bangerter, Macfarlane, Smalling, Noyes and Wiggill voting yes.

Public Comments: There were none.

1. Presentation of the FY2019 Comprehensive Annual Financial Report: Jeff Ambrose was not present, so the Council moved on to item number 2.

2. Resolution 2020-03 approving Amendment No. 4 to the Interlocal Cooperation Agreement for Animal Services: While Mayor Madsen was finding the annual fee in the agreement, Council Member Bangerter stated he has always been concerned about not getting the quarterly reports they were promised. Those reports are needed so the Council can see what is happening in the City. He will approve the amendment, but with a little apprehension towards receiving those reports.

1 As the Council had decided this when Council Member Macfarlane was not in attendance,
2 Mayor Madsen advised her that the Council would be touring the Animal Control facility on
3 February 25, 2020 beginning at 5:00 p.m. He believes the purpose of the tour is to show
4 them there is a need for a new facility. The building has been rebuilt once and they believe it
5 would be more feasible to build a new facility. Mayor Madsen stated the City's obligation
6 for the year 2020 to Davis County Animal Control is \$36,443.89. Council Member Noyes
7 mentioned this has increased \$3,000 to \$5,000 each year for the last three years, but it is the
8 City's only viable option right now.

9
10 Council Member Noyes made a motion to approve Resolution 2020-03 for animal control
11 services. Council Member Macfarlane seconded the motion. Council Member Bangerter
12 said there was a dog bite situation that was supposed to come into the Sunset Justice Court
13 and asked Chief Eborn if it had come in yet. Chief Eborn replied it was cited into the Sunset
14 Justice Court, as was another one a few months ago. He has been involved in a couple of
15 cases where he had to call Animal Control and told them they were serious and when he told
16 them he would like to see them cited into the Sunset Justice Court instead of cited for Animal
17 Control administrative fees they complied. Council Member Macfarlane stated she saw 3 or
18 4 animal related incidents and wondered if they were all different issues. Chief Eborn said it
19 was. Council Member Bangerter stated for the record that it is odd that the City is approving
20 an amendment to the Animal Control Services contract and there is no representation from
21 Animal Services or Davis County. Mayor Madsen called for a roll call vote. The motion
22 passed unanimously as follows: Council Member Macfarlane – yes, Council Member
23 Bangerter – yes, Council Member Wiggill – yes, Council Member Smalling – yes, Council
24 Member Noyes – yes.

- 25
26 **3. Mayor, Council and Department Head Reports:** Mayor Madsen stated there has been
27 some information going around that should not have been due to a privacy agreement. The
28 Council needs to understand there is representation from Sunset on each District Board. He
29 gave the example that Sunset, West Point or Clearfield Councils do not have the authority to
30 tell a District what to do. It would be bad form and illegal to have closed meetings about
31 anything happening in a District. Mayor Madsen is on the North Davis Sewer District and
32 Wasatch Integrated Systems Boards and he is the Assistant Chair of the North Davis Fire
33 District Board. Council Members Bangerter and Wiggill are also on the North Davis Fire
34 District Board. The proper way to get information to those Boards is to speak with one of the
35 Sunset Board Members and for those Board Members to take the information to the District
36 Boards. Any information the Council receives from a certain party is in violation of that
37 person's agreement, so he advised they let the District take care of it.

38
39 He asked Misty Rogers, who is the Executive Secretary for the North Davis Fire District, if
40 she had something she would like to say. Mrs. Rogers said she received an email this
41 morning that she is concerned about. She believes Mayor Madsen has handled it
42 appropriately. She advised she was there to represent herself, not the District. Without going
43 into detail and speaking passionately, she said the District has been drug through the mud and
44 if anyone believes it has been easy on any of them, they are wrong. They have watched the
45 Chiefs being eaten up. She called out Council Member Macfarlane and told her that she has

1 no idea of what is really happening. The Department has not been able to operate properly
2 and they cannot be away from their phones because of actions that are happening that are out
3 of their control. She cares about the Board, the District and every one of the firefighters, past
4 and present. She wants the Department to run as it should and they are very lucky they have
5 good representation from each of the cities on the Board.
6

7 Mayor Madsen reiterated if anyone has a problem with any of the Boards, they need to go to
8 the City representative of that Board and let them handle it. He believes, at this point, they
9 should let things go and put it behind them, as it has been handled. He apologized for the
10 City. Sometimes they get information from other people that just isn't true and that's the
11 problem, so they need to watch it.
12

