

**Sunset City Corporation**  
**City Council Minutes**  
**October 3, 2017**  
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Minutes of a regular meeting held October 3, 2017 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Pro Tem Bangerter presiding.

**REGULAR SESSION**

**Mayor and Council Present:**

Chad Bangerter	Mayor Pro Tempore
Ricky Carlson	Council Member
Norm Noyes	Council Member
Scott Wiggill	Council Member

**Excused:**

Beverly Macfarlane	Mayor
Jake Peterson	Council Member

**City Employees Present:**

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

**Others Present:**

Laura Penman	Linda Kight
Kimberly & Bradley Fowler	Kathy Gittins
Kevin Snow	Tyler Snow
Janet LuJan	Joyce King
Wanema Butcher	Howard Madsen
Tana Miller	Dawn Gilbert
Thomas & Carina Love	Nancy Smalling

The meeting was called to order at 6:30 p.m. by Mayor Pro Tem Chad Bangerter. Those present took a moment of silence for those who affected by the Las Vegas Shooting.

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

**Approval of Minutes:** Council Member Noyes made a motion to approve the minutes of August 22, 2017 work session and August 22, 2017 regular session as written. Council Member Wiggill seconded the motion. The motion passed unanimously with Council Members Carlson, Noyes, and Wiggill voting yes.

**Public Comments:** Thomas Love addressed the proposal to change the parking ordinance to prohibit overnight on-street parking throughout the City during the summer months. Mr. Love disagreed with the proposal and many of his neighbors felt the same. He suggested it would be more efficient to prohibit parking during street cleaning times. Mr. Love reported he had spoken to several police chiefs from other cities and they did not have issues with overnight parking.

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Michael Love also disagreed with the proposed ordinance change. He was present at a meeting where Chief Eborn had said the Police Department would be able to do their job with or without cars parked on the street. Mr. Love said there were many cars at his home and they had no choice but to park them on the street overnight. He did not want to be forced to park his vehicles on his front lawn. Mr. Love commented that the restrictions during the winter months were understandable, but he was opposed to the summer restriction.

Linda Kight commented that the proposed change to the parking ordinance would cause more hazards than those that presently existed. Ms. Kight said that as a retiree, she stayed in her home 95% of the time and she had never seen the street sweeper in her neighborhood. She suggested that there were bigger concerns than overnight parking.

Kevin Snow reported the street sweeper came down his street at about 4:00 p.m. that day and there was no regulation against parking on the street during daytime hours. The sweeper simply veered around parked cars and the proposed amendment would not change anything. Mr. Snow was opposed to the ordinance change and said that enforcement was the bigger issue. He also commented that their neighborhoods would look like “trash holes” if the residents were forced to park their cars on their lawns rather than the street.

Joyce King urged the City Council to retain the law that currently existed and to reject the proposal. She also suggested better enforcement of current regulations.

Cathy Gotchy said she had never been to a City Council meeting before, but felt the need to speak about this issue. Mrs. Gotchy said there were several people at her home with vehicles and they each had different schedules. It would be very difficult to shuffle the cars around to appease the proposed regulation. Mrs. Gotchy echoed the comments about the winter months and the need for better enforcement.

Kim Fowler said she recently moved to Sunset and had lived in four other Utah cities. Not one of them had a law like the one being proposed. She urged the City Council to reconsider.

Bradley Fowler, 1269 North 450 West, said that this was also his first time to a City Council meeting and he echoed the comments that had been made by his neighbors.

Dan Gotchy said discussions about this regulation had happened even during his tenure as Mayor. He had spoken to the Chiefs many times and the Council discussed every possible option. The current ordinance was implemented in 2015 and Mr. Gotchy had not seen much of a difference as far as crime was concerned. He commented there were valid reasons to make the proposed change, but the majority of the citizens the City Council represented wanted to be able to park on the street overnight. He said it would be more effective to prohibit parking on only one side of the street on the smaller streets in the City. He urged the City Council to consider other options.

- 1. Consider Approval of a Public Works Amended Job Description:** Public Works Director Monroe reported changes had been made to Maintenance 1, 2, and 3, and Maintenance 4 had

been added to the job description. Director Monroe hoped that the ability to obtain certifications and move up would motivate employees to better themselves and become more valuable to the City.

Council Member Noyes liked the proposed changes, but asked if they had considered assigning tenure to each level. Director Monroe said the certification tests were only offered once or twice a year. The quickest he had seen someone go through all of the certifications was 36 months. Council Member Noyes said experience rather than certifications made someone “good at their job”. He suggested that a year or two be required before advancing to the next level.

