

**Sunset City Corporation**  
**City Council Minutes**  
**March 5, 2013**  
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Minutes of a regular meeting held March 5, 2013 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Bangerter presiding.

**Mayor and Council Present:**

|                |                |
|----------------|----------------|
| Chad Bangerter | Mayor          |
| Brent Andrews  | Council Member |
| Ricky Carlson  | Council Member |
| Ryan Furniss   | Council Member |
| Jake Peterson  | Council Member |
| Kevin Snow     | Council Member |

**City Employees Present:**

|                 |                          |
|-----------------|--------------------------|
| Susan R. Hale   | Recorder                 |
| Linda Youngdell | Treasurer/Office Manager |
| Ken Eborn       | Police Chief             |
| Neil Coker      | Fire Chief               |
| Norm Noyes      | Public Works Director    |
| Ryan Rhoades    | Firefighter              |

**Others Present:**

|                 |                                  |
|-----------------|----------------------------------|
| Terry Avondet   | Citizen Corps                    |
| Robert Kelly    | Mountain West Curbside Recycling |
| Ray Chapman     | Trystal Peay                     |
| Scott Stevenson |                                  |

**REGULAR SESSION**

The meeting was called to order at 6:30 p.m. by Mayor Bangerter.

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

**Approval of Minutes:** Council Member Andrews made a motion to approve the minutes of February 5, 2013 as presented. Council Member Snow seconded the motion. The motion passed unanimously.

**Approval of Vouchers:** Council Member Furniss made a motion to approve the vouchers for Utah Local Governments Trust, Davis County and Zions Bank totaling \$153,343.26. Council Member Andrews seconded the motion.

**Public Comments:** Scott Stevenson said he is here as a representative of the Sunset Elementary Community Council and they have to turn in a "Safe Access to Schools" plan. They are concerned about the crossing on 250 West on the south side of Sunset Elementary. It is not lit and frequently vehicles do not stop for pedestrians in the crosswalk. In their plan, they are proposing to UDOT and the Federal Government that Sunset look at installing an overhead luminaire or a red street light to light it at night, as well as more enforcement at the cross walk either via crossing guard, additional support from the Police Department during the times children are going to or from school or reducing the speed limit to 20 mph. Mr. Stevenson

would also like to see more enforcement of the City's codes. If they allow people to get away with small things, bigger things will come into the City.

Ray Chapman said he has lived in a lot of cities across the country and in some cities a resident would have to pay a deposit for the can, but then would not be charged for the recycling and would get their deposit back when they moved. He wondered if that would be an option the Council could discuss with the waste facilities.

Robert Kelly, owner of Mountain West Curbside Recycling, said he has provided a recycling service to some residents of Sunset for the past 8 or 9 years. He recently became aware that Sunset is considering implementing a City recycling program. He asked that the Council consider putting out an RFP before deciding on a hauler so he would have a chance to bid on it. He applauds the City's move to implement recycling; he just wants the opportunity to bid. He also hopes the City considers having an opt-out period of 60 days.

**1. Discussion and possible approval of Ordinance 2013-01 amending Title 4, Chapter 3 "Garbage and Refuse" of the Sunset City Code to "Solid Waste, Green Waste and Recycling Collection and Disposal": Mayor Bangerter opened discussion on this item.**

