

**Sunset City Corporation
City Council Minutes
May 15, 2018
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Minutes of a regular meeting held May 15, 2018 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Madsen presiding.

REGULAR SESSION

Mayor and Council Present:

D. Howard Madsen	Mayor
Chad Bangerter	Council Member
Ricky Carlson	Council Member
Norm Noyes	Council Member
Scott Wiggill	Council Member

City Employees Present:

Susan R. Hale	Recorder
Linda J. Youngdell	Treasurer/Office Manager
Ken Eborn	Police Chief
Jason Monroe	Public Works Director
Christina Arbogast	Court Supervisor

Excused:

Nancy Greco Smalling	Council Member
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Others Present:

Joseph Cook	Sunset Place Townhouses, PUD
Janet D. LuJan	Wanema Butcher
Dawn Gilbert	Tana Miller

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

Mayor Madsen gave the invocation and led the Pledge of Allegiance.

Approval of Minutes: Council Member Wiggill made a motion to approve the minutes of April 17, 2018 and May 1, 2018 as presented. Council Member Noyes seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes and Wiggill voting yes.

Public Comments: There were none.

- 1. Consider Ordinance 2018-02 amending Title 10, Chapter 5, Article D: Commercial Zone C-2 of the Sunset City Code:** Council Member Bangerter explained this ordinance needed to be reviewed for economic development and to correlate it with surrounding cities. The Planning Commission has worked on it for about a month and a half. A lot of the conditional use designations were changed to permitted uses because the conditions being given to those types of businesses were already being regulated by the City's existing ordinances. Some of the yard set backs were changed to allow for larger buildings to be

placed on commercial lots. The ordinance has also been reviewed by Administration. He believes the ordinance was simplified and is easier to follow.

Council Member Bangerter made a motion to adopt Ordinance 2018-02 amending Title 10, Chapter 5, Article D: Commercial Zone C-2 of the Sunset City Code. Council Member Carlson seconded the motion. The motion passed unanimously with a roll call vote: Council Member Noyes – yes, Council Member Wiggill – yes, Council Member Carlson – yes, Council Member Bangerter – yes.

2. **Discuss allowing a sanitary sewer lift station to be installed to service the final 16 townhomes of the Sunset Place Townhouses PUD:** Joseph Cook advised they have already installed the vault for the lift station and one of the uninhabited buildings is already tied into it. Roy City will only allow 60 of his units to dump sanitary sewer into their lines, so they redesigned the remaining 16 units to flow into the lift station, which will then dump into the Sunset City sewer line. The lift station is a 2-pump system with an emergency third pump and he also has a contract with a company to service it and repair it if it fails. It holds up to 8 hours of sewage if it malfunctions. He reiterated that it is already installed and he hopes it passes. Scott Nelson of CEC Engineering has approved their plan. He said those 16 units would be assessed HOA fees for the maintenance of the lift station and sewer lines. The other 60 units are being assessed HOA fees for the maintenance of the lines going into Roy City.

Council Member Noyes is concerned that some of the work has been done prior to obtaining Council approval and believes this has become a habit on this project. That concerns him for what may or may not happen with future projects. Mr. Cook apologized and said he was not aware they needed Council approval on this. Council Member Noyes said when the project was approved Mr. Cook knew about the sanitary sewer issue and it should have been resolved with Roy City before even one building was built in 2015. He is concerned that this is only being brought before them just now. He does not like lift stations because they require constant maintenance; not just when they malfunction. He feels it is not in the best interest of 16 residences to pay for that because Sunset City is not going to do it. He is also concerned that when the station fails, the residents will be calling Sunset City. Council Member Noyes believes that a lift station is just not in the best interest of the residents.

Council Member Bangerter stated the project needs to be completed, but feels an amendment needs to be added to the development agreement that states Sunset City has no liability for the lift station at all and, if the City eventually has to step in, all costs will be paid by the HOA. As Council Member Bangerter reviewed the agreement he wondered about the sections stating Mr. Cook is supposed to install an entry monument, playground equipment, fencing, gates, etc. Mr. Cook stated they are still moving forward with those items, but there may be a problem with planting trees along the back of the west side because a major gas pipeline runs through there and in the front there are some really tight spaces. However, he plans to plant trees in the playground area. The vinyl fencing has been put in along the east side and has been started along the north side. Council Member Bangerter agreed with

Council Member Noyes that all these issues should have been addressed prior to now and they need to amend the agreement absolving Sunset of any liability.

The Council does not want to see one more building started or anything else done on this project until the Council has reviewed and approved the agreement amendment. The agreement needs to protect the City from any potential liability or any added cost to the City forever and it will also need to be reviewed by the City Attorney.

Public Works Director Monroe clarified he told Darrell, the Project Manager, several times over the past six months to stop working on the lift station until they had Council approval.

Mr. Cook explained another issue he won't be able to comply with is the privacy fencing along the train tracks. The berm from the ground of the the Sunset Place Development to the top of the train tracks is about 15 to 20 feet tall. There is no way for them to block the train from the residences or to put a fence on top of the UTA wall due to wind and no place to anchor it. He'll have a vinyl fence along the north side of the property and he's looking at maybe putting slats in the existing chain link fence along the tracks on the west side. Council Member Bangerter asked why that was even in the agreement then and suggested trying to grow tall shrubbery along there.