Council Member Wiggill agreed that on-the-job experience was more important, but he felt it would be more appropriate to require some type of performance verification rather than a set timeframe.

Council Member Carlson suggested including language about an employee showing a certain level of competency before advancing.

After some discussion it was determined that no time frame would be required between Levels 1 and 2, but there would be a 12-month minimum tenure required between Levels 2 and 3. Tenure of at least 24 months would be required between Levels 3 and 4. Mr. Monroe also agreed to include language that required an employee to be in good standing for several months and obtain a positive employee review before advancing.

Council Member Noyes made a motion to approve the proposal with the changes discussed. Council Member Carlson seconded the motion. The motion passed unanimously with Council Members Carlson, Noyes, and Wiggill voting yes.

- 2. Consider Ordinance 2017-06 Repealing Sunset Code 6-1-3: On-Street Parking Regulations and Enacting Sunset Code 6-1-3: All Night Parking Regulations:** Mayor Pro Tem Bangerter commented that many of the residents had spoken out against the proposed changes during the public comment portion of the meeting and asked the Council Members if they had personally spoken to their neighbors about the proposal.

Council Member Wiggill said he personally was strongly opposed to the proposed ordinance. He has several children living at home and it was a hassle to shuffle the cars around every night during the winter. It was nice to not have to worry about that during the summer. He has a single driveway, as do many of the residents of Sunset. He spoke with some of the residents and the majority was also opposed to the proposal, however there were some concerns expressed about the safety of small children. Council Member Wiggill felt that the issues during the winter had more to do with proper enforcement.

Council Member Noyes stated he could understand both sides of the argument. He also had several children living at home with vehicles and he did not want any of them parked on his

lawn. However, the streets were narrow and parking did cause safety hazards. Council Member Noyes said that he was not ready to approve the ordinance as proposed.

Council Member Carlson agreed with the comments made by Council Member Noyes. He noted that before the ordinance was changed in 2015 parking had been prohibited for decades. Many of the long-term residents were used to not having overnight parking. Council Member Carlson was also not willing to approve the proposal and stated that further discussion was necessary.

Mayor Pro Tem Bangerter reiterated that any residents who had lived in Sunset before 2015 were not strangers to the proposed regulation, so it should not be a huge burden to change the ordinance back to what it was. He commented that this was an issue of convenience. It was convenient to park the car on the street overnight, but people continued parking on the street into November and December. This had caused major issues with snow removal the previous winter and that was the reason for the proposed ordinance change. If the streets were empty overnight, the City employees would know to go out and clean the streets first thing in the morning because the roads would be empty. Mayor Pro Tem Bangerter said it was important to keep the streets clean for aesthetics and to keep the drainage system from getting blocked up and flooding. They have also had issues with garbage pickup, mail delivery and crime because of the number of cars parked on the street. Mayor Pro Tem Bangerter felt that a change needed to be made, but he also felt that enforcement was a big part of the problem.

Police Chief Eborn commented that enforcement will always be an issue because the police were dealing with empty vehicles rather than individuals. He said the officers depend more on residents to tell them when a vehicle has been parked on the street for too long. Accidents, vandalism and stolen car issue did not rise when the existing ordinance was passed a couple years ago.

Council Member Noyes made a motion to table the item for further discussion. Council Member Wiggill seconded the motion. The motion passed unanimously with Council Members Carlson, Noyes, and Wiggill voting yes.

- 3. Mayor, Council, and Department Head Reports:** Treasurer/Office Manager Youngdell reported that the Planning Commission would be holding a meeting the next Wednesday and they would be discussing the fencing ordinance, as requested by the City Council.

Public Works Director Monroe thanked the City Council for addressing the issues at hand and expressed appreciation for their input. He reported that the North Davis Fire District open house would take place at City Hall the following Monday and he encouraged all to attend. Director Monroe also reported the street sweeper was out trying to catch the leaves that were rapidly falling and the Public Works Department was preparing for winter.

Council Member Wiggill also reminded everyone about the Fire Open House and reported that CERT was looking for volunteers.

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Mayor Pro Tem Bangerter reported on the successful Lunch with the Mayor he attended the previous week. He also reported the fencing ordinance, which the Planning Commission would be discussing the following week, would eventually come to the City Council for review and adoption. This ordinance change was motivated by the big developments happening in the City. Mayor Pro Tem Bangerter acknowledged the candidates for Mayor and City Council in attendance. He also thanked the City employees for keeping the City operational on a day-to-day basis.

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

The meeting adjourned at 7:30 p.m.

Approved – October 24, 2017

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder