

Sunset City Corporation
City Council Minutes
November 15, 2022
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Minutes of a regular meeting held November 15, 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
Linda J. Youngdell	Treasurer/Office Manager
Nicole Supp	Recorder
Jason Monroe	Public Works Director

Excused:

Scott Wiggill	Council Member
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Others Present:

Tyler Seaman	Contracted Building Official
Hope Thompson	Sunset Resident

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

Mayor Madsen 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 October 18, 2022 as presented and Council Member Rigley seconded the motion. The motion passed unanimously with Council Members Bangerter, Macfarlane, Rigley and Smalling.

Approval of Vouchers: VK Electric, \$109,846.77, new generator at City Hall. Council Member Macfarlane made a motion to approve the voucher and Council Member Smalling seconded the motion. The motion passed unanimously with Council Members Bangerter, Macfarlane, Rigley and Smalling.

Public Comments: There were none.

1. **Introduce Tyler Seaman Building Official:** Recorder Supp addressed Council; she expressed her want to have Tyler Seaman the contracted Building Official for the City come and introduce him and understand how he supports the City. Mayor Madsen questioned if Mr. Seaman is qualified to inspect the commercial buildings for the City. Mr. Seaman agreed

and at a lower cost to the City. Mr. Seaman detailed his experience as a building inspector for the past ten years. The cities he is involved with are West Point, Washington Terrace, Harrisville, West Haven and Sunset. Six years ago he started consulting as a building inspector primarily for the smaller jurisdictions that don't require a full time building inspector. When the previous building inspector Mike Fisher hung up his building inspector hat to work as a superintendent for Neilson Homes Mr. Seaman filled the vacancy as the Building Official for the City. Mr. Seaman joked it is a good thing he has never met any of the Council before because if he had it most likely would have been because something was wrong. He thanked Council and asked if there were any questions. Mayor Madsen appreciated Mr. Seaman coming to Council and said he was glad the building inspections could be done in house. Mr. Seaman expressed working with Recorder Supp has been good. He understands Recorder Supp is fairly new but she is willing to figure out and understand the building code. The code can be very complicated sometimes and up for interpretation but Recorder Supp communicates well and does a good job at communicating the City's needs and wants. Mayor Madsen agreed and said she was a good hire. Council Member Bangerter asked how long Mr. Seaman has been employed by the City. Mr. Seaman said it has been around nine months since he has been the full time Building Official. Council Member Bangerter asked how long he is contracted for. Mr. Seaman said his contract is month to month with the City and asks for a thirty day notice if the City chose to go with a different building inspector. Mr. Seaman said he is only a phone call away if anyone had any other questions. He indicated Recorder Supp schedules the inspections or the person requesting the inspection reaches out to him directly. Mr. Seaman informed Council the software system used to track the building permits is a great system to use. Council thanked Mr. Seaman for coming and he thanked them in return.

2. **Consider Resolution 2022-29 Amending Fee Schedule:** Mayor Madsen disclosed Council reviewed the fee schedule at the last Council meeting to update the fees pertaining to building permitting.

Council Member Bangerter made a motion to approve amending the fee schedule and Council Member Macfarlane seconded the motion. The motion passed unanimously with a roll call vote from Council Members Bangerter, Macfarlane, Rigley and Smalling voting yes.

3. **Consider Resolution 2022-30 Amending the General Plan for Moderate Income Housing:** Mayor Madsen established the element being changed has been presented by Planning Commission and reviewed by Council in prior meetings.

Council Member Bangerter made a motion to approve amending the General Plan's Moderate Income Housing element and Council Member Macfarlane seconded the motion. The motion passed unanimously with a roll call vote from Council Members Bangerter, Macfarlane, Rigley and Smalling voting yes.

4. **Mayor, Council and Department Head Reports:**

Mayor Madsen notified Council Animal Control is currently working on updating some of their rules and ordinances. We should see those coming soon and he will work on getting

someone from Animal Control to come and explain the modifications once those go out. Mayor Madsen provided information from the North Davis Fire Districts last meeting; which interfered with him attending the Veterans Program. At the NDFD's meeting there was a vote for raises so he had to be there in order to elect no. Considering the sizable amounts in raises he felt it was not a good decision to agree with. He invited everyone to take a look at their next tax bill and notice the slight raise for the NDFD's portion. Mayor Madsen notified Council he made a purchase with the approval of Council Member Wiggill from the Emergency Preparedness fund. Mayor Madsen purchased emergency/warning magnetic lights from iZonus for each of the Police cars and each of the Public Works trucks. He demonstrated the lights and how they worked for Police and Public Works. He said the lights came highly recommended at the Davis Fund meeting he attended and he felt it was a good investment for our City. The total cost was about \$2,000 for all of them. Council Member Bangerter asked if the lights are designed for Public Works. Mayor Madsen described the light color is an yellow/orange color for Public Works but on one side it can be the yellow/orange color to warn people and on the other side it can be a bright white color to provide lighting on the situation. The same situation goes for the Police lights but is red/blue on one side and white light on the other. Council Member Smalling asked if there are lights available for the general public. Mayor Madsen said he has one at home so it is possible. Council Member Bangerter asked if employees would be able to purchase the lights at the discounted cost the City received. Treasurer/Office Manager Youngdell replied no, but the Mayor has the phone number of the sales representative. She also noted Amazon carries a similar product for around the same price if you prefer.

Council Member Macfarlane praised Council Member Smalling and the staff for a wonderful Veterans Program. She loved the schools in the City were involved in making cards and pictures for the Veterans. Council Member Macfarlane remarked on how beautiful the new Veterans Memorial Park looks. She expressed several Veterans in the City mentioned wanting to have their name on a plaque somewhere to her. Council Member Macfarlane thanked Police and Code Enforcement for the number of citations given for beautification. She said the City is getting cleaned up and looking much better. She commented on the bus stop on Main Street and working on getting the lighting fixed as well. Council Member Macfarlane provided a list of services for seniors she thought may not be getting taken advantage of. There is Medicaid consumer information at the Clearfield Senior Center. The Center provides information on aging and adult services, elder care locator, a number of groups to support seniors for dementia, Parkinson's and even shopping groups. There is a senior gift drive for Christmas. The gift drive is for seniors sixty and older who may not have family to spend the holidays with, if you know of a senior in need call the Center at 801-525-5080. The Clearfield Senior Center will be closed on November 24th-25th in observance of the Thanksgiving holiday. Council Member Macfarlane announced November is National Family Caregiver Month. She informed Council she has had a lot of questions regarding Winterfest; she would like to get it put on the website as well as the senior holiday dinner.

Council Member Bangerter voiced his opinion on how nice the Veterans Memorial Park looks. He questioned Public Works Director Monroe on the lack of benches in the park. Director Monroe indicated the benches are currently on back order but will be put in once

