



Sunset City Corporation

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

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, June 21, 2022 at the Sunset City Office Building, 200 West 1300 North, Sunset, Utah. Any information or items for the Council's consideration must be furnished at least ten (10) working days prior to the scheduled meeting to give the needed time to study the request. Agenda shall be as follows:

REGULAR SESSION

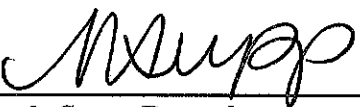
- A. CALL TO ORDER & WELCOME**
- B. INVOCATION AND PLEDGE OF ALLEGIANCE** by Council Member Rigley
- C. APPROVAL OF MINUTES** – June 07, 2022
- D. APPROVAL OF VOUCHERS** – Young Ford-Police 2022 Ford Explorer \$32,257.00
Mecham Brothers-Veterans Park Utilities-\$115,546.39
- E. PUBLIC COMMENTS**

REGULAR SESSION

- 1. Consider Allowing Sam Bartling to Host a Private Firework Show on City Property**
- 2. Consider Resolution 2022-15 Adopting Proposed Tax Rate .001255 for Fiscal Year 2023 and Setting Public Hearing Date for Truth In Taxation**
- 3. Consider Resolution 2022-16 Approving an Agreement Amendment Between Sunset City and Econo Waste, Inc.**
- 4. Mayor, Council and Department Head reports**
- 5. Adjourn regular session**

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.

Posted and e-mailed to local newspaper – June 16, 2022



Nicole Supp, Recorder

Minutes of a regular meeting held June 07, 2022 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor D Howard Madsen presiding.

REGULAR SESSION

Mayor and Council Present

D Howard Madsen
Chad Bangerter
Beverly Macfarlane
Nakisha Rigley
Nancy Smalling
Scott Wiggill

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

City Employees Present:

Nicole Supp
Linda J. Youngdell
Brett Jamison
Jason Monroe

Recorder
Treasurer/Office Manager
Police Chief
Public Works Director

Others Present:

Ray Chapman
Jason Fleming
Jessie Fleming
Sam Bartling
Kathy Gittins
Mark Clifford
Katy Hall

Sunset Resident
Sunset Resident
Sunset Resident
Sunset Resident
Sunset Resident
JAG Properties
South Ogden- House District 11 Candidate

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

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

Approval of Minutes: Council Member Rigley made a motion to approve the meeting minutes for May 17, 2022 as presented. Council Member Bangerter seconded the motion. The motion passed unanimously.

Public Comments:

Katy Hall introduced herself as a candidate running for House District 11 which includes Sunset. She said she has been out knocking doors but would love to get to know some of the residents and if anyone has any questions to contact her.

Sam Bartling a resident informed Council he moved to Sunset in September of last year and has been lighting fireworks professionally for three years. He is in search of permission from the City to host a private firework display in one of the City's parks in the near future. He has high hopes of bringing people together and a great way to strength the community. Mayor Madsen notified Mr. Bartling he would need to pay a fee and obtain a permit from the North Davis Fire

District to have someone on standby to extinguish in case of an emergency. Mayor Madsen also explained the City has been in touch with the City Attorney to make sure the City would not be liable for anything since he is requesting the display take place on City property and to make sure everything was okay with the insurance. Mr. Bartling stated he is part of the UPA which is the Utah Pyrotechnic Association and he advised they have their own insurance as well which is used when they light fireworks. Mayor Madsen said he will be placed on the agenda once a decision can be made. Council Member Rigley asked Mr. Bartling if he has heard of the North Davis Communities that Care. He said he has not. Council Member Rigley explained North Davis Communities that Care is a nonprofit association does a show every year and they are always looking for people to help out. Since Mr. Bartling shared with Council he wanted to bring people together she wanted to alert him of the opportunity of their show called Illumination in case he was interested. Mr. Bartling said he knows a member named Curtis and was speaking with him earlier and knows how to get in contact with them.

Public Hearing: Mayor Madsen stated the public hearing is to notify the public of amendments made to the Fiscal Year 2022 budget and it is now up for final approval. Recorder Supp read aloud the funds being amended. The General Fund was being amended to \$2,259,965 with a variance of \$204,620. The Utility Fund was being amended down to \$2,077,735 from \$2,085,860. The Class C Road Fund went down to \$191,300. The Liquor Control Fund went up by \$685. The Retirement Insurance Premium Fund went down to \$10,000 and the Public Works Capital Project Fund went up by \$30,000. Recorder Supp announced the City would be in compliance with the state statute at 32.88%. Mayor Madsen asked if there were any public comments on the budget. One member of the audience asked if this includes the tax increase. Mayor Madsen identified the tax increase would be on the next budget. There were no other comments.

Regular Meeting:

1. **Consider Resolution 2022-12 Amending Fiscal Year 2022 General Funds, Capital Projects Funds and Utility Fund Budgets:** Mayor Madsen asked for a motion to approve the amended Fiscal Year budget for 2022. Council Member Macfarlane made a motion to approve resolution 2022-12. Council Member Rigley seconded the motion. The motion passed unanimously with a roll call vote from Council Members Bangerter, Macfarlane, Rigley, Smalling and Wiggill voting yes.
2. **Jag Properties Request for a Landscape Design Change Due to Drought Conditions:** Mark Clifford head of the Sunset Townhomes project presented Council with Option A and Option B as well as provided photos of the proposed rock types in his new request. Mr. Clifford explained to Council he spoke with Mark Shepherd the Mayor for Clearfield City and he told him since the high drought conditions they have been cutting back on landscaping especially for new construction. He proposed Option A to Council first as the most desired plan. The plan shows no lawn and no plant material; it consists of boulder retaining walls, accent boulders and rock mulch. He advised it would cut down on the residents HOA costs, would leave them with an owner planting area to do as they please while conserving water. Mayor Madsen asked if he was going to address the other option.

