

Sunset City Corporation
City Council Minutes
October 2, 2018
Page 1 of 5

Minutes of a regular meeting held October 2, 2018 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Pro-Tem Noyes presiding.

REGULAR SESSION

Mayor and Council Present:

Norm Noyes	Mayor Pro-Tem
Chad Bangerter	Council Member
Nancy Greco Smalling	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

Excused:

D. Howard Madsen	Mayor
Ricky Carlson	Council Member

Others Present:

Beverly Macfarlane	Janet Lujan
Wanema Butcher	Arlo Doyle
Laura Penman	

The regular session was called to order at 6:30 p.m. by Mayor Pro-Tem Noyes.

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

Approval of Minutes: Council Member Bangerter made a motion to approve the minutes of August 21, 2018, September 4, 2018 and September 18, 2018 as presented. Council Member Wiggill seconded the motion. The motion passed unanimously with Council Members Bangerter, Smalling and Wiggill voting yes.

Public Comments: Arlo Doyle commented he and his wife do physical activities with a group called "Go Ruck", which is walking with heavy items on your back. Last weekend two events were sponsored by Go Ruck and as part of the events, they required participants to do a service project. Mr. Doyle asked the participants to donate money for the Sunset City Veterans Memorial and he has \$300 tonight to donate. He gave the money to Mayor Pro-Tem Noyes, who handed it to City Treasurer/Office Manager Youngdell. He was thanked by the Council.

Beverly Macfarlane said she had talked with Mayor Madsen and learned the Council did not put any money in the City budget for the Veterans Memorial. That concerns her because it was already arranged with the City Engineer to draw up the plans for the Memorial. She has talked with a few Veterans who told her they didn't know they needed to contribute for the Memorial.

The last list she saw had 55 Veterans of Sunset on it. She spoke about attending the Davis County Commission budget meetings where EDCUtah came and wanted to create a Northern Utah EDC. She reminded the Council that Sunset has not received anything from EDCUtah. She stated she is concerned about the Fire Department. She is glad the building is gone because it was not up to code. She has read in the newspaper that the North Davis Fire District has proposed a \$13.50 tax increase. She believes Centerville has just broken ground for a new fire station that will be a volunteer station and a training ground for firefighters. She wondered if some of the items they inventoried can't be taken off the cost worksheet provided to the residents. Just so they know, the ALS fees are going up in Davis County, if they keep the paramedics. Mayor Pro-Tem Noyes advised the audience that ALS stands for Advanced Life Support that the paramedics provide during ambulance transports.

1. **Recognize Police Sgt. Brett Jamison for his 20 years of service with Sunset City:** Sgt. Jamison was not present. Chief Eborn asked if the item could be tabled until the next meeting.

Council Member Bangerter made a motion to table this item until the next Council Meeting. Council Member Smalling seconded the motion. The motion passed unanimously with Council Members Bangerter, Smalling and Wiggill voting yes.

2. **Consider request from Spencer King, owner of V.K. Electric, to erect a 30 foot training tower in the southeast corner of his property located at 383 W. 1300 N.:** Spencer King advised he would like to erect a 30 foot training tower in the back corner of their shop area. Their prior training facility was in Hooper, but the tower was sold and the new owners will not allow them to train on it any longer due to liability issues. They will only use once or twice a month to train new hires. The training is one day and the trainees are taught the essentials of climbing a tower, how to use their safety equipment and how to be 100% tied off when they are working high up. The tower would be strictly for training purposes and nothing would be transmitted from it. The base of the tower is a ten foot triangle called a self-support tower.

Council Member Bangerter said first they need to figure out if the structure is allowed by code. No additional structures could be placed on it. He believes they will have a problem with birds nesting in it and that would cause concerns from his neighbors. Mr. King said birds don't really have a place to roost on the tower, but if they do he will take care of it. Questar put up a 20 foot tower in their facility they use to monitor their gages, etc. The tower would only be five feet taller than his building. If the City has concerns about the 30 foot height, he could manage with a height of 20 feet, but it's not as good for training on.

The Council discussed the tower not being mentioned in the City's current ordinances and that they might have to modify their ordinance, which would involve the Planning Commission, etc. Also, the tower is business related for Mr. King's business. It was suggested to run this by the Planning Commission and/or the City Attorney. Council Member Bangerter asked that this be run past the City Attorney and stated he would talk to the Planning Commissioners to get their feel for it. If this doesn't directly affect any codes,

he believes the Council could approve it. He asked Mr. King to look into liability issues until it comes back before the Council in two weeks.

Council Member Bangerter made a motion to table this item until the next Council meeting. Council Member Smalling seconded the motion. The motion passed unanimously with Council Members Bangerter, Smalling and Wiggill voting yes.

- 3. Review the results of the public meeting held on September 18, 2018 to gather input on the Sunset City Fire Department and discuss the possible annexation into the North Davis Fire District:** Mayor Pro-Tem Noyes had spoken about this item with Mayor Madsen and Mayor Madsen wondered how fast they wanted to move forward or if they wanted to hold off and discuss it some more. He asked for comments.

Council Member Bangerter stated it was kind of evident in the last meeting that the opposition to what happened has subsided with the old City Building being removed. Sunset does not have a vote on the North Davis Fire District Board, so the sooner they get a voice on the Board, the better off Sunset will be. The numbers show Sunset is not going to be able to sustain its own fire station in a manner that will serve the community properly. The article referred to by Mrs. Macfarlane states Centerville City is in a Fire District and the District is locating a station in Centerville. He believes they need to move forward with the annexation to get the funding out of Sunset's budget and into the District's budget. They need the two Sunset members of the NDFD Board to be voting members.

