

**Sunset City Corporation
City Council Minutes
September 2, 2008
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Minutes of a regular meeting held September 2, 2008 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Gotchy presiding.

Mayor and Council Present:

Dan Gotchy	Mayor
James Bridges	Council Member
Cheyrl Budge	Council Member
Ricky Carlson	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
James Weston	Asst. Fire Chief
Joe Maylin	Public Works

Excused:

Mickey Hennessee	Public Works Director
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Others Present:

Christy Hutchinson	Sunset Jr. High
Chad Bangerter	CERT, VIPS
Jacob Gittins	Scott Noyes
Adam Noyes	Gary Gittins
Matthew Taylor	Diane Brubaker
Leslie H. Moore	Archie & Nola Toole

The meeting was called to order at 6:30 p.m. by Mayor Gotchy. He announced that former Fire Chief/Council Member Arley Wallace had passed away that afternoon. He was a good man and will be missed.

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

Approval of Minutes: Council Member Furniss made a motion to approve the minutes of August 19, 2008 as presented. Council Member Budge seconded the motion. The motion passed unanimously.

REGULAR SESSION

Citizen Comments: Chad Bangerter expressed his displeasure with the removal of a component of the skate park. He does not believe it has accomplished what it was intended to because the

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skaters are now cleaning up after the watchers who are leaving most of the garbage. He also noticed the component that was removed was a component a lot of the beginners were using and now there are not as many young kids there as there used to be. Monday there was a whole bunch of people there and it was crazy. He believes the point will be made, but he also believes the point was made when there was an issue with the glass. The garbage will be taken care of for a few weeks, but then it will go back to normal with a little garbage in the evenings.

1. **Donation request for Sunset Jr. High School's annual Fun Run:** Christy Hutchinson introduced herself as a Counselor for Sunset Jr. High and passed out more information on the Fun Run. She said Sunset Jr. High really appreciates the help the City has given in the past. Last year there were over 400 participants and they expect to have between 400 and 500 this year. Each participant receives a free t-shirt and refreshments. This year they need to raise \$1,200 to hold the run.

Council Member Furniss made a motion to donate \$300.00 to Sunset Jr. High School. Recorder Hale advised the policy limit for a group is \$200.00. Council Member Furniss amended his motion to donate \$200.00 to Sunset Jr. High for the annual Fun Run. Council Member Bridges seconded the motion. The motion passed unanimously.

Ms. Hutchinson said they do accept donations from private individuals and businesses.

2. **Ordinance 2008-06 adding a section to allow the walking of dogs in South Park:** Council Member Chapman said he spoke with the Principal of Doxey Elementary and the Principal told him that last year there was a man walking his dog and would stop near the kids playing at recess. When the Principal approached him, the man took off and didn't come back. That made Council Member Chapman leery and he does not want to put the kids in danger during school hours. He therefore adjusted the times dogs can be walked from 8:00 am to 9:00 pm to 4:00 pm to 9:00 pm. Now he is considering changing the times to 6:00 am to 8:30 am and 4:00 pm to 9:00 pm, then have summer hours be 6:00 am to 9:00 pm for when school is out for the summer. Police Chief Eborn informed the Council that an Officer closes the restrooms between 9:00 and 10:00 pm during the time of year they are open. Chad Bangerter suggested allowing the dogs to be walked even earlier at 4:00 am. Council Member Chapman read all the proposed rules.

Sherry Bailey asked if the lights would be on at 4:00 in the morning. Mayor Gotchy replied the ordinance is just opening a time for people to walk their dogs. If people walk at that time, they know they will be walking in the dark.

Council Member Furniss believes the ordinance needs to be easily understood. He agrees with most of the rules, but he believes there should be a set time for all year round. That would make it easier for residents. There are three parks in the City and he believes this ordinance is needed. He asked what the feedback was from the Principal. Council Member Chapman said he was all for it except he didn't like the time during school hours.

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Nola Toole said she believes there should be different hours during the summer because there is no school going on and it would give people more time to walk their dogs. Fire Chief Coker reminded the Council there is a summer lunch program during the summer, so there would be a lot of kids over there in the middle of the day.

Council Member Furniss said he believes they are erring on the side of caution with all the rules, but he also believes they are being too cautious. He believes most people who have pets are responsible and walk them on a leash. Mayor Gotchy said he does not necessarily agree with that. If they do not have the rules, they will not have anything to fall back on if something does happen.