Mr. Clifford indicated Option A is the option he really wants to do but the architect did come up with Option B. He then explained Option A more in depth; he showed the photos of the rock choices, commented on no sprinklers and remarked on the accent boulders. Council Member Rigley said with a lot of people doing the "Flip your Strip" program she likes this xeriscape plan. Council Member Macfarlane affirmed she likes the cost saving aspect of the plan but noted Council would need to address the landscape ordinance. Mayor Madsen indicated the ordinance will be looked at and would need to be changed in order to change his landscape design. Chief Jamison advised the loose rock would be a nightmare for law enforcement. The rocks will be everywhere from kids walking to and from school every day. Mr. Clifford asked if mulch would come with the same problem. Chief Jamison conveyed it would still be an issue but it would be better than rocks. He also explained there could be a lot of damage to property with the rocks. Mr. Clifford said he personally flipped his strip and put rubber mulch in and suggested changing the rock to rubber mulch. Council Member Wiggill asked for clarification on where he would put the rubber mulch, between the boulders and the sidewalk. Mr. Clifford stated yes. Council Member Wiggill then asked will there be a water source available for each unit. Mr. Clifford replied not at this time, the residents would need to hand water their owner planting area. There will not be an outside faucet for the units but suggested a possible trickle sprinkling system. Council Member Bangerter addressed a concern he has is potentially planting trees and expecting the residents to hand water them. Mr. Clifford replied there would be no trees in Option A. Council Member Bangerter said he does not like the idea of having no trees. Having no grass he can understand because it takes so much water to maintain but trees are essential. He commented on Chief Jamison's remarks on the rocks and agreed he brings up a good point with the schools within walking distance. He would like to see some trees or bushes in the plan, which would require a drip system. Mr. Clifford asked if he could look at Option B, which shows some green areas. Option B includes boulder retaining walls, accent boulders, rock mulch, trees, shrubs but no grass. Council Member Wiggill expressed Option B would bring the project under the umbrella without having to change the ordinance. Mayor Madsen notified xeriscape is on the work session agenda tonight so it will be addressed. Mayor Madsen said there is no yard on the plans then asked how big the owner planting area is. Mr. Clifford guessed maybe 2x4 feet. Council Member Wiggill conveyed the plan needs to show some kind of improvement to the appearance of the yards. There should be something there for beautification. Council Member Smalling asked if there is a pet area, she said she does not want the park to become a pet area for these residents. Mr. Clifford clarified they are notifying buyers and a lot of them know if it is or isn't a fit for them. He then asked what the City's plan is with the park. Council Member Smalling commented the Veterans Park is not a dog park. Mayor Madsen explained the Veterans Park will be more of a walking park with paths, a memorial, water feature, flags and it will be casual place to reflect. Mr. Clifford asked if there was going to be a children's playground. Mayor Madsen said no we have 3 other parks for children to play in. Mr. Clifford asked if it would be xeriscape all the way through. Mayor Madsen said it will be landscaped. Mr. Clifford shared he just helped a boys scout troop in Bountiful City weed their memorial park. They did a great job. Council Member Wiggill said there will be a bowery and a restroom. Council Member Smalling indicated the park is being built to honor the Veterans. Mayor Madsen clarified the park will be dedicated to all who sacrificed for our freedom. Council Member Bangerter stated we are

weeks away from starting the second phase of the park. He said there will be a combination of bushes and trees, there will be some xeriscape but there needs to be some green. Council Member Macfarlane asked if there will be an outside source of water anywhere. Mr. Clifford said on Option A the residents would hand water from the water inside their house. Option B they would install a drip system. Mayor Madsen said Option B seems to be what everyone is agreeing on. Mr. Clifford thanked Council for their time. Mayor Madsen articulated it will be discussed in the work session and Recorder Supp will get back with you. No decisions will be made until a regular session on the next Council Meeting.

3. Consider Resolution 2022-13 Adopting the Interlocal Cooperation Agreement with Clinton City Pertaining to a Joint Project for Street Improvements on 1300 North:

Mayor Madsen reviewed the resolution and asked Recorder Supp if she had anything to add. Recorder Supp notified Council this was presented by the City Engineer at last Council Meeting which everyone agreed on and this is the signed agreement Clinton City has provided. Council Member Macfarlane asked Public Works Director Monroe if there was going to be a bike lane. Director Monroe stated there would not be a bike lane on 1300 North but there will be on 1800 North. Council Member Macfarlane made a motion to approve Resolution 2022-13. Council Member Smalling seconded the motion. The motion passed unanimously with a roll call vote from Council Members Bangerter, Macfarlane, Rigley, Smalling and Wiggill voting yes.

4. Consider Resolution 2022-14 Adopting the Amended Fee Schedule Effective July 1, 2022:

Recorder Supp explained each of the changes in the fee schedule. In the Utility Fees it reflects the \$3 raise in water rates, the \$.057 cent raise in garbage from Econowaste. In the Development Fees/Permits the Re-plan Check Fee was noted and the Chicken Permit Fee of \$15 was added. In Miscellaneous Fees the Franchise Application Fee was newly added as well. Council Member Bangerter made a motion to approve Resolution 2022-14. Council Member Smalling seconded the motion. The motion passed unanimously with a roll call vote from Council Members Bangerter, Macfarlane, Rigley, Smalling and Wiggill voting yes.

5. Mayor, Council and Department Head Reports: Mayor Madsen announced UDOT will make the roads and sidewalks handicap accessible on 1300 North down to Clinton. On 1800 North they will be doing a gate to Hill Air Force Base. He was informed on 5600 South in Roy, UDOT will be doing the same thing there starting next summer for 2 ½ years. The 3 main roads will be under construction. They will be keeping the middle lane open and completing one of the sides then opening the completed side and doing the middle. It will make a mess for the open roads. The City may need to think more about on street parking since there will be a lot more traffic on them. Mayor Madsen notified Council the City needs to figure out something different for their Facebook page. The employee who was managing the page has since left the City. The former employee had bought a new phone and was never able to log in to Facebook because Facebook would not send a code to login to her new phone. Several people including Council Member Smalling have tried to get in to the Facebook account with no luck. Mayor Madsen asked if the Council wanted a City sponsored Facebook page. Council Member Bangerter asked if the Mayor and Department Heads have discussed getting a new page, and how they feel about getting a new one. Mayor Madsen

stated yes and there have been mixed feelings but more not wanting to manage a new Facebook page. He mentioned there are several Facebook pages managed by residents. Treasurer/Office Manager Youngdell said the Facebook page will have information coming from the City, but there are a lot of controls on it being a government page so some people will not be able to see what others have commented. The City is getting a new website which will have the Minutes, Agendas, links to the Public Notification site and a good place for the residents to get information from the City. Mayor Madsen voiced he feels Facebook is a bit restrictive and Recorder Supp is working with a company he came in contact with in St. George at the conference. The whole website is getting done for \$2,200. He heard another City recently spent \$10,000 to get their website up and going. He commented Recorder Supp is working hard to make it successful. Council Member Macfarlane asked if there could be a City link on the website to help inform residents. Treasurer/Office Manager Youngdell indicated the City is getting a completely new website. Council Member Rigley conveyed the current website is really outdated. Mayor Madsen indicated it will be a lot more functional and better for the residents. Council Member Macfarlane asked why the City is getting a new website. Recorder Supp notified her no one is currently running the website because no one knows the coding. Council Member Bangerter concluded it sounds like Facebook is a pass at this time. He expressed the biggest concern seen on Facebook is the infrastructure issues but if residents came to the meetings they would understand how the City is handling the infrastructure. He thinks the new website will be good. Mayor Madsen had one last comment on the overpass, UDOT is looking at aesthetics now to have on the sides of the overpass; there have been talks of murals or colorful concrete. Mayor Madsen stated as a 30 year Highway Patrol Veteran he prefers a plain overpass and will be pushing for it. He wants people to be focusing on the road ahead of them instead of being too busy looking at the murals on the overpass. Council Member Macfarlane asked if there could be stamped cement on the overpass instead of just plain to provide some beautification to it. Mayor Madsen replied with there talking about stamped concrete for the park strips. There was a talk of getting rid of the parking strips but they have to have them in order to have a place to put the road signs, fire hydrants, etc. He then informed Council UDOT plans to buy the Public Works building by the end of the year.