13 Council Member Macfarlane told Mrs. Rodgers her only intent was to let them know what
14 was being said, not to address any issue. It was not to interfere, get into it, to blame, but only
15 to let them know what she had received. Mayor Madsen said the Board is well aware. He
16 then went forward with the Council reports.
17

18 Council Member Noyes said he loves the North Davis Fire District and said they are
19 wonderful individuals who do a wonderful job. He has a lot of thoughts, but said he was
20 taught at a very young age that if you can't say anything positive, not to say anything at all.
21

22 Council Member Smalling stated she was on the NDFD Board for a short time so she doesn't
23 know the whole story, but said she got to see how the Board Members handle issues and said
24 it is a professional entity. She was very impressed with each one of them. She was unable to
25 make the Mosquito Abatement Board meeting this past week. The Youth City Council is
26 gearing up for the Easter Egg Hunt, with the help of Misty Rogers from the NDFD. It will be
27 held on April 11th at 9:00 a.m., so it doesn't interfere with the LDS General Conference.
28 This Thursday they will be inventorying the eggs and planning the treats. Four Members will
29 be going to the Youth Council Conference in Logan this year, so they're getting ready for
30 that. They will begin reaching out to the schools for membership because they are losing
31 some seniors this year. They will be attending the next Council meeting to give their report.
32

33 Council Member Wiggill attended the NDFD awards banquet and had made notes to let them
34 know some of the main awards, but left them at home. They honored a lot of firefighters for
35 their years of service, the highest being for 30 years of service, and for other honorable
36 events that don't usually get recognized. The whole event was awesome.
37

38 Council Member Bangerter stated he also attended the NDFD awards event and said it was
39 awesome to see the recognition given to the firefighters. Some have really gone through
40 some hardships with seeing so many tragic incidents. He gave Kudos to the Department and
41 its Chiefs. The rental house's missing door has been installed. He and Mayor Madsen have
42 met with a realtor to discuss the property behind the City Building on whether to sell three
43 parcels of the property individually as single family residences or to see the section of
44 property as a whole to a developer for condominiums. He talked with Todd, who is the main
45 person in the plan review firm that is reviewing the plans for the Lofts at Falcon Ridge

1 development. They just finished the third review of the plans and it failed again. Now the
2 City will be charged for any further reviews and the City pass the fees on to the developer. It
3 sounds like he will take over the reviewing of this project and try to work with the developer
4 to get accurate designs for the building. He feels, with his role in Economic Development for
5 the City, is to try to make sure the project moves along as much as possible, but at the same
6 time the safety of the residents who will be occupying the units is a must. He is a little
7 concerned right now. Mayor Madsen said he feels they are doing a good job of keeping their
8 finger on it. Council Member Noyes asked if a stop work order could be put on it so they
9 cannot do another thing on that property until the plans are approved. Mayor Madsen said
10 the developer has been approved to do the infrastructure, but not the building. Public Works
11 Director Monroe is concerned with all the backfill they are bringing in and said they are
12 required to have geotech reports, so he would like to go check on it. If that is not being
13 complied with, they could do a stop work order on that. He was given approval to check on
14 it. Council Member Bangerter asked for a work meeting to discuss some issues for the
15 property behind the City Building and the future project of the Davis School District. He and
16 Mayor Madsen will be meeting with them about the City's concerns the first of next month.
17 If the bond passes in November, the bid will go out in December and construction can begin
18 on the new Sunset Jr. High School in January. The completion date is 2023.