Council Member Wiggill wished Mayor Madsen would have been able to be at the meeting tonight to provide his take on it. He had a big part in trying to keep the Sunset Fire Department in Sunset, but reviewing the numbers makes it hard to ask the residents to put up the kind of money that it would take to sustain a decent fire department. He mentioned if he is going to provide a service, he wants it to be the best. To do that for a fire station, it is a tremendous expense for the residents. He would like to give Mayor Madsen the opportunity to express his feelings at the next meeting. He and Mayor Madsen attended the NDFD budget meetings and heard how they are losing firefighters and need to pay them better, but they were unable to express their opinions or vote on the budget.

Moving forward with the annexation was discussed and it was said they are not worried about NDFD doing anything that would take advantage of Sunset, so they should move forward with the annexation slowly, carefully and openly.

- 4. Consider Ordinance 2018-05 amending Title 4, Chapter 4 of the Sunset City Code entitled Weeds, Junk and Abandoned Vehicles:** Mayor Pro-Tem Noyes stated they just want to make the penalty an infraction instead of a Class B Misdemeanor, so someone won't have a criminal record for not keeping his yard nice.

Police Chief Eborn stated this is a recommendation from the City Prosecutor. If a person is charged with a Class B Misdemeanor, he has a right to contest the charge and have it go to a jury trial. If the charge is reduced to an infraction, there is no threat of jail and therefore the

person is not entitled to a jury trial, but can have a bench trial where the Judge will decide on the case. It does not change the penalty amounts.

Council Member Wiggill made a motion to approve Ordinance 2018-05. Council Member Smalling seconded the motion. The motion was approved unanimously with a roll call vote: Council Member Wiggill – yes, Council Member Bangerter – yes, Council Member Smalling – yes and Council Member/Mayor Pro-Tem Noyes – yes.

- 5. Mayor, Council and Department Head Reports:** Council Member Smalling reported the mini fall festival was surprisingly successful for the Youth City Council's pumpkin sale and it was a fun event.

Council Member Wiggill reminded everyone about the North Davis Fire Department fire open house tomorrow at the City Building. It's a great opportunity to meet the firefighters who serve Sunset. They will have two more; one in Clearfield and one in West Point. He urged everyone to be there. He mentioned that he misses the City Newsletter. He has been contacted by people who don't have social media, do not drive down 1300 North, may not see the notice on their water bills and want their newsletter back. He said if they really want to get the important information out to them, it is the way to go.

Council Member Bangerter also believes the fall festival was a great success and it was a good day for it. It was great to see fireworks in the fall because in June, July and August are filled with City celebrations and fireworks. He noted that Centerville is part of a Fire District and their old building was designed for a volunteer fire department, but it is no longer a volunteer fire department. That building was not earthquake proof, etc. so they sold the old building and are looking to build this new one. There is a lot of road construction going on within the City on 2400 North and 1300 North.

Mayor Pro-Tem Noyes received an email from a resident about a fire and weed situation, which he forwarded on, so he asked what is being done in regards to it. Police Chief Eborn asked an Officer to go up and assess the situation and the Officer dropped off a notification to two businesses, giving the property owners 10 days to clean up the weeds. Mayor Pro-Tem Noyes said he also would like to see information get to the residents better, but doesn't know how. It is something they need to look into.

Public Works Director Monroe reported 2400 North has been paved from the Clinton water project. He and Operations Manager Maylin talked with their contractor and had the company do a little bit of asphalt on 250 West just north of 2400 North and a waterway on 350 West. There is still an opening at 475 West 2400 North, which is where they will tie in after boring under the railroad tracks. They will put a slurry seal over the top of their trench after crack sealing it. Dominion Energy has installed a zinc line on 1300 North, which is a sacrificial line for their gas line so the power poles will erode it instead of their gas pipe. They are all done except for a little bit of sidewalk. The Davis Weber Canal Company are almost up to 250 West with their 42 inch water line. They will begin their bore under the railroad tracks next Monday. That will be a two-week road closure. They are hoping to

Sunset City Corporation
City Council Minutes
October 2, 2018
Page 5 of 5

finish their construction by mid-October. The Public Works crew has been cleaning storm drain grates and sweeping the streets. In answer to a question, Director Monroe said there has never been a problem with kids crossing 1300 North during the construction. The construction crew has found a lot of old items under the street.

Police Chief Eborn reported this Friday is the Sunset Jr. High School Fun Run that will require the runners to cross 1300 North twice and the construction crew said they would have those areas smooth for them. He advised five members of the CERT team helped them with the perimeter of the fireworks show during the Fall Festival. He noticed members of the North Davis Fire District talked with the CERT members about some upcoming training and things they want to do. There were no police issues during the festival.

Treasurer/Office Manager Youngdell told Public Works Director Monroe and his crew, along with the Youth City Council Members, they did an amazing job at the Fall Festival and everyone there was having a lot of fun. She welcomed Recorder Hale back to work. Mayor Pro-Tem Noyes also expressed the Council was happy to have her back.

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

The meeting adjourned at 7:20 p.m.

Approved – October 16, 2018

/s/D. Howard Madsen, Mayor

/s/Susan R. Hale, Recorder