

**Sunset City Corporation
City Council Minutes
December 06, 2022
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Minutes of a regular meeting held December 06, 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	Mayor
Chad Bangerter	Council Member
Beverly Macfarlane	Council Member
Nakisha Rigley	Council Member
Nancy Smalling	Council Member

City Employees Present:

Brett Jamison	Police Chief
Nicole Supp	Recorder
Jason Monroe	Public Works Director

Excused:

Scott Wiggill	Council Member
Linda J. Youngdell	Treasurer/Office Manager

Others Present:

Sam Bartling	Sunset Resident
Hope Thompson	Sunset Resident
Skylar Fleming	Sunset Resident
Rebecca Fleming	Sunset Resident

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

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

Regular Meeting:

Approval of Minutes: Council Member Macfarlane made a motion to approve the meeting minutes for November 15, 2022 as presented and Council Member Smalling seconded the motion. The motion passed unanimously with Council Members Bangerter, Macfarlane, Rigley and Smalling.

Approval of Vouchers: Weber Basin Conservancy, \$337,224.00, Annual Water Charges Council Member Bangerter made a motion to approve the voucher and Council Member Rigley seconded the motion. The motion passed unanimously with Council Members Bangerter, Macfarlane, Rigley and Smalling.

Public Comments: Hope Thompson voiced her concerns about the discussion at the last work meeting requesting on street parking be illegal year round. She expressed she felt the new proposal of no on street parking year round rather than November 15th to March 15th would not be feasible. She informed Council for some residents as well as herself she will have to resort to

parking on her lawn which will ruin it but she will have no other choice. Once the cars continue to be parked on the lawn it then becomes a beautification issue. She said she acknowledges and understands the current ordinance states no on street parking between the hours of 10pm to 6am, the reason being the city's streets are not built wide enough for parking and driving safely. One of the safety concerns previously mentioned was children can and will run between vehicles and could run into the road and get hit. Mrs. Thompson said she feels the last reasoning is a fear tactic or strong arm tactic because no one allows their children to play outside between the hours of 10pm and 6am. She encouraged Council to look into this proposal more, see what impact it will have. Lastly, Mrs. Thompson left the Council with some questions to think about. Is it worth the hassle the Police will have to try to enforce? What will be gained from changing the ordinance? She thanked Council for their time.

Skylar Fleming introduced himself to Council and said he lives near Fremont Elementary. He identified 8 northbound bus stops running through the City on Main Street. He affirmed 4 of them are inaccessible and dangerous to get to; there are no sidewalks, crosswalks or signage to reveal the bus stops. Mr. Fleming made a point by saying this morning he was biking to work and it was very foggy resulting in dangerous conditions to access the stops. He feels the safety concerns regarding the bus stops are a point worth addressing with Council. Mr. Fleming stated he has reached out to UDOT with no results from them but a message back saying they will be passing the information on to their safety team. He is hoping Council can help address the safety concerns and with better lighting on Main Street or crosswalks directly to the bus stops.

- 1. Determine Planning Commission Pay to Attend Outside Meetings:** Mayor Madsen asked if this topic was to also set a new wage for the Planning Commission. Council Member Bangerter said if necessary we may need to open the budget to have wages increased for the Planning Commission. Council Member Bangerter brought to attention the salary of the Mayor and Council Members. He conveyed the Mayor makes around \$10,000 a year with a monthly expense allowance of \$1,000 and the Council Members make about \$6,500 per year with a \$22 a month allowance. This is not a lot of money. The Planning Commission is a volunteer board making \$35 for Commissioners per meeting and \$40 for the Chair. Council Member Bangerter feels it is necessary to provide the Planning Commission with extra compensation for the additional meetings they will be having with the Wasatch Front Regional Council in regards to a grant they received to bring the City's code up to date with Form Based Code. With volunteerism being low he feels it is crucial in order to keep them as valuable members. Council Member Bangerter indicated only one Commissioner needs to attend the meetings and the one in attendance can reiterate the information they learn at the meetings to the other Commissioners. The members of the Planning Commission are residents of the community; there is a learning curve so if we lose a member we have to start all over. Council Member Bangerter would like to see Council increase their primary compensation for attendance at meetings at budget time. Mayor Madsen agreed with Council Member Bangerter and suggested \$50 for additional outside meetings per Commissioner and \$75 for the Chair. Council Member Macfarlane asked if Mayor Madsen was suggesting \$50 to go to trainings. Council Member Bangerter clarified saying it is only to go to extra meetings that are grant oriented. All members of Council agreed to \$75 for the Chair and \$50

for commissioners who attend outside meetings. A resolution will be brought before Council next Council meeting.

