

Sunset City Corporation
City Council Minutes
April 3, 2012
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Minutes of a regular meeting held April 3, 2012 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
Blaine Dickson	Public Works
Doug Garcia	Police Corporal

Excused:

Mickey Hennessee	Public Works Director
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Others Present:

Terry Avondet	Citizen Corps
Ryan Pitts	Horrocks Engineers
Stan Jorgenson	Horrocks Engineers
Kandy Downs	Epic Wave / Miss Sunset Pageant
Archie Toole	Logan Donaldson
Jaime Meredith	Rhys Meredith
Issac Westbrook	Naunie Adams
Stephanie Stewart	

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

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

Approval of Minutes: Council Member Furniss made a motion to approve the minutes of March 20, 2012 as presented. Council Member Andrews seconded the motion. The motion passed unanimously.

Citizen Comments: There were none.

- 1. Update from Horrocks Engineers on the UDOT 1800 North Project:** Stan Jorgenson introduced himself as the Consultant Project Manager and Ryan Pitts as the Lead Environmental Scientist on the project. The UDOT Project Manager was not able to be here and his name is Brett Slater. He gave the update using a power point presentation. They are looking to meet the transportation needs of the year 2040. It is projected that in 2040 Davis County's population will be 400,000, Clinton's 32,000 and Sunset is projected to be 4,600, which is a little lower than it is presently. It is also projected that there will be 200,000 jobs

in Davis County. Currently the traffic on 1800 North is 15,000 to 16,000 vehicles per day and it is projected in 2040 to be 36,000 to 41,000 per day. The Wasatch Front Regional Council is planning for two travel lanes each way on 1800 North to help with the regional traffic congestion. There are also plans for other roadways not in this study. They have reviewed several alternatives for the area and have narrowed them down to alternative 5, which includes adding capacity to 1800 North, constructing a new I-15 interchange at 1800 North and the railroad overpass. The 1800 North widening would consist of two travel lanes in each direction, a 14 foot center median, shoulders 10 to 15 feet wide and sidewalks either with or without a park strip. A raised median would probably be installed around large intersections to help restrict some left turns. This project does not impact anything but people, as in residences and businesses. The project will provide the opportunity for the City to upgrade the utilities. The project would pay for the replacement of the utilities that were directly impacted by the project and the City could upgrade the replacements and only have to pay the betterment costs. The 1800 North widening has three options; widen to the north, south or both. If they widen it equally north and south, it would impact 70-75 homes. Only 45-50 would be impacted if they do a few shifts in the road. Either way there would be an impact on the fire station. They have looked at different options for the railroad crossing and decided on an overpass. Several options for the I-15 interchange has been reviewed to keep the interchange 750 feet away from Main Street, including curving I-15 to the east and building longer ramps from the existing I-15 location to the east so the bottom of the ramps are still 700-800 feet from Main Street. At this point the final decision has not been made and funding has not been secured. They plan to have the draft Environmental Impact Statement (EIS) completed by late spring, hold a public hearing in the summer/fall and have the final EIS by the end of 2012. The Federal Highway Administration (FHWA) then will issue a record of decision in early 2013.

2. **Recognize Employee of the Quarter:** Mayor Bangerter said there were two nominations this quarter and the Department Heads selected Blaine Dickson to receive the award. He read the letter of nomination written by Council Member Furniss and presented Mr. Dickson with a \$50 check. The Mayor and Council Members thanked him for all he does.
3. **Proposal to reinstate the Miss Sunset Pageant:** Kandy Downs, the owner of Epic Wave located in Sunset, said there has not been a Miss Sunset Pageant for about 20 years. During her research she learned it would be more meaningful for the girls if the Miss Sunset pageant was held under the Miss Utah franchise because that would give the girls the opportunity to run for Miss Utah and possibly and Miss America. Currently, Layton and Syracuse are the only two cities that hold a pageant affiliated with Miss Utah. The pageant would also be a scholarship pageant. The Miss Utah franchise would also help with the judges, etc., but the City would be in charge of it. The age for Miss Sunset would be 17 to 24, Miss Teen Sunset would be 14 to 16 and the Little Miss Sunset would be 6 to 9. There is a Miss Teen Utah pageant for the Miss Teen Sunset to compete in. The Little Miss Sunset would go to the State competition as an escort to Miss Sunset. She outlined the minimum budget to start the pageant, with the total cost to Sunset being about \$2,000. Another \$500 in expenses would be provided by sponsorships from local businesses. She would be happy to oversee the pageant for the first year and provide her business location for the venue. Mayor Bangerter said obviously the pageant could not be put together in time to hold this year and asked the