Council Member Wiggill expressed his desire for beautification on the overpass since it will be basically in his back yard and hopes it will be presentable. He has seen some chatter on Facebook regarding the demolition of the old Winegar's building. He reminisced over his first job there at Phil's Supermart. He started as a bag boy and worked his way up to produce. He said it will be sad to see what it's going to become but those who own the property have the right to build what they want to build. If anyone asked to build a garage on their property it is not up to the Council to tell them no on their own property. We cannot stop them from building what they want to build but we can make them follow the rules. Some people have reached out to him upset about Council allowing them to build but he has reiterated to them the Council doesn't have a right to tell them what they can and cannot build with their property but Council can enforce the ordinances and rules with the help of the City staff. Council Member Wiggill reported on the North Davis Fire Department, they are busy and have moved everything over to their temporary place. They are going to use the old building for training as long as they can. The plans for the new facility fit into the budget. Last month

there were 35 calls in sunset. 282 of the calls were medical and 56 were fire for a total of 338. He has stopped in and watched them train and seen how they perform and they are doing an awesome job.

Council Member Rigley said hello to all in the audience and expressed it was nice to see more faces in the audience. She congratulated the local kids at Sunset Jr. High who competed in the International Seaperch Robotics Contest in Baltimore, MA. Some of the kids are on the Youth Council. Team Eat My Bubbles placed 2nd internationally. Their Coach Trish Glenn called her to notify her of their success. They were one of two cities representing Utah at the competition; Plain City was the second city. Team PHG was the other team who went and competed but did not place. Council Member Rigley notified Council she wrote in to the Standard Examiner to tell them about these great local kids and their accomplishment. She said the School District isn't doing much to celebrate them. Council Member Macfarlane asked if she has contacted the elementary school. Council Member Rigley reported she has been working with the principal Jody from the elementary to get the kids recognition. She reported the Youth Council has been busy planning their summer activities and fundraisers. A big thank you to Council Member Smalling for helping out with the Youth Council and teaching her the ropes. She also thanked Director Monroe for all of his hard work in the preparations for Fun Days. The Youth Council are getting excited for their float in the parade for Fun Days.

Council Member Smalling shared the Youth Council are doing lots of positive things and are a great group of kids. She laughed because she had to use her "mom" voice to help settle them down and get them back on track. They are doing such great things especially when the world is so negative. She remarked she was on vacation in Alaska last time the Council had their meeting and when the Mosquito Abatement Board had their meeting so she has nothing to report except Alaska is very pretty.

Council Member Bangerter remarked on the social media aspect of change. Residents get upset with change. In the mid 90's when change started to happen, Council tried to reassure and help them. Comments on social media saying the water pipes are too thin, the City water pipes are fine they are getting replaced slowly. It doesn't mean the individual lines to residents homes aren't, the residents are the ones responsible for replacing those. If your neighbor wants to put a garage up and it blocks your sunset they have the right to build a garage if they see fit. Unfortunately, it's sad but there is not a way to say they can't. Someone had commented on social media saying how beautiful the sunsets are but now this 2 story home blocks my view, our City still has beautiful sunsets you just might have to walk down the street a little bit or sit somewhere else to enjoy the sunset. Council Member Bangerter said he loves this City. The Memorial Day weekend brought back a lot of memories, residents truly love living here, they love their neighbors, love the churches and the schools. There is a great amount of care for this City. In the past 10 years a lot has changed. He thanked the Mayor and Council Members.

Council Member Macfarlane commented once VK Electric in the corner over in the old Winegar's property was put in, the property has slowly had nothing but trash in it.

Everything was getting old in the area there. She believes it will be an improvement and will hopefully beautify the City. There have been talks about the new development being unwanted but she thinks the residents will end up being happy with the outcome. May was Senior Month. She put signs up around the City recognizing the seniors around our City for the month and has now taken them down. There is a Waste and Recycling survey residents can take online until June 15th, it will take about 10 minutes to complete. They want input on please take the survey. On June 10th there will be an open house ribbon cutting for the new County building if anyone is interested in joining. Council Member Macfarlane wanted to provide her input on the chicken ordinance. She indicated she did not like how the minutes were written. She felt they sounded like she is against the residents raising chickens but she is for the residents having chickens. She wanted to make sure the ordinance was changed to say chickens allowed since the ordinance said no chickens. She wanted to be sure to clarify so everyone knows the rules. If anyone has any updates for beautifying in the City she would like to know. If the Council is going to talk about xeriscape we may want to consider the xeriscape for the City along the highway so it looks a little bit nicer.

Police Chief Jamison reported the BCI cards for fingerprinting have arrived and he needs to get each of the Council Members fingerprinted so if they could stop by the office when they get a chance he will get those completed. He informed Council of the progress of his two newest officers. Officer Joanna Alesana-Mareko is still in training. She will be in training for another 2-2 ½ months. She is slower since she came straight out of the academy but it has been good. She built the foundation and now we are training her and building the structure to how we want it. Officer Joshua Althoff just completed his FTO Program so he is now solo. His 12 years of experience got him there quickly. Chief Jamison informed Council this past week he completed interviews for the Sargent position. Brenden Davis has been promoted to patrol Sargent. Council Member Wiggill gave his congratulations as well as Council Member Rigley.

Treasurer/Office Manager Youngdell voiced all of her items of discussion were discussed already so she had no further comments.

Public Works Director Monroe expressed extreme gratitude and thanks for all who reached out to him and his family regarding the experience his family endured a few weeks ago. It is amazing. The utilities on the Veterans Park are finished. The 1300 North project was agreed upon. Clinton City is the main sponsors for the project so we will be going through them for all things pertaining to the grant. Fun Days is approaching and we will be talking more about the preparations during the work session. Director Monroe notified everyone to not be afraid of contacting him, he is now back at work and trying to do business as usual.

Council Member Macfarlane made a motion to adjourn and continue on to the work session after a five minute break. Council Member Smalling seconded the motion. The motion passed unanimously with Council Members Bangerter, Macfarlane, Rigley, Smalling and Wiggill voting yes.