There was more discussion about the hours. It was decided to allow dogs to be walked on the walking track at South Park between the hours of 4:00 am to 8:30 am and 4:00 pm to 10:00 pm all year round. There was discussion about whether someone renting the bowery would constitute a City-authorized event and it was decided it would not. A couple of spelling errors were corrected.

Diane Brubaker asked how the public would be educated about this, what the penalty was for violating the ordinance and who would enforce the ordinance. It was said there would be signs posted, violations would be a Class B or C misdemeanor and it would be enforced by the Police Department, Animal Control and the public would be asked to report violations.

Council Member Chapman made a motion to adopt Ordinance 2008-06 adding a section to allow the walking of dogs in South Park with the amendments regarding the times dogs are allowed on the track and the spelling errors. Council Member Furniss seconded the ordinance. Council Member Carlson asked if other Cities had implemented time limits. Council Member Chapman had the committee members present stand and be recognized. They were applauded. He then said he researched a lot of Cities on the internet and these people helped him put these rules together. This ordinance is like a lot of other cities. Council Member Carlson then asked what kind of input the Council Members had received regarding the ordinance. Council Member Furniss said when he was campaigning the first time, dogs not being allowed in the parks was a major issue. Mayor Gotchy said a lot of residents also asked him why dogs were not allowed in the parks. Council Member Carlson said the people who have approached him are also for the ordinance. He wondered if it will then be asked why dogs aren't allowed in all the parks. Council Member Furniss replied this would be good because people who don't like dogs will still have parks to go in where there are no dogs. Now maybe people should be cited for taking their dogs into the parks that don't allow them because the City will have one that does. The City will also be placing doggie clean up stations around the track so people will have no excuse for not picking up their dogs' waste. The vote was then taken and the ordinance passed unanimously with a roll call vote. Council Member Bridges – aye, Council Member Carlson – aye, Council Member Budge – aye, Council Member Furniss – aye and Council Member Chapman – aye.

- 3. Discuss options available for City owned property:** Mayor Gotchy reported Public Works Director Hennessee was not able to get all the information he needed for this item and he would not be able to attend this meeting, so he asked that it be tabled.

Council Member Carlson made a motion to table this item. Council Member Bridges seconded the motion. The motion passed unanimously.

- 4. Council Member reports and general information:** Council Member Bridges thanked the Citizens Corp and Fire Department for hosting the neighborhood barbeques to inform people about being prepared for disasters. He advised the Police Department has also been involved and thanked them. There are more citizens aware now of the various things that can happen and how to be prepared. He has noticed the Beautification Committee has put their signs up for the yards chosen for beautiful yard awards. Hopefully, this effort will help people be more interested in keeping their yards nice. Sherry Bailey stated that 800 North is horrible, with one house having a porch that has fallen down, and she would like to see it cleaned up. Council Member Bridges advised that is another subject and would be addressed later. He explained why the component has been removed from the skate park. It was to encourage the young people to pick up their garbage. As he has gone by the park the last few mornings, he noticed the trash issue is much better even if it is the skaters picking up after the watchers. They need to be commended. If the trash issue continues to get better, the component will be put back in. He thanked Chad Bangertter for his involvement with the skaters.

Council Member Carlson stated he also appreciated the work put in for the neighborhood barbeques. He mentioned the tar droppings that may have been noticed along 250 West. Public Works Director Hennessee has been working with UDOT and the construction company who did it while working for UDOT to get it cleaned up.

Council Member Budge thanked Fire Chief Coker and the Fire Department for the work they did Saturday night while the power was out due to a transformer exploding. The Fire Department arrived shortly after it happened and watching them kept them entertained while the power was out. The firefighters also showed several young kids through the new fire truck, which was very nice. She asked Chief Coker to let the rest of the firefighters know of her appreciation.

Council Member Furniss reported he was informed at the last Sewer Board meeting that North Davis Sewer has the cleanest water in the State. It met and exceeded all EPA standards. He thanked the Council Members for adopting the ordinance on the dogs tonight and stated it has been a long time coming. He agreed with Council Member Bridges that the skate park is here to stay, though he opposed it. He is thankful they as, a governing body, finally had the courage to remove an item to let the kids know they are serious. The component will be reinstalled. He thanked the Fire Department for the care they gave to a family member of his who fell and cracked his head. He is amazed at what they do and how effective they are on such a minimum budget.

