

**Sunset City Corporation
City Council Minutes
May 5, 2009
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Minutes of a regular meeting held May 5, 2009 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Pro-Tem Carlson presiding.

Mayor and Council Present:

Ricky Carlson	Mayor Pro Tempore
Cheyrl Budge	Council Member
Ray Chapman	Council Member
Ryan Furniss	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Neil Coker	Fire Chief
Vicky Gold	Recreation Supervisor
Christina Arbogast	Court Clerk
Norm Noyes	Asst. Public Works Director
Doug Garcia	Police Corporal

Excused:

Dan Gotchy	Mayor
James Bridges	Council Member
Mickey Hennessee	Public Works Director

Others Present:

Guy Larsen	Reagan Outdoor Advertising
Chad Bangerter	Planning Commission, VIPS, Citizens Corp.
Brad Weller	Planning Commission
Brian Hale	

The meeting was called to order at 6:30 p.m. by Mayor Pro-Tem Carlson.

Mayor Pro-Tem Carlson led the Pledge of Allegiance and gave the invocation.

Approval of Minutes: Council Member Budge made a motion to approve the minutes of April 21, 2009 as written. Council Member Furniss seconded the motion. The motion passed unanimously.

Citizen Comments: There were none.

REGULAR SESSION

1. **Reagan Outdoor Advertising Lease Agreement and conditional use request to erect billboard sign at approximately 1600 N. Main:** The comments received from City Attorney King and the Council's concerns were discussed and the following amendments to the contract were requested: 1) the suggestions made by Attorney King will be followed except in reference to the use of the Lessee's crane to install light fixtures, the park will

remain unnamed so the crane can be used at whichever park the City decides to install lights; 2) a time limit of one year to install the sign will be added; and 3) an addition stating the City will be notified as to the content of each advertisement to be placed on the billboard.

Planning Commissioner Bangerter presented the conditions the Planning Commission is suggesting to the Council. They were: 1) the contract will be reviewed by the City Attorney; 2) Reagan Outdoor Advertising will remove some trees on the property; 3) Sunset City will be named as an additional insured on Reagan Outdoor Advertising's insurance; 4) a property description will be attached to the contract; 5) the height of the sign will be no higher than 85' from ground level of the construction site; 6) the sign face will be no larger than 14' X 48' with an additional 3' skirt (17' X 48'); and 7) Reagan Outdoor Advertising will restore the property to its original condition upon removal of the sign. The Council added condition number 8) the City be allowed to place a smaller sign at about road level stating what the billboard sign revenue is helping to pay for in the City.

Guy Larsen and the Council discussed the issue of automatically renewing the 10 year lease for another 10 years making the contract actually a 20 year lease. This project will not work for Reagan Outdoor Advertising if the lease is not 20 years, but the City would like to have the option to review the contract before it renews. It was decided the Council just wants to be notified of the pending renewal before it happens.

Council Member Budge made a motion to approve the conditional use with the above mentioned 8 conditions pending Council approval of the amended contract. Council Member Furniss seconded the motion. The motion passed unanimously.

2. **Request for donation from Sunset Fire Department for their American Cancer Society Relay for Life team:** Fire Chief Coker asked the Council for a donation to the Fire Department Relay for Life team, which will be participating in the event in Salt Lake City in June. The Fire Department is also holding fund raisers for it.

Council Member Furniss made a motion to donate \$200.00 to the Sunset Fire Department's Relay for Life team. Council Member Budge seconded the motion. The motion passed unanimously.

3. **Present and adopt FY2010 tentative budget:** Reorder Hale presented the FY10 tentative budget to the Council and read the total budgets for each fund.

Council Member Furniss made a motion to adopt the FY10 tentative budget. Council Member Budge seconded the motion. The motion passed unanimously.

4. **Council Member reports and general information:** Council Member Chapman mentioned the Youth City Council is in need of another Advisor to assist Tommy Miller. The Thursday meetings seem to be working out well, but they may need to adjust the time.

Council Member Budge asked if the Community Garden was going to be held this year. Treasurer/Office Manager Youngdell said she talked with Steve Mullins and at the time the

Council was undecided what they were going to do with the property. That was the last she heard from Mr. Mullins. The Council decided Mr. Mullins could go ahead and do the garden. Mr. Mullins will be contacted and an advertisement could be placed on the City's marquee.