they are available. Council Member Bangerter pointed out it is very common for benches to be donated by Veterans families; usually with “In honor of... and the Veterans name” carved into the bench. He asked if it would be a possibility to ask for bench donations or money to buy benches, especially if Council Member Macfarlane is getting questions on if names of Veterans will be on rocks in the park. Director Monroe said he will do some research. Council Member Bangerter questioned where the benches will be located. Director Monroe stated they will be put in the park. Council Member Bangerter asked if there is a limit on the number of benches that can be put in the park. He mentioned hearing of Veterans who pass on and their estate will donate benches. Council Member Bangerter voiced how awesome he thought the Veterans Program was. He said he appreciates everyone who helped and Council Member Smalling for all of her hard work. It means more when you get older. Council Member Bangerter mentioned four people in his neighborhood commented on his accumulation of flags in his yard for Veterans Day and how nice they looked. He said his neighborhood used to have a lot of flags put up by the scouting program but they don’t do that anymore. He said he would like to find a way to promote putting up flags for the holidays. Council Member Bangerter went on to discuss his meeting at Wasatch Integrated. He reported there have been three fires this year. Typically it takes 45 minutes to an hour to get the fire put out; it is a long process. Council Member Bangerter read aloud Wasatch Integrated mission statement. They are predicting in nineteen years in 2041 the current site will be at capacity. He remembered when he was Mayor fifteen years ago it was scheduled to be at capacity in 2030 so Wasatch Integrated is doing a great job at refining their processes and improving to lengthen the use of the landfill. Wasatch Integrated are transferring waste out, capturing financial gains out of the waste by reusing items, reduction and recycling. The main goal for Wasatch Integrated is to promote education of separation of household waste by recycling and using green waste cans. Council Member Bangerter disclosed when the recycling program came to Sunset the incentive for residents to recycle was Wasatch Integrated would buy the can for you and you would pay the monthly cost. Sunset is currently at 93 tons of green waste being recycled and 70 tons of commingled recycling. The City is at a 3% recycling diversion and a 4% green waste diversion. Sunset’s rate for the first can and one recycle can is \$19.90, at first he thought it sounded high but after hearing the districts rates Sunset is average is cost. Wasatch Integrated will be pushing for education on recycling programs; he noted it could be mandatory at some point but could be costly due to the creation of laws and resolutions. The need for recycling is all in regards to lengthening and maintaining the landfill. Council Member Bangerter gave an example of the cost to preserve the landfill; the waste gets compacted down and dirt is added to help with decomposition, each night the landfill is covered with a liner to help with the smell and to offset animals. The temporary liners to cover cost \$900,000, a permanent liner for one of the cells cost around one million dollars. Once the liner is placed on a permanent cell it is covered with top soil, the gases omitted are captured and either sold or burned. Bitcoin currently buys the methane gas and uses it. Council Member Bangerter said he would leave the Waste Management Plan for 2023-2032 with Treasurer/Office Manager Youngdell so it could be viewed at the office if anyone was interested or online. He made one last remark on the trucks used at Wasatch Integrated and their cost of \$800,000; they are always watching out for the future of the landfill. If anyone would like a tour of Wasatch Integrated he would be happy to help set it up.

Council Member Smalling reported she attended the conference for the Mosquito Abatement Board. The Mosquito Abatement faces a predicament of finding employees at this time. She relayed the employees there are quitting because they say they cannot be their true self. A lot of the new employees are partial to a hybrid schedule, feel like they are not heard by their managers and feel like the job is not fulfilling. Council Member Smalling disagreed with their message by saying you can make a job fulfilling if you want it make it fulfilling. She does not feel it is the responsibility of the employer to make your job valued. If someone feels like their job is not valuable she thinks it may be time to find a new job or career. Council Member Smalling reported on the statistics of the West Nile Virus in Utah. There were 28 cases and 3 deaths in 2021 in Utah. In 2022 there were 5 cases and 0 deaths. What they are doing is working. They currently have high school kids treating in the marshes on bikes. They are using several modes of transportation such as ATV's, drones, trucks and helicopters. In Salt Lake County they are using a helicopter but drones seem to be the most effective since they can get into smaller spaces. The Mosquito Abatement introduced the Utah State Drone Pilot Program; they will be getting a second bigger drone. She mentioned the fogger the Mosquito Abatement uses; it is a dense fog so they have to let people know when they are coming and treating the area. Council Member Smalling told a story about the thick foggers used. On the back of semi-trucks there is a bar, called the Mansfield bar. Actress Jayne Mansfield, her driver, lawyer and her children were driving on the freeway, the driver could not see a semi-truck had slowed down because of a mosquito fogging truck ahead. The fog masked the trailer and the driver could not react in time to slow the car down and the car slid under the semi-trucks trailer and the actress, driver and lawyer were killed. Council Member Smalling reported a study happening to see if the chemicals are dangerous to bees. They are finding out the treatments used for the mosquitos are not harming bees but mosquitos are killing animals. She said her husband remembers playing in the mosquito fog and dusting chickens with the spray for their protection but if you are worried stay inside when they come around to spray. Council Member Smalling expressed her honor in being able to put together the Veterans Program every year. She said it amazes her how much love and respect is felt in the room on the night of the program. This year she was surprised by Lee Sanchez who came and played the taps. His health has been very fragile and she did not expect him to come but he did and played beautifully with the help of his daughters holding him up and providing him strength. Council Member Smalling said she was hoping for a bigger turnout but said even if only one veteran showed up, they would have deserved it. Brandon D. Wolf was the speaker and he was fantastic. His wife is from Panama and happened to go to the same school as Council Member Smalling's husband. She praised Treasurer/Office Manager Youngdell on helping her send out the invites and Director Monroe's team for setting up the chairs for the event. She thanked the Council for coming to support her and all the help she received from her daughter. Council Member Smalling shared the honoring of her husband at the program. Her daughter put together a gift for the veteran who would be receiving the honor; she was struggling so Council Member Smalling's husband, Bob Smalling helped her get the gift ready. They told him he would be helping present the gift and to his surprise he was given the gift and honor. The school children who made cards and pictures for the veterans did a great job. The Veterans Program is very near and dear to her heart and is honored to be able to put together the program. She remarked on the beautiful Veterans Memorial Park and commented on the visitors who told