Council Member Furniss said he is supportive of this service, but he is concerned about the process and Mr. Kelly brought up a good point. Maybe they should table this item and make sure they are doing it right. He thought their discussion was to see if there was enough participation first to warrant the program. Yet, it is on the agenda to adopt the ordinance. He believes they may be getting ahead of themselves. His opinion is that curbside recycling will do well, but that green waste will not do so well. They are basing their fee schedule on it doing well, which is data they do not have. Mayor Bangerter said they are using data provided by Wasatch Integrated, which has done this county-wide. Generally speaking the green waste does come in a little lower than curbside recycling, but the numbers they are using are very modest. Right now, there will be minimal cost to Sunset. Wasatch Integrated has volunteered to purchase the green waste cans and flyers because it costs them money when the green waste goes through the burn facility. He feels the fees would need to be reviewed in a year to make sure they are not over charging residents or losing money on the program. Council Member Furniss said he questions data from the entity that wants to have your participation. That is not independent data. He is also concerned that the economic status of Sunset is not the same as Bountiful or Centerville. Mayor Bangerter visited those cities, as well as Clearfield, and they have areas identical to Sunset's with smaller homes, etc. Another point is that Wasatch Integrated is actually owned by the municipalities in Davis County and it saves the residents money to pull the green waste out of the burn facility. Wasatch Integrated and the hauler needs to know when this will be rolled out so the cans can be purchased. An RFP was discussed versus extending the current hauler's contract. It was decided to wait and find out what the City Attorney's opinion is. Council Member Snow agreed and said the recycling information was put on the utility bills this week, so if they wait a couple weeks they may have a better idea what the participation rate might be.

It was decided they could still discuss and possibly adopt the ordinance, which would give companies a better idea of what the City expects if it is decided to put out an RFP. Council

Member Furniss began by asking for a section to be added to 4-3-4 that would give the Mayor the authority to allow residents to opt-out on a case by case basis because there may be residents who are down south for the winter, on a mission, in the hospital or deployed and may not get word about recycling. He does not want them to be obligated to participate in a program for a year that they didn't even have a chance to hear about. The Council agreed with that suggestion. Council Member Snow questioned 4-3-11 because he believes it does not allow people to dump grass in their compost pile or manure in their garden. It was discussed and decided it just made it illegal for anyone to use any property for a dumping ground. Recorder Hale pointed out that 4-3-4.B contains the opt-out date of March 29, 2013. It was decided to change that date to 60 days from implementation of the program.

Council Member Furniss made a motion to adopt Ordinance 2013-01 with the two amendments decided upon in 4-3-4. Council Member Carlson seconded the motion. The motion passed with a roll call vote of 4 to 1. Council Member Carlson – yes, Council Member Snow – yes, Council Member Peterson – yes, Council Member Furniss – yes, Council Member Andrews – no.

- 2. Discussion and possible approval of Resolution 2013-02 amending the City Fee Schedule to add fees regarding green waste and recycling collection services:** Mayor Bangerter said this is not something they can really do right now because they don't know for sure what participation will be and what the hauling cost will be.

Council Member Furniss made a motion to table this item. Council Member Peterson seconded the motion. The motion passed unanimously.

- 3. Discussion on the 1800 North project:** Public Works Director Noyes explained the Environmental Impact Statement is under Federal review and that is taking longer than they anticipated. If it is approved they will hold more informational open houses. The next step would then be to apply for funding and that could take another year.

Mayor Bangerter advised he has been working with Matthew Godfrey to obtain grants. He and Council Member Snow have gone to Davis County trying to get some money to help with planning and designing for the 1800 North project and are now preparing to go through the Wasatch Front Regional Council to UDOT to ask for funds. It is hard for him or the Council Members to plan for this because none of them have the expertise so he would like to get some money to pay someone to give them an architectural drawing of what the project area could look like. There are businesses that want to expand or locate on 1800 North, but they are waiting to see what will happen with the road. He said Davis County is concerned about planning for the project, but there is no money available to help Sunset with the process. However, they have promised to give written support for any grant Sunset applies for. Davis County's big thing is consolidation; maybe consolidating Sunset's public works with Clinton City or the Fire Department with North Davis, etc. to alleviate the expense of moving and building new buildings for those departments. He asked for input from the Council Members on the direction they want to go so when he meets with people, he can tell them what the Council wants to see happen, such as the look, type of development, how much land the City wants to accumulate, where to relocate the fire and/or public works.

4. **Council Member reports and general information:** Council Member Andrews thanked all those who attended the meeting. He believes they need to give their support to areas of the City they may not be currently supporting. He appreciates all the sacrifices made by the employees in behalf of the City.