2. **Mayor, Council and Department Head Reports:** Mayor Madsen replied to the public comment in regard to the parking issue by saying the topic was conversed but nothing had been decided on. He then informed Main Street is a state road and is controlled by UDOT. The City is not allowed to alter the roadway; there are federal standards they have to meet. Mayor Madsen disclosed when he meets with UDOT for the project on 1800 N he will keep pushing them to address the lighting and crosswalks because several City representatives have brought the issues to UDOT's attention. Mayor Madsen notified Council he spoke with the City's attorney regarding the overnight parking situation. Since the last discussion on no overnight parking the Police Department have issued over 200 warnings and several citations; the attorney suggested first a warning and if the vehicle is still there is 2 days they get a citation and if the citation is not resolved the vehicle be towed. Council Member Macfarlane asked who would be responsible for the towing fees. Mayor Madsen said the vehicle owner would be fully responsible for the towing costs. Council Member Bangerter asked if the City could put the towing needs out for bid. There was discussion on having a legal tow yard and it was determined the topic would need to be conversed more at length. Mayor Madsen notified Council he had an EKG earlier this week and found out he has AFIB.

Council Member Rigley thanked the residents who came to the meeting and shared their comments. She announced the Youth Council had a meeting tonight and discussed fundraising all agreed they do not want to do any food cards or selling of food since they do those kind of fundraisers through school. The fundraising is to earn enough money so they all can attend the Local Officials Day at the State Capital on January 18th. She is working on getting permission from the parents as well and hopes the fundraising will help cushion the budget. The Youth Council designed t-shirts and hoodies to sell. They are working on digitally trying to fulfill orders to sell them so there is not a need to have inventory on hand. The Youth Council will also be working on a service project to display flags around the City on holidays such as Memorial Day, Independence Day, Flag Day, Veterans Day, etc. Council Member Macfarlane asked when the training will be. Council Member Rigley said it will be on January 18th from 8am-3pm at the State Capital. Council Member Macfarlane asked about the conference at Utah State. Council Member Smalling instructed the youth are too young for that trip so they opted not to go. Council Member Macfarlane asked how the advisor is working out. Council Member Rigley praised the new advisor and said she has a lot of patience with the kids and cares a lot about them; she is also the parent of some of the members. Council Member Rigley stated how proud she is of the Youth Council.

Council Member Smalling communicated she received a phone call regarding the Cold War Medal Ceremony. The program is going to be holding a ceremony in Syracuse on the 16th at 5pm where they will be honoring 65 Veterans and will be presenting them medals, 4 of which are special Korean medals. She advised Council has been invited and she will send an email containing all of the information. Council Member Smalling expressed her adoration for the program because it ensures all Veterans are seen and celebrated.

Council Member Bangerter shared with the public years ago UTA had bus stops throughout the City but once the TRAX station came in the stops reduced to only being on Main Street. Since all of them moved to Main Street it became UDOT's responsibility for the safety of the stops. Unfortunately, UDOT is not the easiest entity to get issues fixed. He affirmed they will not put crosswalks on Main Street because of the flow of traffic. He said it is sad because he has known of several instances where someone has been hit on Main Street or killed trying to access the bus stops. For years, the City has been dealing with them to make the bus stops safer and the street lights taken care of. Council Member Bangerter then commented on the parking discussion. He said the streets in Sunset were not designed to be parking lots. Last year there was no parking on the streets during the winter, the same goes for this year. Rental lots and residents may have to loose lawn in order to create additional parking spots. They have the ability to change the parking. Council Member Bangerter addressed his concerns with the old Circle Inn property. He said he feels it is unsafe even though they have cleaned it up and it is fenced off. He wondered if anyone knew if they were rebuilding. There was a small discussion regarding the property being potentially sold to someone new. The property is on Main Street and this becomes a beautification issue as well.