WORK SESSION

1. **Discuss FY2023 Budget Requests:** Mayor Madsen started off by passing the time over to Recorder Supp to explain the new changes in the budget. In the General Fund, in Non-Departmental there has been an increase \$1,479 for half the price of the Google email account subscription. In the Police budget there has been an increase of \$22,220 in the Retirement account for the pickup portion for tier two officers. The City has to decide if they want to pick up the portion or will you want to push it off onto the employee. Council Member Wiggill reiterated the City picked up the original cost in the past correct. Treasurer/Office Manager Youngdell said yes so he believes the City should continue to pick up the portion. All Council Members agreed. In the Utility Fund under Non-Departmental the other half of the Google email account subscription cost of \$1479 was added. \$147,670 has been added to Capital Outlay for the 1300 North project per the bid from CEC Civil Engineering. The Garbage Fund has an added increase of \$11,000 for the increase in prices from Econowaste. The last increase into the Utility Fund is in Capital Outlay in the Local County Option Highway account; \$38,000 was added for the remaining needed for the 1300 North project, for a total increase on the 1300 North project of \$185,667. Recorder Supp asked for clarification on the Davis Landfill Voucher Program. The voucher program requires residents to come to the City office to pick up a voucher and then they are able to haul their stuff to the dump themselves. Council Member Macfarlane asked if the City could participate in the voucher program as well as the dump trailer program. Director Monroe expressed budget wise no. He said the first two years it was for yard waste and cleanup but now it has turned into people throwing away mattresses which cost \$15 each to dump, batteries, tires, etc. and it all costs the City. This is not what the dumpster program is for. It is for yard cleanup to beautify the City. Some people have been landscaping their yards and put a ton of dirt into the dumpsters and the City pays per pound to dump it. The last one he personally dumped costed \$125 for one small dump trailer. The program is being abused. The new voucher program protects the City from being taken advantage of when it comes to dumping garbage other than yard waste. Council Member Macfarlane specified the reason she brought up the voucher program to begin with was because she was in favor of the program to help the City. Director Monroe stated we have prematurely started taking reservations for the dump trailers for July through October so he said he will personally call the ones who have reservations now and let them know the dump trailer is no longer available and the City will have vouchers for them to pick up at the offices. Director Monroe advised this is best to save money for the City especially with gas at \$5 a gallon. Council Member Wiggill raised the concern what about residents who do not have a pickup to take their garbage to the landfill. The City used to have residents put their waste on the curb and Public Works would pick it up but he knows there is not an option to have Public Works go to the resident's homes to pick up their waste. Unfortunately, for those not abusing the dumpster program it poses an issue if they have no means of getting their waste to the landfill. Council Member Bangerter voiced there is not enough manpower, people are abusing the program and those who do not have the means or a truck to get their waste to the landfill can hopefully rely on neighborhood kindness, religion connections or friends. Since Covid-19 relying on others has been harder but there is not enough money to continue the dumpster program and the voucher program is a great way to continue to beautify the City and hopes it will not cause a problem. Council Member Smalling announced the voucher program is

right for the City. She pointed out if she would have known about the voucher program she wouldn't have waited for a dump trailer to use; she made known she doesn't own a truck but does have access to use one. It is the best decision for the City. Mayor Madsen resolved it sounds like everyone is in agreeance to implement the voucher program. Treasurer/Office Manager Youngdell asked if it would start July 01, 2022, yes was the reply from Mayor Madsen. Council Member Wiggill explained he takes care of three of his neighbor's yards and although he was not able to get a dump trailer it would have been nice. He does not have access to a truck; Mayor Madsen offered to let Council Member Wiggill borrow his truck. Council Member Wiggill joked with Mayor Madsen about loading his truck too.

Mayor Madsen indicated Council needed to decide on the wage increase for the Truth in Taxation hearing. Treasurer/Office Manager Youngdell asked Recorder Supp if the tentative FY23 budget included the wage increase for employees and she confirmed it did.

2. Discuss preparations for Fun Days: Mayor Madsen asked if there was going to be a DJ or a Band for music. He thinks a DJ could play music from all decades and make it fun for everyone. Director Monroe confirmed the Council will be cooking breakfast for the City. There will be pancakes, ham, bananas and hopefully eggs. He is worried about the eggs since a major egg distributor's plant recently burned down. Council Member Rigley joked with Mayor Madsen about not cooking pancakes this year. Director Monroe told Council he has no parade help this year. Council Member Smalling offered her assistance but Director Monroe said she will be cooking. He announced he has one person from Clinton City helping with the parade but no other volunteers at this time. Mayor Madsen questioned the advertising for Fun Days. Director Monroe said he is almost finished with the flyer. There will also be a banner at the skate park and at the top of a few of the main streets; he just needs to correct the dates on it. The skate competition is ready to go. Council Member Wiggill asked the question if we advertise for the skate competition. Director Monroe said the flyers and banners say there is a skate competition. Council Member Wiggill mentioned some skaters in his area who didn't join last year and he had asked why and they told him they didn't know about the competition. Council Member Wiggill wanted to get advertisement at the skate park to get the local kids participating. Council Member Macfarlane stated at last year's skate competition she had asked and only one participant was a Sunset local. Director Monroe relayed the sponsor Austin for the skate competition owns a skate shop, he does his own advertisement as well therefore part of the reason we get out of the City competitors is the outside advertisement. Director Monroe announced there will be no "Bark in the Park" this year. Council Member Wiggill questioned the car show trophies and asked if those will be ready. Council Member Bangerter reassured Council he will get the plaques and trophies for the car show ready. Council discussed previous trophies and volunteers who helped with the car show. As an afterthought Director Monroe announced the sponsors for the skate competition do not allow scooters, rollerblades or hoover boards to enter. Since the sponsors own a skate shop they want to promote skaters to come buy skate gear. Council Member Rigley asked if the Youth Council could do a carnival game as a fundraiser and Director Monroe said yes. Council Member Macfarlane asked if the senior lunch has been ordered. Director Monroe reported the food has been ordered, the lunch will be Thursday July 14th at the bowery at Central Park. Council Member Macfarlane described she wants to do music and bingo with prizes. Council Member Smalling volunteered to call the numbers for bingo. Council Member Macfarlane

thanked her for her offer to help with the luncheon. Council Member Macfarlane has someone set up for music. She would like to give him money for helping since he will be setting some things up. Director Monroe notified her he would need an invoice to pay him or he mentioned giving him a \$25 gift card for helping. Council Member Macfarlane said she wanted to give him more than \$25. She then asked if Public Works will be setting up tables and chairs. Director Monroe replied they will be setting up. Council Member Wiggill brought up the waterslides from last year. He asked if there will be some type of covering for the people who have to sit next to them taking tickets, it was extremely hot and he was worried people would pass out from the heat. Director Monroe said he pays a company who takes care of the ticket taking now so we do not need to worry about getting covers for volunteers.

3. Discuss xeriscape ordinance changes: Mayor Madsen stated the reasoning this is being brought up is because of the townhomes being built. They do not have much of a yard to begin with. Council Member Wiggill declared he does not want Option A for the townhomes because it would be an eyesore without any green area and if the owners have dogs they need an area. Recorder Supp read aloud the landscape ordinance for the Council. Director Monroe said the Council needs an exact definition of landscape so the ordinance is clearer. Mayor Madsen affirmed the Council wants green in the landscape and all are in agreement the Sunset Townhomes need to comply with the current landscape ordinance and have 30% landscaped green areas for multi-family homes. Council Member Wiggill opened for discussion if you save water during the drought that's great but it doesn't mean you don't need to maintain your yard. Council Member Bangerter asked what the percentage of green you need in your yard. Recorder Supp reiterated 50% for residential homes. Council Member Bangerter agreed at least one tree, combination of lawn, shrubs or ground cover should be in effect. Mayor Madsen agreed the City needs the green. Council Member Macfarlane commented the developer of JAG Properties said there was no water source to water the trees and shrubs. Council Member Wiggill explained JAG Properties said they could add a drip system for the green. Council Member Smalling noticed a house near her where the resident xeriscape the yard and it is all rocks. The resident made it look really nice. She believes the Council needs to be very thoughtful on this ordinance since water is in short supply and the price of water is going up. She is for xeriscape and looks forward to changing her yard. Her concern is possible dogs and the owners letting them use the parks for taking them to the bathroom. Mr. Bartling in the audience asked if he could comment. He said speaking as someone who does have a lot of rock in his yard, it doesn't look nice. Council Member Wiggill wanted to get back on topic and stated he feels asking for 30% for the Sunset Townhomes to be in compliance with the ordinance is not asking for a lot and doesn't want to change the ordinance for one person. He believes JAG Properties wants to do it the right way and they will.