Fire Chief Coker advised May 30th is the Davis County Health Department's "Safe Kids" fair. It will be held at Barnes Park in Kaysville from 10:00 a.m. to 2:00 p.m. He mentioned Davis County's radio station, 1700 AM, and said they have posted a notice about the H1N1 virus.

Recreation Supervisor Gold reported the "Concert in the Park" scheduled for May 1st was moved to May 22nd due to the weather.

Court Clerk Arbogast mentioned her concern with the Youth City Council holding their meetings on Thursdays because Court is held on Thursdays and it is not always over at 6:30 p.m.

Treasurer/Office Manager Youngdell mentioned the Planning Commission is also held on one Thursday a month. She advised the security panic buttons have been installed in the City Building.

Asst. Public Works Director Noyes advised they are installing a big toy at the John G. White North Park, but it is a slow process. He said they were being inundated with tree branches and garbage disposal at the shop area and just wanted to make the Council aware of it so they could be watching the costs. They are recording names, addresses and items being discarded for their records. Council Member Furniss asked Asst. Director Noyes to have Director Hennessee prepare a report on that for the next Council meeting so they can see if it is cheaper than holding the spring and fall clean ups.

Chad Bangerter advised the Planning Commission has had another member resign and they are in need of members. He mentioned a dumpster on 250 West near 1800 North that is a safety hazard at night.

Council Member Furniss made a motion to enter the work session. Council Member Budge seconded the motion. The motion passed unanimously.

WORK SESSION

- 4. Discuss parameters for semi tractor parking and the permit required:** The Council discussed whether having a lot of regulations and also charging a fee would cause discrimination issues. It was decided there needs to be regulations and a fee to help cover the cost of regulating the semi tractors. A resident had suggested having a common area in the City for truck drivers to park, but it was decided that would cause problems of non-resident use. Using vinyl-type placards for the semi-tractor permits was discussed. They discussed requiring semi-tractors to park on a hard surface again because if they parked on dirt all the time they would end up tracking mud onto the street in wet weather, but it was decided that all vehicles would be regulated in that regard by the EPA ordinance in the near future. It was

suggested and agreed to have the business licensing department handle the semi-tractor permits along with business licensing. After much discussion the following seven regulations were agreed upon: 1) obtain an annual permit; 2) the fees for the permit will be \$100 per year or \$10 per month and \$10 for a duplicate; 3) one permit per residence; 4) renters will need to obtain a letter of permission from the property owner to park the tractor on the property; 5) no on-street parking; 6) no washing of the tractor on the premises or on the street; and 7) engine may only idle for five minutes before leaving the premises.

Council Member Furniss made a motion to go forward with requiring a semi-tractor parking permit with the abovementioned seven regulations. Council Member Carlson seconded the motion. The motion passed 3 to 1. Council Member Budge voted no.

5. **Discuss FY2010 budget:** Since the whole budget has already been discussed, the Council and staff just discussed any items that could be changed. They discussed cutting the remaining \$9,000 to be transferred into the fire truck fund because they could not justify saving money for a future vehicle when two other departments had the vehicles they needed this year cut. It was explained the reason Sunset cannot implement more than a 1% transient room tax is because it is not a resort community and it does not have a bond the tax would pay for. They discussed going with electronic voting or paper ballots and the costs were given which the electronic voting was discovered to be less than originally thought, cutting part of the Fun Days celebration and increasing the property tax a little each year or not doing it this year and increasing it more next year. They also talked about how they have not had to pass along any of the health insurance increases to the employees so far, but if it keeps increasing they may have to in the future.

After much discussion the following items were decided: 1) the remaining \$9,000 to be transferred into the fire truck fund was cut; 2) use electronic voting at a cost that is \$3,000 less than originally thought; 3) cut approximately \$8,000 by paring Fun Days down to one day, Saturday July 25th, with only the breakfast, car show, burnout contest, helicopter rides, 5k, fireworks, skydivers, parade, Pepsi trailer and hamburger/hot dog stand; and 4) to move ahead with a small property tax increase.

Council Member Furniss made a motion to go out of the work session and adjourn. Council Member Chapman seconded the motion. The motion passed unanimously.

The meeting adjourned at 9:15 p.m.

These minutes have been read and approved at the regular City Council meeting held **May 19, 2009.**

Dan Gotchy, Mayor

Susan R. Hale, Recorder