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Council Member Chapman asked the Youth City Council Members present if they attended the youth games and brought home the buffalo. It was replied that they attended the games, but did not bring home the buffalo. Council Member Chapman said they spend a lot of time talking about the skate park and asked if they can start talking about where they will move the Public Works building and Fire Department to when the State widens 1800 North and where they will get the money to do it. He asked to have the item on the agenda so they can develop a plan. He asked what the time limit is for the removal of components at the skate park. Mayor Gotchy replied Director Hennessee has said a couple of weeks. He said the park has been looking better, but there was broken glass there again yesterday. Some kids came to him and asked when they would be able to get the component back and that is good because they are taking ownership of the problem. Council Member Chapman mentioned he saw crows pulling garbage out of the can without the lid the other day, so he wanted them to take that into consideration when they see garbage around the can.

Treasurer/Office Manager Youngdell reminded the Mayor and Council of the Utah League of Cities and Towns conference on September 10th, 11th and 12th and asked them to check their boxes for the information she placed in them. She said she also has some documents for them to sign before they leave tonight. Public Works Director Hennessee asked her to let them know the sidewalk on Main Street at 2300 North has been started. Council Member Furniss noted UDOT is providing \$10,000 a year to install the sidewalk.

Fire Chief Coker reported the Fire Department has been collecting for MDA throughout the month and on Labor Day was able to turn in \$4,774.62. He pointed out that 80% of that money stays here in Utah. He reminded everyone of the Emergency Preparedness to be held on September 20th from 3:00 p.m. to 6:00 p.m. Also that day, they will be holding the picnic to honor the City volunteers. They would like the Mayor and Council to cook, if possible, to show their appreciation to the volunteers.

Recreation Supervisor Gold stated softball has started and will be on Tuesdays and Thursdays throughout September.

Mayor Gotchy stated he is very proud of the report Police Chief Eborn will be telling them about and thanked the businesses for it. Chief Eborn referred to the report Mayor Gotchy had passed out to the Council Members and explained a sting operation is conducted by the Health Department, along with the Police Department, four to five times a year. An underage buyer is sent into businesses to try and purchase cigarettes. Last year Sunset was the only City in Davis County that had zero businesses that sold to underage buyers. It is not on the report, but Saigon Market in Sunset is the longest running business in Davis County that has never sold to an underage buyer and that is for between 10 to 15 years. The Health Department actually sent in an underage buyer that looked older and none of the businesses in Sunset sold cigarettes to him. He then noted that Sunset Elementary School has gone to an all-day Kindergarten so it has eliminated the need for the City to provide a crossing guard on 1800 North at 250 West at noon. He stated the new roadway built from 2400 North through John G. White North Park to Fremont Elementary seems to be working well. He has not had

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any complaints about it or the cross walk that was removed on 250 West due to it not meeting UDOT standards.

Council Member Budge asked Supervisor Gold if the LDS Church used the softball field this year. Supervisor Gold replied that it did.

Mayor Gotchy thanked the Fire Department for helping to fund the neighborhood barbeques. He stated it was time for the City Employees Party and asked for a volunteer from the Council to oversee it. Council Member Carlson stated he did it last year. Council Member Furniss stated he has a lot on his plate with MIDA. Council Member Chapman volunteered to do it this year. Council Member Carlson said he would help him and Mayor Gotchy said he could put a committee together from the employees. Mayor Gotchy reminded the Council Members of the special meeting with Bruce Evans from Hill AFB at 3:00 p.m. on Thursday.

Chief Coker answered the comment Mrs. Bailey had made about 800 North. He said the Fire and Police Departments have been working on the house with the fallen porch for quite a while and it has been turned over to the legal system.

Marie Stone asked about the mountain of dirt the owner of Southwest Wood Products has produced. Chad Bangerter said Mr. Beecher has just moved a lot of dirt away from the fence and he is trying to sell the dirt, so it shouldn't be there for long. Mrs. Stone said it is causing a lot of dust to drift onto her property. Mayor Gotchy told Mrs. Stone they could look into the problem. Mrs. Stone then mentioned another property next to hers that is vacant and full of tall weeds. Police Chief Eborn advised the property owner has been cited and fined. Some people would rather appear in court and pay fines rather than clean up their property.

Council Member Chapman made a motion to adjourn. Council Member Bridges seconded the motion. The motion passed unanimously.

The meeting adjourned at 7:40 p.m.

These minutes have been read and approved at the regular City Council meeting held **September 16, 2008.**

Dan Gotchy, Mayor

Susan R. Hale, Recorder