Council Member Macfarlane reported how busy the North Davis Senior Center has been with all of the wonderful services they have been offering. She said it is so heartwarming to see. She then announced the City's Senior Christmas Luncheon on December 14th at 11am in the Sunset room. She asked Director Monroe is the Jr. High school choir would be coming to perform. He answered yes they will be there. She thanked Director Monroe for all of the work he has done for the luncheon. Council Member Macfarlane pointed out she has called UTA regarding the bus stops several times and has been told since they are on a State road it will need to be addressed with UDOT. She conveyed she would like to be a part of the meeting when the bus stops are deliberated with UDOT. She hopes to see crosswalks, better lighting or even signage. She hopes with the interchange coming in, we might be able to discuss with UDOT; she said never say never something could happen. Council Member Macfarlane thanked Director Monroe for the street cleaning his crew completed and said they did a great job. Council Member Macfarlane indicated how it is difficult to snow plow the streets when cars are parked on the roads, she said it is up to the owners to provide enough parking for those living in the homes. We will continue to encourage no on street parking and said the Council appreciates the comments regarding the parking.

Mayor Madsen relayed to Council a letter he received complimenting the Police Department on how wonderful they handled each situation with a residents son who had many encounters with our Police Department. The resident said her son always respected the officers because they were always respectful to him. Police Chief Jamison informed Council the letter was speaking about Nathan Ward. He lived here in the City and passed away two weeks ago. He said the Council may remember him as the kid who stole a police car a long time ago. Chief Jamison shared how respectful Mr. Ward was regardless of the circumstances. He thanked Mr. Ward's family for submitting the letter to the City. Chief Jamison spoke concerning the mandated towing suggestion and reminded Council there is a cost associated with towing he thinks it could be \$50.00 a day plus an additional \$200-250 to get a car out of impound; it can turn into a very expensive penance for residents. He recommended continuing with

warnings and citations to make sure it's not a nuisance first before towing cars. Chief Jamison disclosed the Police Department will be fully staffed with their ninth officer on December 26th.

Fire Chief Mark Becraft of North Davis Fire District reported they are busy, last month they received 56 calls for the City in November and 88 for West Point. He said they are able to handle all of their own calls and assisted Clinton on 7 calls and Syracuse with 4 calls. It is normal they get busier this time of year. There are a lot of misfortunes in this field trying to save lives. In Clearfield there was a tragic double homicide but there are also victories. His team was able to help a 52 year old man went into VFIB; the paramedics were able to shock him, give him some medication and it ended up saving his life. Chief Becraft provided Council with an update on the new station. The water table columns are in and they are ready to pour the footings. In January you will be seeing some of the flatwork being done. Currently, he is struggling with not having enough personnel. He hired five but is still down two paramedics. He has been advertising the open positions but only received two applicants. His dilemma is other entities are upping their starting wages and recruiting the applicants he hires. Council Member Macfarlane asked if he needed another City to try to help him with the work load. Chief Becraft said his team is managing now but they are having mandatory overtime and are running them ragged. Council Member Macfarlane asked if there are enough paramedics. Chief Becraft said he is at the minimum amount of paramedics right now. The problem he is finding is he will put the applicants through schooling and then once they are done they end up going somewhere else that is paying more. Council Member Macfarlane asked if this problem is affecting his budget. Chief Becraft said it is not always about the money; his team has good morale. Chief Becraft notified Council the district acquired a new paramedic truck and have ordered a new ambulance but will not receive it until 2025 because everything is back logged. Mayor Madsen and Council Member Macfarlane thanked Chief Becraft for his report.

Public Works Director Monroe joked with Council about gearing up to be Santa for the event where Santa rides around the City on a firetruck. He informed Council Dominion energy is replacing one of the high pressure gas lines at the top of 1300 North so the top of the road down to 250 West will be closed until the middle of March. Residents will be able to access U-Haul and Davis & Weber Canal. They will also be tying in our water line into the main line at the same time. Council Member Bangerter asked if the City will be charged to have the water line tied in. Director Monroe stated it has already been configured into the grant. Council Member Macfarlane asked if the entire canal will be covered. Director Monroe explained as of right now they will be doing what is exposed in front of U-Haul but eventually it will all be covered. This week he had a few water leaks, he had to assist on one of them with his two newest crew members. He was able to see what they knew about water leaks and also teach them about the leaks. The Veterans Park is almost complete but a few things will need to wait until the spring to complete; such as checking all of the sprinklers to make sure they work properly. You will see a payment coming through for most of the remaining amount minus the portion held for the work needing completion or to be checked in the spring. He is searching for a bowery kit for Public Works to build for the Veterans Park but has not found one yet. Director Monroe notified Council the State has changed the