4. Discuss parking ordinance changes: Mayor Madsen announced he thinks when the construction starts there won't be room for anyone to park on 250 West. He believes once the construction starts there will need to be changes. There will be too many liabilities if someone's car gets hit by a dump truck. Chief Jamison said he will enforce the ordinance the way Council wants him to enforce. Council Member Wiggill related the parking issue to the way he relates chickens in the City. He does not want an officer to respond to a chicken loose in the street, call animal control. He thinks it all comes down to enforcement. It would be a single officer's job all

day to make sure this was a non-issue and to enforce it. He does not want officers time taken up by parking on the streets. Mayor Madsen stated without penalty there is no law. He doesn't feel anything should be done at this time since it is not an issue at the moment. Council Member Smalling asked if she understood there would be construction on 1300 North, 1800 North and 5600 South all at the same time. Mayor Madsen agreed, indicating there would be 2300 North, 800 North and 6000 South as the main streets for all the traffic going west. Council Member Macfarlane mentioned when there was a time they tried to enforce no parking on the streets, there was someone who parked their trailer on the street, they were asked to move it so they did. The next day it was back. It was a never ending cycle. Chief Jamison explained if someone were to move their vehicle 2 feet it resets their time frame so every day they could move it 2 feet and there would be nothing he could do. He stated it is very hard to enforce parking ordinances. Council Member Rigley voiced her opinion since it is not an issue now she feels the Council should leave it as is. Chief Jamison noted it is not an issue yet but it will be. Council Member Wiggill trusts everyone has a valid point and we need to keep in consideration all of these ideas when it comes time to address the ordinance. Council Member Smalling conveyed the best thing we can do is to educate the residents on

Council Member Wiggill made a motion to adjourn. Council Member Rigley seconded the motion. The motion passed unanimously.

The meeting adjourned at 8:37 p.m.

Approved – June 21, 2022

D Howard Madsen, Mayor

Nicole Supp, Recorder

SUNSET CITY CORPORATION

VOUCHER APPROVAL FOR INVOICES OVER \$15,000.00

Date: June 7, 2022 – June 21, 2022

DATE	VENDOR	DESCRIPTION	DEPARTMENT	AMOUNT
06/07/22	Young Ford	2022 Ford Explorer	Police	\$32,257.00
6/16/22	Mecham Bros.	Veterans Park – Utility	Public Works	\$115,546.39
			Total	<u>\$147,803.39</u>

Mayor

Council Members

City Recorder

City Treasurer

Date

SUNSET CITY CORPORATION
200 WEST 1300 NORTH
SUNSET, UTAH 84015

PURCHASE ORDER
13415

VENDOR INFORMATION

NAME Young Ford
ADD. _____
C/S/Z _____
NO. 767

DATE 6-7-22
DEPARTMENT Police
DIVISION _____
REQ DATE _____

GL ACCT. NO.	%	AMOUNT	GL ACCT. NO.	%	AMOUNT
10-54-790	100%	32,257.00			

DESCRIPTION	QTY.	PRICE PER UNIT	TOTAL
2002 Ford Explorer			32,257.00
1FMSK888XUGA16684			
TOTAL			32,257.00

DEPARTMENT HEAD
COURT SUPERVISOR APPROVAL

MAYOR

WHITE/ORIGINATING DEPARTMENT

YELLOW/ACCOUNTS PAYABLE

SIGN
HERE



Young Ford
570 East 525 North
Morgan, UT 84050
Phone (801) 871-9045
Fax (801) 928-2980

Invoice: 11S961
Date 6/6/2022

Description	Price	Quantity	Total
PO# VIN 1FMSK8BBXNGA16684 Stock 11S961 Year/Make 2022 FORD Model EXPLORER Color SILVER Body BASE SUV	\$ 32,257.00	1	\$ 32,257.00
*Terms- Net 14 Days, Late payment Charge 15% APR			
TOTAL			\$ 32,257.00

Customer:

SUNSET CITY
200 W 1300 N
CLEARFIELD, UT 84015



CIVIL ENGINEERING CONSULTANTS, PLLC.

5141 South 1500 West
Riverdale City, Utah 84405
801-866-0550

25 May 2022

Sunset City
200 West 1300 North
Sunset, UT 84015

Attn: Jason Monroe
Proj: **Veterans Park – Utility Improvement Project**
Subj: Payment Request No. 1, and Payment Summary

Dear Jason,

Enclosed are the Payment Request, and Payment Summary for the above referenced project.

Upon review and approval of these documents, please have all three (3) copies of the Payment Summary signed.

Retain one (1) copy for your files and return two (2) originals to our office.

We would recommend payment to Mecham Brothers Inc. in the amount of \$115,546.39 for the completed work, with a retainage amount of \$6,081.39 to be held by the City until the punch list items have been completed.

Should you have any questions in regards to any of the above items, feel free to contact me.

Sincerely,
CEC, Civil Engineering Consultants, PLLC.

R. Todd Freeman, S.E., P.E.
City Engineer

Enclosures

PAYMENT REQUEST NO. 1

PROJECT:

Veterans Park - Utility Improvement Project
Sunset City

DATE:

26th May 2022

CONTRACTOR:

Mecham Brothers Inc.
5792 South 3600 West
Roy, Utah 84067

CONSTRUCTION BID ITEMS, BID ITEM QUANTITIES AND BID AMOUNTS						WORK COMPLETED PERIOD		TOTAL WORK COMPLETED TO DATE	
No.	Item	Quantity	Unit	Unit Price	Total Bid Amount	Quantity	Amount	Quantity	Amount
1.	Mobilization, SWPPP, & traffic control.	1	ls.	\$10,250.00	\$10,250.00	0.75	\$7,687.50	0.75	\$7,687.50
2.	Saw cutting, removal and disposal of asphalt surfacing and unsuitable material to sub-base grade.	950	sf.	\$25.00	\$23,750.00	850.00	\$21,250.00	850.00	\$21,250.00
3.	Remove and dispose existing storm water junction box, Sta. 0+90.66 RT 61.48'.	1	ls.	\$1,500.00	\$1,500.00	1.00	\$1,500.00	1.00	\$1,500.00
4.	Remove and replace curb, curb and gutter, and flatwork (approx. 35-foot.)	1	ls.	\$5,500.00	\$5,500.00	1.00	\$5,500.00	1.00	\$5,500.00
5.	Furnish and install 4-foot square storm water box, Sta. 0+90.66 RT 61.48'.	1	ea.	\$5,000.00	\$5,000.00	1.00	\$5,000.00	1.00	\$5,000.00
6.	Furnish and install 12-inch HDPE storm water pipe.	275	lf.	\$55.00	\$15,125.00	251.00	\$13,805.00	251.00	\$13,805.00
7.	Furnish and install 15-inch Class III rcp storm water pipe.	110	lf.	\$62.50	\$6,875.00	96.00	\$6,000.00	96.00	\$6,000.00
8.	Furnish and install a cast-in-place combination manhole and hooded storm water inlet catch basin box with snout, Sta. 1+47.50 LT 18.00.	1	ea.	\$6,000.00	\$6,000.00	1.00	\$6,000.00	1.00	\$6,000.00
9.	Furnish and install 3-foot square stormwater inlet box with trough, Sta. 1+82.60 LT 118.80'.	1	ea.	\$4,500.00	\$4,500.00	1.00	\$4,500.00	1.00	\$4,500.00
10.	Furnish and install 6-inch SDR 35 pvc sanitary sewer pipe with connection and stub-ups for restroom.	170	lf.	\$55.00	\$9,350.00	170.00	\$9,350.00	170.00	\$9,350.00