Mr. Cook will begin work on the agreement amendment.

- 3. Mayor, Council and Department Head Reports:** Council Member Bangerter reported the Bark in the Park car and dog show took place Saturday, but it was raining so there was not a good turn-out. There were a lot of dogs, but only about 20 cars. There were 19 vendors, so he believed if it had been sunny it would have been a great success. He would like to bring it back next year. He has also been wondering if the City should do an RFP for the City's attorneys.

Council Member Carlson reported on his attendance at the North Davis Sewer District Board meeting. The Board has moved a lot of pipes in Layton and released the easements to those residents affected.

Council Member Wiggill said he also attended the Bark in the Park event and thought it was well attended considering the rain.

Council Member Noyes noticed a business has built a nice fence around part of their property and wondered about the ordinance stating the fence has to be opaque where it abuts residential property. It needs to be followed up on to see why it wasn't done. The Council received an invitation to take a Weber Basin Water tour on June 6th and said it was really nice when he has attended it in the past. He will be out of town the first week of June.

Police Chief Eborn reported he had officers at the Bark in the Park event and there were no issues.

Treasurer/Office Manager Youngdell advised U-Haul has submitted their building plans for review. The new Utah State tax rates just came out so there may be a little change to their pay. Last week they had their first counterfeit \$100 bill come through the City. She said when it was taken, the Clerk was suspicious, but was alone so she took down the name and time the person paid with it, which is what they've been instructed to do. Treasurer/Office Manager Youngdell took it to the bank where they proved it was counterfeit. The Sunset Police Department also opened a case on it. She reported the owner of Sunset Auto Body mentioned last week he is looking at building a building on the property to the north of his business. There are also some concerns that some of the conditions placed on his business are not being followed.

Public Works Director Monroe reported they are cleaning the storm water boxes and tomorrow they will be installing the ADA playground equipment paid for by the Kiwanis Club, then they will start working on leveling the soccer field at Rachael Runyan Memorial Park.

Mayor Madsen stated he attended the Wasatch Integrated Waste Management Board meeting where they took about a three-hour tour of all the facilities. He announced the City would be adding a golf tournament to Fun Days this year. It will be held on Friday, July 20th at the Crane Field Golf Course in Clinton. A bicycle ride is coming up soon called the Golden Spoke Event to be made up of Mayors or representatives of cities along the trail. Sunset is not along the trail, but he has been invited to go along with Clinton. One group will begin at Weber Canyon, another group will begin at Provo Canyon and they will meet at Jordan Park where they just completed a bridge. This is to celebrate the completion of a 100 mile trail, even though some sections in Weber County are not yet completed. He will just go to the meeting point because he cannot ride a bike at this time. He invited anyone who would like to ride to let him know.

Council Member Bangarter said a couple of years ago the Council toured the Davis County Sheriff's Department to see all they did. He will be talking to the Sheriff tomorrow and asked if the Council would like him to see if they could set up another tour. There was no objection so he said he would ask and report back to the Council.

Council Member Wiggill made a motion to go into the work session after a 10 minute break. Council Member Noyes seconded the motion. The motion passed unanimously with Council Members Bangarter, Carlson, Noyes and Wiggill voting yes.

WORK SESSION

To discuss fiscal year 2018 budget amendments and fiscal year 2019 budget requests: The FY18 budget amendments were discussed first. Recorder Hale explained most of the changes made were from the last meeting's discussion. \$1,600 was also added to the Police budget for a laptop that just broke. She was reminded to add the sale of the old City Building to the Public Works Capital Projects budget for the 1800 North Project expenses.

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During the FY19 budget requests discussion, Recorder Hale explained the changes made per the previous meeting's discussion, which included making the Police Secretary full-time. She explained that would leave the General Fund Balance at 23.8% of the projected budget. If the Council took out the vacation cash out amounts the General Fund Balance would be 24.6% and if they kept those in and added the Ventrac tractor back in, it would be at 21.4%. During the ensuing discussion, it was decided to: 1) put \$10,000 into the budget to pay for the design and engineering of a sally port for the Police Department's side of the City Building, 2) cut the vacation cash out amounts, 3) add the Ventrac tractor back in and 4) draft a tiered rate structure for water services.

Other items discussed were doing more road and infrastructure improvements, whether or not to go forward with the Veterans Memorial (which had been designated to be accomplished using private donations), what they could do with the basement of the City Building and the development projects planned in the future that will impact the City infrastructure. There are more road and sidewalk projects planned for FY19 than in the past few years. They discussed having an extra work session before the Public Hearing on June 6th to discuss the tiered water rate structure and it was decided to have one if there is a potential need to increase utility rates.

Council Member Noyes made a motion to go back into the regular session. Council Member Wiggill seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes and Wiggill voting yes.

Council Member Bangerter made a motion to adjourn. Council Member Carlson seconded the motion. The motion passed unanimously with Council Members Bangerter, Carlson, Noyes and Wiggill voting yes.

The meeting adjourned at 8:05 p.m.

Approved – June 5, 2018

/s/D. Howard Madsen, Mayor

/s/Susan R. Hale, Recorder