Council to be sure and do some research and find out why the pageant was stopped 20 years ago and they also need to see if there is enough money in the budget for it. Mrs. Downs suggested holding a pageant during Fun Days that is not affiliated with Miss Utah to see if it garners enough participation. Council Member Furniss will work with Mrs. Downs to explore it more.

4. **Discussion and possible approval of Ordinance 2012-02 amending Sunset City Code Section 1-6-3: Meetings, Procedure and Conduct:** The ordinance was discussed at length and the following changes were decided upon: 1) A.2. The meetings held on the dates specified in the foregoing subsection shall begin promptly at six thirty o'clock (6:30) P.M.; 2) A.2.c. [The Mayor, with the consent of a] ~~A~~ majority of the City Council is needed to cancel any regular City Council meeting.; 3) I.1. second to the last sentence: "The Mayor can reject a fourth motion until the Mayor has dealt with the three that are on the floor and ~~had~~ [has] resolved them."; 4) J. second sentence: "The public comment portion of the meeting shall be limited to the public speaking to the council on any item ~~not on the agenda.~~"; and 5) L. last sentence: "The meetings of the City Council shall not be adjourned until all items listed on the agenda have been acted upon ~~or~~ [and] a motion to adjourn is made and approved by a majority of the City Council."

State Code 52-4-104 that says the presiding member of the public body shall ensure the members of the public body are provided with annual training on the requirements of this chapter was discussed and decided it would be inserted at a later time into the Sunset Code under the Duties and Authority of Mayor; section 2 of this chapter.

Council Member Snow made a motion to approve Ordinance 2012-02 with the said changes. Council Member Furniss seconded the motion. The motion passed unanimously with a roll call vote. Council Member Carlson – yes, Council Member Snow – yes, Council Member Peterson – yes, Council Member Furniss – yes, Council Member Andrews – yes.

5. **Discussion and possible scheduling of a public hearing before approving any amendments to Sunset Code 6-1-3 entitled "All Night Parking Regulations":**

Council Member Furniss made a motion to adjourn for a five minute break so they could set up the slide presentation. Council Member Snow seconded the motion. The motion passed unanimously.

Council Member Snow read the current ordinance which does not allow on street parking between 2:00 am and 7:00 am throughout the whole year. Out of the 40 cities in Utah he researched he did not find any other city that did not allow overnight parking on the street all year long. The problem he sees with Sunset's current ordinance is that people are forced to park on their lawns and showed pictures of some. He read the ordinance he proposed and explained he obtained different sections from neighboring cities. During the presentation the following comments and questions were made and asked: Isaac Westbrook asked why the City didn't just paint the curb red if there is a safety issue with parking in a particular area. Archie Toole brought up the issue of EPA regulations concerning parking off of solid foundations. Police Chief Eborn said State Code prohibits vehicles to be driven or parked on