her they were impressed with the park. Lastly, Council Member Smalling asked the Mayor for the phone number for the lights. Mayor Madsen said the sales representative's name was Roger Coil and his phone number is 801-513-1448.

Council Member Rigley announced the Youth Council had a meeting tonight and discussed fundraising. They all agreed they did not want to do the usual school type fundraisers like the Fizz and Swig cards since they just sold those cards through their school fundraiser. The Youth Council has decided to design t-shirts and vote on their favorite one and sell them to residents of the City. It was their favorite idea and they all thought it was a great way to show how proud they are to be living in Sunset. Each one of them will be designing one and they hope to earn enough money for their trip at the Day at the Legislature on January 19th. Council Member Rigley remarked on how wonderful Council Member Smalling did with the Veterans Program. She noted how amazing the choir performance was and how nicely the room was decorated. Council Member Rigley announced Letters to Santa will be starting up soon and all of the Youth Council are excited to help write letters back to the children. She would like to advertise Letters to Santa on the website. Council Member Rigley mentioned having the Youth Council help with getting more flags out into our community for holidays like Veterans Day. Lastly, she touched on CivicPlus and said she is still waiting for the payments of the Veterans Park to come out of the ARPA funds to see if there is any remaining to pay for the CivicPlus program. Council Member Macfarlane reminded Council Member Rigley she has a contact from Utah Leagues of Cities and Towns regarding fundraising.

Police Chief Jamison advised the Police Department is running smoothly and everything is going well. He reported last night was the beginning of winter no parking on the streets. The officers went around and gave 75-85 warnings notifying residents the ordinance will be enforced properly and to not park on the street. He received 4 calls regarding the warnings today. Council Member Rigley asked what about big dumpsters on the side of the road. Chief Jamison told her it could be a situation where the resident has called in to get permission to have the dumpster there. Chief Jamison informed Council of the passing of Clinton City's Police Chief Bill Chilson. He was born and raised in Sunset and took care of his mother who lived here until she passed. He has offered Sunset's support on the day of services so Clinton City's staff can attend. The service will be held in Hooper; he emailed the obituary to Council. Chief Jamison thanked Mayor Madsen for the emergency lights.

Treasurer/Office Manager Youngdell presented the rates for garbage to Council for the record. The first can is \$15.57, the blue can is \$4.90 and the green can is \$6.95. She thanked Mr. Seaman for coming to introduce himself and emphasized on how great it has been working with him. Treasurer/Office Manager Youngdell indicated the reason the fee schedule keeps changing is because Recorder Supp and Mr. Seaman are working hard on getting the City up to par on their fees so they are not losing money. She notified Council business license renewals are coming up soon. Next week the office will be closed on Thursday and Friday for Thanksgiving. Friday is not a paid holiday so employees will need to use their own time to cover the hours. Treasurer/Office Manager Youngdell and Chief Jamison joked it is not an option for the officers.