requirements for CDL's. It used to be \$250 per employee but now they require a two and a half week course at the Toole Technical College from 8am-4pm; most others he has found are 8 weeks long. The cost is now \$2,500. He reminded Council other Cities could start poaching employees because they won't want to spend the money to get employees their CDL when they can take ones we have by offering a better or competitive pay. Council Member Macfarlane asked for an update on the Junior High School's construction plans. Director Monroe said they will be putting the bid out in January and will start construction in February 2023. This will affect Central Park's baseball fields, scoreboard and crowds nests, it will need to be brought down for their parking. It will be impossible for the City to host a firework display in Central Park for Fun Days in the summertime. Council Member Bangerter asked if a LED light show would be possible to do instead of fireworks. He said he has heard they are really cool. Director Monroe said he can look into a light show. Council Member Macfarlane asked if the school communicated their plans for the irrigation line behind the school. Director Monroe said they have covered it all. They will be running a new 8in water line from Main Street down 1625 and from 1800 N through the parking lot they are going to be running a new 8in line. Right now it is currently being fed by a 6in water line. Director Monroe asked if anyone else had any questions. Council Member Bangerter shared concern over losing the firework show and asked if the City could look into doing an LED show. Director Monroe said he will do some research. Council Member Bangerter then asked if Director Monroe had any information on the property on 1300 North. Director Monroe said he has no additional information at this time on the property. Council Member Macfarlane said we have a resident who will be talking about fireworks during the work session today; she commented how great it would be to be able to utilize the talents of a resident here in our City. Council Member Smalling said you hear a lot of negative comments and not as many positive comments on social media. She reiterated a comment she saw on Facebook about the snow plowing in our City being better than Clinton. She gave kudos to Public Works employees for doing a great job at plowing the snow. She also commented on the tree in the foyer, she said it looks gorgeous. Council joked about how nice the tree had been fluffed. Mayor Madsen laughed saying it takes skills to fluff trees and he was a certified tree fluffer when he worked at Lowes. He praised Public Works for doing a great job.

Council Member Macfarlane made a motion to adjourn and go into the Work Session. Council Member Bangerter seconded the motion. The motion passed unanimously.

WORK SESSION

1. **Discuss Winterfest:** Council Member Rigley debated with the Youth Council tonight if they liked doing the scavenger hunt for Winterfest or if they thought the City should go back to their roots and continue on with Winterfest how it was pre-Covid. Everyone was in consensus the scavenger hunt was a big hit and everyone loved it. Council Member Rigley said it was great last year and she feels like the Youth Council will have fun helping put it together this year. Council Member Macfarlane said she loved the scavenger hunt last year but wanted to know if there was something more inclusive for the seniors of the City to participate in. Council Member Bangerter mentioned in the past the seniors were particularly