Council Member Furniss agreed with Scott Stevenson's earlier comments about the cross walk. He is a traffic engineer so he understands what is expected at cross walks. He hopes the Police Department will work with the residents of that area. He asked Recorder Hale about the monthly financial reports. She noticed she had not been getting those out the past few months and will email them to the Council tomorrow. Council Member Furniss asked about maybe rotating the Police Officers to different areas of the City for weed, etc. enforcement so all areas receive attention from the really pro-enforcement Officers. There is an item at the Sewer District that may go to court. A new building was built on the other side of the HAFB fence and they don't want to pay the District the required impact fee because any federally owned building is exempt. However that building is privately owned and is only on the other side of the fence due to confidential items.

Council Member Snow said the Better Landlord Program may help with the ordinance enforcement and cut some of the crime in the City. He keeps hearing complaints about street lighting and believes the City may need more street lights. He has talked to Chief Eborn about when the City had an Ordinance Enforcement Officer and he said that is when the City looked the best. He knows they can't afford one right now, but it would help if they could. He talked with Matthew Godfrey about possible development of the north end of Sunset Square. Mr. Godfrey's thought was to hold off on it until 1800 North begins. Mayor Bangerter asked Council Member Snow to stop by his office after the meeting and read the covenants on that property.

Police Chief Eborn explained when the Police Secretary tried to print out the activity report for the Mayor and Council today there were problems. When the problem is solved, she will get it out. He asked if the report could be emailed to them instead of printed to save paper. The Mayor and Council agreed that would be good.

Fire Chief Coker advised the annual Easter Egg Hunt will be on March 30<sup>th</sup>.

Treasurer/Office Manager Youngdell said she put a memo in everyone's box about a mandatory training on March 15<sup>th</sup>. If unable to attend, there will be a video that must be watched. She mentioned the "Biggest Loser" competition ended last Friday and Recorder Hale was the winner. The combined weight lost from all the competitors was over 200 pounds. In December when an Officer's vehicle was shot, one of the bullets went into the vehicle's lap top. The insurance said they would not pay for the laptop under the vehicle insurance and it would have to be claimed under the property insurance and pay another deductible. Mayor Bangerter called the Utah Local Governments Trust and they are now going to waive that deductible. The Planning Commission meetings have been canceled a couple of times recently due to no items to go before them. They would like to be proactive if the Council would like them to work on the following items: 1) dividing Sunset into four neighborhood districts to be able to plan for each districts individual needs, 2) brainstorming

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ideas to enhance transportation – bikes, transit, etc., 3) identifying redevelopment areas and proposing redevelopment vision, 4) the vision for the 1800 North interchange and 5) developing architectural and landscaping standards for the general plan. She asked if the Council wants to have a work meeting with the Planning Commission or if they want to decide which, if any, items they want them to address. The next Planning Commission meeting is March 21, 2013. It was discussed and decided to join with them in the meeting on the 21<sup>st</sup>.

Mayor Bangerter appreciated Mr. Kelly's comments and they will address the issue. He advised City Attorney King has rendered his opinion on the Good Landlord Ordinance, so it will probably be on the agenda for the next meeting. He asked people to keep in mind that as the snow melts the garbage that has been tossed and covered with snow is now beginning to be seen. In his opinion, the City is in much better shape than it used to be. They still have problems with bank owned or out of state owned properties, but the Police Department does a good job getting the violations written up. He asked Police Chief Eborn about the crossing Mr. Stevenson had mentioned. Chief Eborn said they can step up enforcement and mark it better, but he believes it does not qualify as a reduced speed zone per UDOT regulations, but he will better check the book. Fire Chief Coker said there are four Elementary Schools in Sunset and they are all having the same problem. There are near-misses at all of them. Mayor Bangerter gave kudos to Officer Jamison for forming and overseeing the "Biggest Loser" competition. He advised a tour of the Davis County Swat Facility is scheduled for Tuesday, April 9, 2013 from 5:00 p.m. and asked the Council Members and employees who want to attend to let Treasurer/Office Manager Youngdell know.

Council Member Carlson made a motion to adjourn. Council Member Snow seconded the motion. The motion passed unanimously.

The meeting adjourned at 8:05 p.m.

Approved – March 19, 2013.

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Chad Bangerter, Mayor

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Susan R. Hale, Recorder