Director Monroe 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 end of February. They will also be tying in our water line into the main line at the same time. Director Monroe explained bark for the Veterans Park will be delivered tomorrow. The benches are on backorder and there will be no bowery. He is searching for a bowery kit to build for the Veterans Park but has not found one yet. Director Monroe assured Council the snow plows are all ready to go for the upcoming snow. Council Member Macfarlane thanked Director Monroe for the street sweeping. She then asked if everything was lined up for the seniors holiday luncheon. Director Monroe stated everything has been taken care of.

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

WORK SESSION

- 1. Discuss Planning Commission Pay to Attend Outside Meetings:** Mayor Madsen questioned if anyone else is getting paid to go to outside meetings unless it is a per diem situation. Council Member Bangerter addressed the issues regarding pay for the Planning Commission. He informed them with the grant they received from Wasatch Region Front Council there will be a lot of outside work the Planning Commission will need to do to get the City integrated with the Form Based Code. He feels \$30 a meeting will burn out the members and we do not want to lose any of them. Council Member Bangerter asked how the Council would feel raising or allowing for additional pay for the Commissioners to attend the outside meetings. Treasurer/Office Manager Youngdell reminded Council they have an expense allowance to help cover costs which the Planning Commission does not. The Planning Commission does receive reimbursement for mileage for trainings though. Mayor Madsen advised he doesn't see a problem with raising their pay. Council Member Rigley recused herself from providing an answer due to her husband being on the Planning Commission. Treasurer/Office Manager Youngdell informed Council they would have to raise the pay during budget time July 1st but to figure out what to do for the outside meetings tonight. Council Member Smalling reiterated this is something to think about since we cannot financially do anything until the budget opens up. She agreed with Council Member Bangerter on how hard it can be to be on the Planning Commission while also having your life, job and family outside of the meetings. She acknowledged how hard it is to leave your paying job, losing money to come to meetings even though it is good for her and she is happy to do it for the City she understands. Council Member Smalling requested we see what other cities are doing for their Planning Commission. Our City is growing we need to know for future growth so we want to have a Planning Commission who is going to go to important meetings. Council Member Macfarlane asked if the meetings with WFRC would be only for this year or a constant reoccurrence. Treasurer/Office Manager Youngdell said it would be for the duration of the grant. Council Member Bangerter reiterated the Planning Commission received a grant and they do not have until July 1st to come to a decision if necessary we need

to open up the budget to make this happen for them. The grant needs to be fulfilled by the Planning Commission and if they don't go to the meetings it will not happen. He said the other option he can see is sending a City employee but he feels they are already stretched thin. Council Member Macfarlane asked if all the Commissioners need to go. Treasurer/Office Manager Youngdell 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. Council Member Macfarlane asked if the Commissioners were complaining about their pay. Council Member Bangerter replied yes but not directly to him. He would like to see this item again on the next meeting to come to a solution. Council Member Macfarlane said we should find out what to do at the next budget session. Council Member Smalling emphasized finding out what other cities do and coming back next time with the information from them. Council Member Bangerter said a lot of cities send their City Managers to things like this but we do not have one.

2. **Discuss Street Lighting:** Council Member Bangerter explained he has years of notes regarding the street lighting mostly on Main Street. He supplied the City's goal years ago was to make all of the street lights LED. The problem he sees with the LED lights is if the City purchases the lights, Public Works would have to get certified to maintain them or the City would have to piggy back off of Rocky Mountain Power. LED's will save 30%-40% and will pay for themselves but the program Rocky Mountain Power offers has stipulations. They will only replace once the street light goes bad and if they have them available. Mayor Madsen and Council Member Bangerter worked with Rocky Mountain Power to get the ball rolling again on the program. Mayor Madsen described a complaint he received about one of the lights on 2300 North by Smiths. The resident wanted an additional street light or a flashing pedestrian crossing light. Council Member Macfarlane said when she was the Mayor she had reached out to Utah Power and Light and was told UDOT should be maintaining Main Street road. She voiced the owners should maintain and take care of the road/lights. She said the City should alert UDOT on the issue. Mayor Madsen suggested he and Director Monroe address the issue in the next meeting they have with UDOT. Council Member Bangerter summarized the promise to purchase the lights were there but it faded because the City does not own the poles, therefore the City cannot afford to maintain them. He wants to get back in the process to get our lights installed. Mayor Madsen reminded Council Member Bangerter he is invited to the UDOT meetings each month and would like to see him at the next one to help address the lighting issues. Council Member Macfarlane said she would like to join the UDOT meeting as well. Mayor Madsen divulged the main purpose of the meeting with UDOT is the 1800 North Project and they will bring up the lighting issue after the meeting about the intersection. Council Member Smalling asked when work will start on the 1800 N Project. Mayor Madsen stated work will start 2025. The bid for work will go out in 2024; the 5600 South Project and 2000 West Project will start first.
3. **Discuss Parking on the Street:** Council Member Bangerter stated Sunset's streets are not designed to have cars parking on them, they are too small. Safety is what matters and there is not enough room for driving and parking. He would like to see the "no parking" on the streets continue on not just in the winter months but all the time. Council Member