19
20 Council Member Macfarlane thanked the NDFD for everything they have done. She told
21 Mrs. Rogers to let them know she is getting good feedback on the Department and she
22 supports them. She has been gone for a while with her sister's passing and going out of
23 town, but has heard good things about the Sunset Sam event. She had some issues with the
24 park the Council is planning on the north side of the City Building because she hadn't had
25 any input on it. When Fun Days is being held in Central Park, Police Chief Eborn had issues
26 with the houses on the east side of the park due to fireworks. Mayor Madsen stated this
27 year's fireworks will probably be the last due to the new Jr. High School being built because
28 it will now be a safety issue. Council Member Bangerter clarified the Council has not voted
29 on any of the projects he is working on; they have only consented to his moving forward with
30 them. Council Member Macfarlane apologized for the late texts she made when she returned
31 from her trip. She has got about five senior residents she will be taking to the Senior Center
32 to see what options they have for transportation. She has 15 or 20 people signed up for
33 Pickle Ball this year and she has asked a couple people to give instruction on it so they can
34 use the Pickle Ball court that was built a few years ago. She has reviewed the 2010 Census
35 and knows Sunset had 624 residents who were 65 and older. She suggested reviewing the
36 2020 census to see what kind of equipment they might want to have in the park for them.
37 She attended a Commissioners meeting about what was going on with the seniors in the
38 County and was impressed with what she is doing. She received a comment about "Sunset
39 Pride" and a couple of people have said how impressed they are with the slogan. They asked
40 if the City could print up some bumper stickers to put on their cars. Council Member
41 Bangerter said he is looking into shirts for the City's 85 year anniversary and said if they
42 want him to, he could ask his designer about the bumper stickers as well. The Council was
43 good with him doing that. Council Member Macfarlane said at the next Council meeting, she
44 will bring the volunteer who will help with the Pickle Ball so she can introduce her.

1 Police Chief Eborn stated he just received a text message saying that Officer Bob Higdon's
2 father-in-law just passed away. He is on duty, so he was sent home. The new patrol vehicle
3 is here and they will be trading the older vehicle that was not working right in on it for
4 \$15,000, which makes the purchase price of the new car \$18,100. Unfortunately, some of the
5 equipment from the older vehicle does not line up in the new vehicle, so it will get new
6 equipment.

7
8 Treasurer/Office Manager Youngdell reported they are still working on businesses that have
9 not renewed their licenses. The security cameras have been installed and their working out
10 some little issues. So far she is impressed with them. Council Member Bangerter asked for
11 and received a list of the businesses that had not renewed. He visited them and when he went
12 to Sunset Auto Body, he was told the owner had been sick with the flu, but he would send his
13 wife over. The person at MB Auto also said they would get it done as soon as possible. Of
14 the six, only one has renewed. He wanted to report this in case any of the Council received a
15 call complaining about the late fees.

16
17 Public Works Director Monroe said the 2020 Fun Days celebration will be held on July 17th
18 and 18th. He would like to know if the Council would like to do a carnival or not and would
19 like to have a work session on it. The Council scheduled it for March 4th after the regular
20 session. Yesterday they had a pre-bid construction meeting on the 800 North project and
21 several contractors were in attendance. The bid opening will be on February 27th at 2:00 p.m.
22 He and Engineer Nelson will be requesting the bid award at the next Council meeting and
23 Clearfield will do theirs after the Sunset Council meeting. They are running into some time
24 constraints because the irrigation pipe has to be done before April 15th when the water starts.
25 The road cannot be closed so they have to keep one lane open during the construction. The
26 completion date is August 1st. Mike McEwen's last day is Friday and Beau Fullmer will
27 begin next Monday.

28
29 Mayor Madsen reminded everyone about the Animal Control facility tour on February 25th at
30 5:00 p.m. He asked everyone to be thinking about if they want a carnival or not at Fun Days.
31 He is happy to be on the NDFD Board.

32
33 Council Member Bangerter stated Sunset has come a long way with the NDFD. When the
34 process started for the City to become a member of the District, the Council was told they
35 would never have representation in the District. The City now has three Members on the
36 Board, one of which is the Vice Chair. Everything NDFD promised the City has come to
37 pass, even a little more with getting a third member on the Board. He is happy Mayor
38 Madsen is the Vice Chair and that Sunset has equal representation.

39
40 Council Member Noyes asked about item number 1 that was skipped. After discussion it was
41 decided the Council liked what they read and the CAFR did not need to be presented to the
42 Council. Council Member Noyes said they were grateful for the work provided on the CAFR
43 by Recorder Hale and Jeff Ambrose.
44

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Page 6 of 6

1 Council Member Bangerter made a motion to adjourn. Council Member Wiggill seconded
2 the motion. The motion passed unanimously with Council Members Bangerter, Macfarlane,
3 Noyes, Smalling and Wiggill voting yes.
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5 The meeting adjourned at 7:30 p.m.
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7 Approved – March 4, 2020
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D Howard Madsen, Mayor

Susan R. Hale, Recorder