involved in the chili cook-off. Council discussed having a chili cook-off the night of and having the Fire District and Police Officers judge the contest. Council Member Rigley revealed Sunset Sam will be making an appearance again this year. Council Member Smalling asked if a date has been set for Winterfest. Council Member Rigley said it is typically paired with Groundhogs Day which is February 2nd but since that is a Thursday, Winterfest will be held on February 4th which is Saturday. Council Member Bangerter asked if there will be a firework display this year. Council Member Macfarlane said a resident is present for the meeting who will be able to talk about what he could offer the City as far as a firework display would go. Sam Bartling passed out a map of the Rachael Runyun park presenting distances for which 70' per inch of shell is required and he would like to shoot a 3" or 4" shell. Mr. Bartling shoots fireworks professionally and has requested his own private firework show in the City before. This type of show would require a permit from the Fire District. Mr. Bartling did a poll on Facebook to see how many people would be interested in an outdoor firework show in the winter months. He received 38 comments showing interest. Mr. Bartling instructed he would provide the fireworks for the show but would request the City pay the \$500 permit fee from the Fire District. He first needs the property owner's permission to shoot the fireworks in order to get the permit. On the map it shows different spacing, the question would be where everyone would be able to sit or stand to watch the show. Council Member Bangerter suggested Mr. Bartling work with Director Monroe and the Fire District to make this happen if it is possible. Mr. Bartling said he has already spoken with the Fire District and he needs permission from the property owner in order to get the permit. Council Member Bangerter said the City is not looking to get the permit at this time but more to see if it is feasible for the City to do. Mr. Bartling said he had emailed Director Monroe back in October but has still not received a response. Council Member Bangerter asked Director Monroe if he has purchased fireworks for Winterfest yet. Director Monroe stated he has not. Mayor Madsen said a firework display was not planned for this Winterfest and the reason we had fireworks last year was because the Police Department confiscated a bunch of illegal fireworks so the City used those for last year's Winterfest. Mayor Madsen brought up the point the scavenger hunt and chili cook-off will be here at City hall and then the fireworks would have to be moved to another location; Council Member Smalling said another thing to look at is the weather to make sure it is going to be nice enough to have a display, we don't want residents traveling if the weather is bad. Council Member Bangerter recommended Mr. Bartling doing a firework show at Fun Days since Winterfest doesn't have a planned firework display. Mr. Bartling said he would like to still receive permission so he could host his own firework show as well as possibly for Fun Days. He mentioned wanting to make sure he has all of his insurance in place. Council Member Macfarlane suggested giving Mr. Bartling permission and taking a look at what we can do to make a firework display happen since Mr. Bartling said he wants to do his own show privately anyways. Mr. Bartling mentioned for Fun Days there are options of doing consumer fireworks which would drop the footage he would need to light them safely. He expressed dislike for drone light shows; he said there is no noise, he prefers real fireworks. Council Member Bangerter asked Director Monroe if he is receiving Mr. Bartling's communications. Director Monroe said he was in communication with another resident Austin Sackett wanting to have a firework display too. Director Monroe said in June he provided Mr. Bartling with the budget numbers for

fireworks but apologized for not getting back with Mr. Bartling in October. Director Monroe felt he had no new information to offer Mr. Bartling because the City events including fireworks had not been discussed. Mr. Bartling stated he started shooting fireworks professionally with Austin Sackett. Director Monroe explained when the City has a firework show he calls Fireworks West, cuts them a check and they do the rest. He has not had to figure out permitting or any safety concerns because they have always done a great job for the City. Director Monroe said he will do whatever Council would like but his concern is where everyone will park at Rachael Runyun Park. Council Member Rigley responded with the Council will need to discuss this topic further. Mayor Madsen supplied his main concern is safety and he does not see a firework display at Winterfest but is willing to find out if Fun Days is an option. Council Member Macfarlane asked Mr. Bartling if he has similar concerns to the Mayor of safety, where people will park, etc. Mr. Bartling informed Council he has other places he could shoot fireworks but he lives in Sunset and would like the chance to shoot a display here to draw residents together. He said without permission from the Council he will not look further into any concerns because he feels it would be a waste of his time. Council Member Bangerter interjected by saying the Council cannot give permission at this time because we do not know. None of the Council Members are professional firework shooters so this is foreign territory. The City will need to do their homework and it can take time. Once the Council understands then they can approve. Council Member Bangerter advised Mr. Bartling get with Director Monroe and see if we can make it work; the Council just does not know at this time. Mr. Bartling said he lives by North Park and asked if Council Member Bangerter saw his show last New Year's Eve; all of those fireworks were consumer grade. Council Member Bangerter answered yes and he thought his show was impressive; he guided Mr. Bartling to please try to work it out with Director Monroe and the Mayor. Mayor Madsen asked Director Monroe to set up a meeting with Mr. Bartling. Council Member Rigley brought the conversation back to the chili cook-off and said she will start working on it. Council Member Bangerter said we need to get the word out to the local churches; the seniors will like the chili cook-off.

Mayor Madsen asked for a motion to go back into the regular session. Council Member Bangerter made a motion to adjourn the work session. Council Member Macfarlane seconded the motion. The motion passed unanimously.

Council Member Smalling made a motion to adjourn. Council Member Bangerter seconded the motion. The motion passed unanimously.

The meeting adjourned at 7:47 p.m.

Approved – January 03, 2023

D Howard Madsen, Mayor

Nicole Supp, Recorder