Macfarlane said the City is in a dilemma because there are a lot of homes housing more than one family, there is not enough parking; she feels the residents will end up parking on their lawn. Council Member Smalling commented in her neighborhood there are apartment complexes and she is seeing a lot of parking on the roads near those buildings. She saw on social media someone asked if they could use the church overflow parking. Council Member Bangerter said he has not known the church to not allow for people to utilize the church parking lot. Chief Jamison advised the church called last year and said they do not want parking in their lot; the church went and tagged the vehicles themselves. Council Member Bangerter described the issue he sees is people leave their garbage and will park large recreational vehicles for longer periods of time. He mentioned receiving a phone call from one of the owners of an apartment complex and they had asked him what they should do about parking since it is not allowed during the winter months. Council Member Bangerter told the owner it is not a City problem and he will have to find solutions. Council Member Bangerter stressed the importance of no overnight parking on the streets because they are not wide enough to accommodate parked vehicles and the traffic. He said he knows of several deaths caused from crossing the narrow streets in the City. Chief Jamison asked if the parking regulation he is suggesting is 24 hours a day no parking or no overnight parking year round. Council Member Bangerter said he would like to see no overnight parking year round. Mayor Madsen said some of the residents may have to do what he did when he moved his gate back 25 feet to allow for more parking at his residence. Council Member Bangerter revealed some of the people who do not have enough parking are those who are storing cars that do not run. They may need to get rid of the broken cars or extend their driveway. He said it is hard because there are more people with vehicles, it was common for typical households to have at least two cars years ago but now you see households with four or more cars. Chief Jamison said he would prefer people park on the roadway not on their grass. Council Member Bangerter expressed it would be extending the current ordinance to year round. Treasurer/Office Manager Youngdell pointed out the City has an ordinance for when you build a house you are required to have a certain number of hard surface parking stalls but that does not apply to existing homes. Council Member Bangerter questioned if the City has an ordinance you cannot park on your grass. Treasurer/Office Manager Youngdell replied no. Director Monroe observed the City already has an ordinance for no overnight parking during the winter months what would really change if it went year round; he feels it should be the same parking ordinance whether it is winter, spring, fall or summer. Council Member Smalling said she has noticed trailers have been parked on the streets this summer, it is not safe. She said we do the no overnight parking for half the year so she doesn't see the problem with making it year round. Mayor Madsen agreed if the residents can do it for the winter months it shouldn't be a problem the rest of the year. Council Member Bangerter reiterated the changes for the ordinance change; the no overnight parking would extend year round not just during the winter months. Director Monroe said you may want to add no parking on the grass as well. Council Member Smalling mentioned the camping trailers should be implemented as well. Chief Jamison said state law mandates a lot of the parking issues. He said it is very hard to enforce parking tickets unless you make contact of the person who parked the car the tickets go unpaid and clog up the court system. Last time this happened there were 300 parking tickets that went unpaid and 225 of them were dismissed because of

not enough information or people paying it. Council Member Bangerter said Chief Jamison made a good point and he thinks it should come up again in another discussion. He thanked Council and 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 Rigley seconded the motion. The motion passed unanimously.

The meeting adjourned at 8:15 p.m.

Approved – December 06, 2022

D Howard Madsen, Mayor

Nicole Supp, Recorder