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the street without a current registration and unregistered vehicles parked on private properties are addressed in another section of the Sunset Code. The winter parking restriction from 12:00 midnight to 5:00 am was questioned and it was decided to change it to 2:00 am and 7:00 am. Naunie Adams questioned the section not allowing repairs to be made on a vehicle or trailer while it is parked on the street. Pros and cons for the garbage hauler were discussed. Bart Bate said he doesn't understand why Sunset does not allow residents to park in front of their homes, except during the winter, like other cities do. It does not make sense during the summer months. Jaime Meredith said there is a minimum distance the garbage hauler needs between the can and a vehicle and suggested the public be educated. Then if their can is too close and their garbage does not get picked up, it is their own fault. She also said if people either have to park on the lawn and cause ruts or if they have to increase their driveway space to where it gets rid of lawn it will decrease the resale value of their home and other homes around them. Mayor Bangerter believes people will be putting their garbage cans further out into the street so they can get picked up, causing further blocking of the street. Police Chief Eborn shared the Police Officers' comments, both for and against changing the ordinance. Whatever is decided, they will enforce as best they can. The current ordinance is a hardship for some residents. When the officers patrol at night, the streets are clean and on some streets they can patrol blacked out (lights off, creeping slowly) where it makes it easier to see movement down a side street. The clean streets also allow them to pick out vehicles that do not belong there. He once caught a couple of robbers that way and there have been stolen vehicles recovered. There are some officers who do not like enforcing the current ordinance. He believes if the new ordinance is enacted there will be a slight increase in vandalized cars and minor hit and runs. Council Member Snow said there are a lot of people who do not like to park their cars on the street and still won't, so he feels there won't be a big influx of people parking on the streets. There was an issue with the portion of the ordinance that states people cannot park their car on the street with a for sale sign in it when they can park the car there normally. Regarding the prohibition of parking on the lawn, Stephanie Stewart asked what happens in the winter when the cars cannot be parked on the street and they have no where else to park them. Council Member Furniss would like to implement a parking permit system to allow people to park on the street during the winter upon meeting the condition that all the parking space on the property is full with licensed vehicles. Council Member Carlson said he would like to keep the current ordinance and add a parking permit portion as Council Member Furniss suggested. Jaime Meredith said it seems counterintuitive they are not allowed to park on the streets between 2:00 and 7:00 am when there is far less traffic on the street. If they are really concerned about safety, no parking should be allowed on the streets between 5:00 and 9:00 pm when everyone is traveling home from work or going places and children are playing outside. Treasurer/Office Manager Youngdell said the office gets calls every Wednesday (garbage pick up day) with complaints of their can was missed. The residents say they pay for the service and they want their can picked up. Council Member Furniss asked her to keep track of the calls for the Council. Naunie Adams conducted a poll speaking with 14 people between the ages of 27 and 70. She knows that is a very small number, but out of the 14 people, 12 of them did not want it changed. She feels the proposed ordinance is too complex and is going to cause a lot more work for the police officers than simplifying it with just a seasonal ordinance and a permit program. Fire Chief Coker said as the Fire Chief he is against changing the ordinance

due to public safety. As a citizen he feels the streets are for driving on, not parking on. Stephanie Stewart agreed with Mrs. Adams that the proposed ordinance is too complicated.

Mayor Bangerter asked the Council Members to review what has been discussed. The internet is a good communication tool and he is disappointed at their lack of communication on this issue. He wants to work together on this, considering the comments and issues brought up tonight. He would like to hold a public hearing and receive input from more residents. It was decided to add this item onto the April 10, 2012 budget work meeting.

Council Member Furniss made a motion to hold a public hearing to receive public input on amending Sunset Ordinance 6-1-3 all night parking on May 1, 2012. Council Member Snow seconded the motion. The motion passed unanimously.

6. **Council Member Reports and General Information:** Council Member Snow stated the Youth City Council will begin passing out flyers tomorrow for their flag fund raiser and they'll have a little BBQ for lunch. He reminded everyone to come to the Easter Egg Hunt on April 7th.

Council Member Peterson advised the Planning Commission has an opening for an Alternate Commissioner because Ryan Walker has resigned. They had the public hearing on the dog and cat ordinance.

Council Member Andrews thanked everyone.

Treasurer/Office Manager Youngdell stated the dog and cat ordinance will be on the Council agenda for the April 17th meeting. She asked Council Member Furniss and Council Member Snow to see her after the meeting because she has a document they need to sign for the ULCT conference they will be attending. She has received the new PEHP health insurance rates and is happy to report there is a slight decrease this year.

Mayor Bangerter thanked the Department Heads and residents for attending the meeting tonight. He asked the Council Members who are attending the ULCT conference to give them an update of what they learn at the next meeting.

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

The meeting adjourned at 10:10 p.m.

These minutes have been read and approved at the regular City Council meeting held **April 17, 2012.**