CONSTRUCTION BID ITEMS - BID ITEM QUANTITIES AND BID AMOUNTS						WORK COMPLETED PERIOD 1		TOTAL WORK COMPLETED TO DATE	
No.	Item	Quantity	Unit	Unit Price	Total Bid Amount	Quantity	Amount	Quantity	Amount
11.	Furnish and install 4-inch pvc C-900 DR-18 culinary waterline.	60	lf.	\$42.50	\$2,550.00	60.00	\$2,550.00	60.00	\$2,550.00
12.	Furnish and install 2" water meter and vault.	1	ea.	\$6,000.00	\$6,000.00	1.00	\$6,000.00	1.00	\$6,000.00
13.	Furnish and install 2-inch diameter type 200 psi poly.	210	lf.	\$30.00	\$6,300.00	110.00	\$3,300.00	110.00	\$3,300.00
14.	Furnish and install 2-inch diameter electrical pvc conduit.	250	lf.	\$17.00	\$4,250.00	250.00	\$4,250.00	250.00	\$4,250.00
15.	Furnish and install 4-inch diameter electrical pvc conduit.	220	lf.	\$19.00	\$4,180.00	220.00	\$4,180.00	220.00	\$4,180.00
16.	Construct future restroom building pad.	1	ls.	\$6,000.00	\$6,000.00	1.00	\$6,000.00	1.00	\$6,000.00
17.	Furnish 3/4-inch pipe bedding.	250	ton	\$35.00	\$8,750.00	250.00	\$8,750.00	250.00	\$8,750.00
18.	Furnish trench backfill material.	800	ton	\$27.50	\$22,000.00	122.01	\$3,355.28	122.01	\$3,355.28
19.	Furnish & install 8" thick roadbase.	50	ton	\$33.00	\$1,650.00	50.00	\$1,650.00	50.00	\$1,650.00
20.	Furnish & install 3" thick asphalt.	20	ton	\$300.00	\$6,000.00		\$0.00		\$0.00
21.	Restore all landscaping improvements public/private damaged during construction.	500	sf.	\$10.00	\$5,000.00	100.00	\$1,000.00	100.00	\$1,000.00
PAYMENT REQUESTED - PAYMENT REQUEST #1					\$160,530.00	\$121,627.78		\$121,627.78	

PAYMENT REQUEST NO. 1 - SUMMARY

PROJECT:

Veterans Park - Utility Improvement Project
Sunset City

DATE:

26th May 2022

CONTRACT PROPOSAL AMOUNT (BID):

CONTRACTOR:

Mecham Brothers Inc.
5792 South 3600 West
Roy, Utah 84067

CONTRACT PROPOSAL TOTAL:

BID AMOUNT	DAYS PROVIDED FOR CONSTRUCTION
\$160,530.00	50 days
\$160,530.00	50

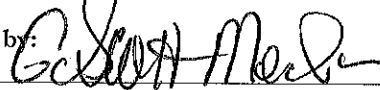
CONSTRUCTION PERIOD					PAYMENT REQUESTS / PREVIOUS PAYMENTS		
BEGIN PERIOD (DATE)	END PERIOD (DATE)	TOTAL DAYS (USED TO DATE)	AMOUNT OF WORK COMPLETED (TO DATE)		Request #	Date	Amount
Work completed for Payment:							
Payment Request #1	4/25/2022	- 5/19/2022	24	\$121,627.78			
Total Construction Work Completed to Date:				24	\$121,627.78	Previous Payment Total:	\$0.00
Contractors Funds to be Retained (5%):				5%	\$6,081.39	Percentage (%) of Construction Work (Completed)	76%
Previous Payments (Paid to Contractor):					\$0.00		
AMOUNT RECOMMENDED FOR PAYMENT					\$115,546.39	Percentage (%) of Construction Days (Used)	48%

I have checked and verified the "PAYMENT REQUEST" and "PAYMENT SUMMARY" and, to the best of my knowledge and belief, the amount claimed and requested is a true and a correct statement of the dollar amount due to the contractor for work performed by said Contractor.

CEC, CIVIL ENGINEERING CONSULTANTS, PLLC.

Requested by:

Contractor



Date: 06-01-22

Approved by:

City Engineer



Date: 6/3/2022

Approved by:

Sunset City

Date:



Nicole Supp <nsupp@sunset-ut.com>

Fireworks letter of intent

sam bartling <samuelbartling@gmail.com>
To: nsupp@sunset-ut.com

Thu, Jun 2, 2022 at 4:32 PM

Here is my letter of intent for a personal 1.3g fireworks show.

Sunset City Council,

My name is Sam Bartling. I recently moved to Sunset as of September 2021. I have been shooting professional fireworks displays for the past 3 years. I have shot with Firestorm Pyrotechnics, Dynamite Dragon, ACME Pro Pyro, and the UPA (Utah Pyrotechnics Association).

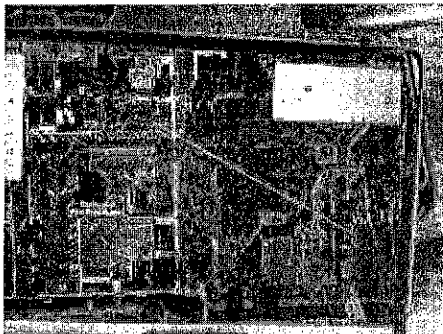
I would like to shoot my own personal show for my family and friends in the neighborhood, to foster a larger sense of togetherness and to strengthen relationships in the community. I am thinking July 16th.

I am asking to be able to shoot a 1.3g (professional) fireworks show at the skate park. I am hoping that this may be able to eventually grow to an event all by itself to strengthen the community and bring people together.

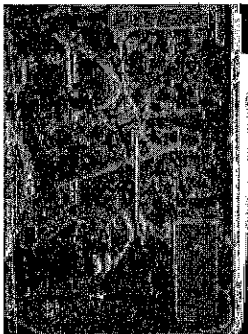
I am possibly thinking that there will be anywhere from 100-150 people in attendance.

Our insurance will renew on the 15th of June. I would like to shoot 2.5" and 3" shells.

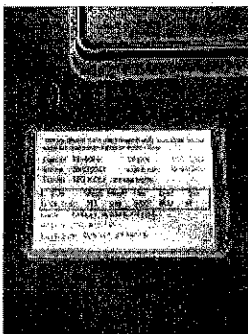
Thanks for your consideration.

3 attachments

20220602_162244.jpg
3354K



20220602_162948.jpg
3752K



20220602_163022.jpg
3074K

This certificate is for identification only, and shall not be used for recommendation or advertising.

License FE120846 Original 05/03/2022
Issued 05/03/2022 Last Exam 04/29/2022
Expires 12/31/2022 (or see stamp)

DOB	Weight	Height	Hair	Eyes	Sex
07/04/1990	180	510	BRO	BLU	M

Name SAMUEL ADAM BARTLING

Address 2243 N 250 W

City & State SUNSET, UT 84015





Nicole Supp <nsupp@sunset-ut.com>

Fwd: Nicole Sunset City 801 614 9103**Dustin Ericson** <DEricson@dainesjenkins.com>

To: Nicole Supp <nsupp@sunset-ut.com>

Thu, Jun 9, 2022 at 10:29 AM

Yes, the city should be covered by the insurance policy. If possible, in an abundance of caution, you should request for the city to be listed as an additional insured on the policy

Thanks,

Dustin D. Ericson
Daines & Jenkins, LLP
108 North Main
Logan, Ut 84321
(435) 753-4775
(435) 753-4002 (Fax)

From: Nicole Supp <nsupp@sunset-ut.com>
Sent: Thursday, June 9, 2022 12:16:18 PM
To: Dustin Ericson <DEricson@dainesjenkins.com>
Subject: Re: Nicole Sunset City 801 614 9103

Thanks Dustin, I was just wanting to be sure if any damage were caused would the City be liable since he has insurance?

Thanks,
Nicole Supp
Sunset City Recorder
200 W. 1300 N.
Sunset, UT 84015
(801) 614-9103
email: nsupp@sunset-ut.com



On Thu, Jun 9, 2022 at 7:48 AM Dustin Ericson <DEricson@dainesjenkins.com> wrote:
Nicole,

Sunset likely has a special event permit, and if so, the person operating the fireworks needs to fill that out. Also, the state code has fireworks restrictions, so those will need to be followed. I am on a family vacation right now on the east coast, but am mostly available on my cell phone if you need me. 435-760-4921.

Thanks!

Dustin D. Ericson
Daines & Jenkins, LLP
108 North Main
Logan, Ut 84321
(435) 753-4775
(435) 753-4002 (Fax)

From: Makenna Merrill <mmerrill@dainesjenkins.com>
Sent: Wednesday, June 8, 2022 4:33:41 PM

To: Dustin Ericson <DEricson@dainesjenkins.com>

Subject: Nicole Sunset City 801 614 9103

Nicole from Sunset has a few questions for you regarding a private firework show a resident would like to do. He is part of a pyro-club thing and has insurance for doing shows. She talked to the fire department and they told him he probably needs a permit and to check with you about anything else or if the city would be liable for anything. She was wondering if you could call her back when you can.

Makenna

RESOLUTION NO. 2022-15

A RESOLUTION OF THE GOVERNING BODY OF SUNSET CITY TO ADOPT THE PROPOSED CERTIFIED TAX RATE FOR FISCAL YEAR 2023 AND SETTING THE PUBLIC HEARING FOR TRUTH IN TAXATION.

Whereas, the Sunset City Council has determined the City of Sunset adopt the proposed certified tax rate of .001255 for the year 2023; and

Whereas, Sunset City is required by Utah Code Sections 59-2-912 through 59-2-920 to adopt a proposed certified tax rate each year before June 22;

Now, Therefore, be it resolved by the Sunset City Council as follows:

The Proposed Certified Tax Rate for Sunset City for the Year 2023 is .001255; and

Immediately after its adoption, this resolution shall be signed by the appropriate officers of Sunset City, shall be recorded in the official records of Sunset City and shall take effect tentatively on August 16, 2022 following the Truth in Taxation hearing.

Approved and adopted by the Sunset City Council this 21st day of June, 2022.

D Howard Madsen, Mayor

Attest:

Nicole Supp, Recorder

RESOLUTION NO. 2022-16

A RESOLUTION APPROVING AN AGREEMENT AMENDMENT BETWEEN SUNSET CITY AND ECONO WASTE, INC. FOR AUTOMATED REFUSE, GREEN WASTE AND RECYCLING COLLECTION WITHIN THE CITY OF SUNSET

Whereas, Sunset City is a municipal corporation of the State of Utah and provides refuse, green waste and recycling services by contract to the residents and inhabitants of the City; and

Whereas, Econo Waste, Inc. is the contractor currently providing refuse, green waste and recycling collection services and the agreement amendment between Sunset City Council and Econo Waste, Inc. to provide said services and be effective July 1, 2022 the rates will be increased 10% to equal a \$0.37 increase on all 1st cans; and

Whereas, Econo Waste, Inc. has also requested a \$0.20 fuel surcharge per resident; and

Whereas, the Sunset City Council desires to continue the agreement with Econo Waste, Inc. to provide refuse, green waste and recycling collection services;

Now, Therefore be it resolved by the Sunset City Council that the attached Agreement amendment be approved and that the Mayor and Recorder are hereby authorized and directed to execute and deliver the same.

Approved and adopted by the Sunset City Council this 21st day of June, 2022.

D Howard Madsen, Mayor

Attest:

Nicole Supp, Recorder

REFUSE COLLECTION CONTRACT

SUNSET CITY CORPORATION, a municipal corporation of 200 West 1300 North, Sunset City, Davis County, State of Utah, hereinafter referred to as the "City", and Econo Waste, Inc., P.O. Box 106, Roy, UT 84067, hereinafter referred to as the "Contractor", hereby agrees as follows:

RECITALS

I

The City is a municipal corporation of the State of Utah and provides refuse, green waste and recycling removal services by Contract to the residents and inhabitants of the City.

II

The Contractor is in the business of providing refuse, green waste, and recycling collection services.

III

The City and the Contractor desire to enter into a Contract under the terms and provisions of which automated refuse, green waste, and recycling collection is provided.

AGREEMENT (AMENDMENT 7/1/2022)

IT IS HEREBY AGREED by and between the "CITY" and the "Contractor" as follows:

1. Contractor agrees to furnish, during the term of this contract, sufficient equipment, and employees to empty automated refuse, green waste and recycling collection containers and dispose of all normal household garbage and similar refuse, including recycling, yard clippings, grass, leaves, tree branches and Christmas trees from the residential premises within the City of Sunset.
2. Contractor shall collect and dispose of refuse and green waste for each resident once each week on Wednesday not before 5:00 a.m. and recycling once every two (2) weeks on Wednesday not before 5:00 a.m. Areas within one city block of Public or Private schools must be collected by 7:00 a.m. The days of collection may be changed by the contractor only after approval by the City and reasonable notice to the residents by the Contractor or the City. All refuse and green waste containers are provided and maintained by Sunset City. Recycling containers are provided and maintained by Econo Waste, Inc.
3. Contractor shall pay the wages of all employees, shall bear all expenses of maintenance of equipment, and shall maintain \$1,000,000 liability insurance, worker's compensation insurance, any other proper or necessary insurance and shall do so at Contractor's own expense.
4. Contractor shall comply with all laws of the State of Utah and Ordinances of the City which pertain to this activity and Contractor's obligations hereunder.
5. During the term of this Agreement, the said Contractor shall have exclusive right to collect refuse, green waste, and recycling from residential properties (excluding multi-unit apartment buildings presently serviced commercially, unless otherwise negotiated), within the City. During the term of this Agreement, the City will not contract with any other party to provide the services contracted for herein.
6. Contractor shall empty large commercial automated refuse collection containers located at the city offices, shops, and parks at a cost to the City described in paragraph 19 of the Contract.
7. This Agreement shall in no way affect the right of the Contractor to negotiate with, or enter into other contracts with commercial, industrial, or other establishments, for collection and disposal of refuse, and the City shall have no interest in any proceeds of any such contracts, nor shall the Contractor be required to account to the City in any way for the same.

8. This Contract can be terminated with the consent of both parties, or in the case of one party substantially breaching this Contract; the other party may terminate the Contract. In such case, the party terminating this Contract shall give thirty (30) days written notice by mail, whereupon the Contract shall terminate at the expiration of thirty (30) days unless the default is remedied.
9. Contractor agrees that refuse, green waste, and recycling pickup provided for in this Contract shall be done by Contractor in a clean and workmanlike manner and with as little inconvenience as possible to the residents of the City.
10. The City agrees to make its best efforts to enforce its refuse collection ordinance, to-wit:
The residential occupant shall place the 90-gallon automated refuse, green waste, and recycling collection containers at a point off the traveled portion of the road in the gutter or, if there is no gutter, within two feet (2') of the blacktop. The container shall be placed so that the container handle faces the resident's house and shall be placed on the street at least five feet (5') from other automated containers and obstructions such as trees, mailboxes, etc. and fifteen (15') away from parked vehicles. Occupants shall not place automated containers under overhead obstructions such as trees or wires. Residents shall put all refuse in an automated refuse collections container; and that residents shall not put out for collection such items as hot ashes, tires, car parts, mattresses, appliance, rolls of carpet, animal carcasses, chunks of cement, dirt, sand, rocks, sod, batteries, televisions, computers, flammable liquid, hazardous waste or anything that will not fit in an automated refuse collection container. If participating in the green waste and/or recycling programs, residents shall put all green waste in an automated green waste collections container and all recyclables in an automated recycle container. Contractor shall have the right to refuse to collect refuse in violation of the above regulations.
11. The Contractor shall dispose of all refuse and green waste collected by transporting the same to the Davis County Solid Waste Management and Energy Recovery District for disposal in accordance with the County and City ordinances. The Contractor shall dispose of all recycling collected by transporting the same to Recycled Earth (3027 Midland Dr., Ogden, UT 84401) for disposal in accordance with City ordinances and any regulations of Recycled Earth.
12. The City shall not have supervision or control over the actual operation of Contractor's business other than to require that Contractor faithfully comply with the provisions of this Contract and all ordinances of Sunset City.
13. Contractor agrees at all times during the terms of this Agreement to protect and save harmless the City from any claims for damages to any person or property that may occur from or in the performance of this Contract by Contractor and to indemnify the City against the payment on any such claim, suit, or judgment and in the payment of any legal expense or other expense growing out of any claim, except for loss or damage resulting from gross negligence of the City, and to maintain in force sufficient liability insurance to

protect the City from any and all such claims for personal injury or property damage to any and all such claims for personal injury or property damage to any personal property which may arise out of or result from Contractor performance or non-performance hereunder.

14. The Contractor shall advertise and have a listed telephone number to receive complaints and inquiries from the residents related to this contract. All complaints shall be resolved in an expeditious manner within twenty-four (24) hour period following receipt of the complaint.
15. The Contractor agrees to perform a Christmas tree collection for residents of the City during the first or second week in January of each year of the contract.
16. For residents certified by the City as being too ill or infirm to move the 90-gallon automated refuse collection container from its storage place to the street and back to its storage space, the Contractor agrees to perform such service for the resident at no extra charge to the City.
17. The City and the Contractor agree that this agreement shall be deemed to contain all of the terms and conditions agreed upon, it being understood that there are no outside conditions, representations, warranties or other agreements, written, oral, or implied.
18. This Contract may be modified by agreement of the parties, but only if such modification is in writing.
19. Effective July 1, 2022 - The City will pay the Contractor the sum of \$4.07 per month for each residential unit and for each of the thirteen (13) commercial automated cans. The rate paid to the Contractor for residential units having two or more automated refuse collection containers will be \$1.50 per month for each additional container. The City will pay the Contractor the sum of \$3.65 per month for each green waste container, and \$3.65 per month for each recycle container. The City will pay the Contractor the sum of \$0.20 cents per month for each residential unit and for each of the commercial automated cans for a fuel surcharge. The City will pay the Contractor the sum of \$95.00 per dump and \$50.00 per ton for the Roll-off located at the Public Works Shop Yard (472 W. 1800 N.). The City will pay the Contractor the sum of \$56.00 each for the 6-yard containers; one located at the City Building (200 W. 1300 N.) and one located at John G. White North Park (2425 N. 200 W.) and \$45.00 for the 3-yard container located at Central Park (85 W. 1800 N.) Should fuel expenses to the Contractor increase over \$4.80 per gallon during the term of the contract, the Contractor reserves the right to add a fuel surcharge of up to 30% of the current fuel price over \$4.80. The City shall pay the above-mentioned fees monthly.
20. This Contract shall be effective July 1, 2020 through June 30, 2023. Contractor and City shall have an option to renew this Contract for additional three (3) year periods at a negotiated rate provided that performance is satisfactory with the City.

21. All disposal fees and permits are the responsibility of the City.

22. The effective date of this Contract shall be July 1, 2022 notwithstanding the date of actual signing by the parties.

DATED this _____ day of _____, 2022.

SUNSET CITY

By: _____

D. Howard Madsen, Mayor

ATTEST:

By: _____

Nicole Supp, Recorder

CONTRACTOR: Econo Waste, Inc.

By: _____

Val Sanders, Owner

ECONO WASTE, INC.

Locally Owned & Operated Since 1987

P.O. BOX 106

ROY, UT 84067

PHONE: (801)627-2680

EMAIL: econowaste@hotmail.com WEBSITE: Econowasteut.com



Effective:

May 17th, 2022

Sunset City
200 W 1300 N
Sunset, UT 84015

ATTN: Mayor Madsen
Jason Monroe – Public Works Director

We would like to thank you for the opportunity to provide your city's garbage, green waste, and recycling service. We value the relationship we have built with Sunset City over the years.

At this time, we would like to request an increase of \$0.37 on all 1st cans. The Consumer Price Index increased by 12.5% over the last 2 years. This increase would equate to only a 10% increase on 1st cans.

Additionally, as fuel is now over \$5.00 per gallon, we would like to request to add a fuel surcharge of \$0.20, per resident.

Please note that these increases would be per resident. Pricing on 2nd containers, recycling, and green waste will remain the same. We feel these increases are necessary as our operating costs over the last 2 years have increased dramatically.

We appreciate your time and consideration, and welcome any questions you may have regarding this request.

Sincerely,

Val Sanders
President