

**Sunset City Corporation
City Council Minutes
November 4, 2015
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Minutes of a regular meeting held November 4, 2015 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Macfarlane presiding.

REGULAR SESSION

Mayor and Council Present:

Beverly Macfarlane	Mayor
Trystal Peay	Council Member
Dan Ripple	Council Member
Jake Peterson	Council Member

City Employees Present:

Susan R. Hale	Recorder
Ken Eborn	Police Chief
Jason Monroe	Public Works Director
Adam Scott	Fire Captain

Excused:

Ryan Furniss	Council Member
Linda J. Youngdell	Treasurer/Office Manager
James Weston	Fire Chief

Absent:

Kevin Snow	Council Member
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Others Present:

Ben Pierce	Under A Grand Auto Sales
Scott Stevenson	Alternate Planning Chair
Terry Avondet	Sunset Citizens Corp
Wanema Butcher	Ellen Culter
Shirley Griffiths	Janet Lujan
Chad Bangerter	

The meeting was called to order at 6:30 p.m. by Mayor Macfarlane.

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

Approval of Minutes: Council Member Peay made a motion to approve the minutes of October 20, 2015 as presented. Council Member Ripple seconded the motion. The motion passed unanimously with Council Members, Peay, Ripple and Peterson voting yes.

Public Comments: There were none.

1. **Consider the conditional use business license of Under a Grand Auto Sales to be located at 2029 N. Main:** Mayor Macfarlane invited Planning Commissioner Scott Stevenson to describe more about the location to the City Council. Commissioner Stevenson noted that

Ben Pierce, with Under a Grand Auto Sales, was also present at the meeting. He explained this item went before the Planning Commission last week during a Special Meeting.

The proposed business will be located on a currently vacant lot near a doggy daycare center and taekwondo facility on Main Street, south of Sunset Square. The applicant is seeking a conditional use permit for the facility to operate a car dealership. One of the conditions the Commissioners made was to only allow 10 parking stalls, with one being reserved for an employee and one for a customer. The property owner has a large, open space that the Commissioners discussed paving should the applicant want to add more parking in the future. If the applicant decides to pave the additional space for more parking they will need to come before the Commissioners again for review. Currently there are eight paved parking spaces, and an agreement has been made between the applicant and property owner.

The hours of operation will be from 9:00 am to 7:00 pm, Monday through Friday, and on Saturday from 10:00 am to 4:00 pm. Customer meetings that are initiated within that time frame may extend beyond business hours; however, meeting with new customers outside of regular business hours should not take place. These conditions were based on the applicant's recommendations. The facility will need to pass all fire and building inspections. Lastly, as previously stated, an expansion on the number of vehicles allowed may be allowed if the dirt area is paved.

Council Member Ripple commented that within this year the City has licensed three new used auto dealerships that offer vehicles within the same price range as Under a Grand Auto Sales. Mr. Pierce stated he is not concerned with the number of other similar businesses in the area. They sell inexpensive cars and as such expect to turn over inventory at a high rate. There was brief discussion regarding whether or not the business hours would extend late enough in the evening for customers to shop after work.

Council Member Ripple explained that vandalism has been a concern for other outdoor car dealerships. He asked if there will be a fence that will border the property, and whether or not potholes will be a concern during the winter. Commissioner Stevenson replied that they haven't noticed any of these issues with the facility. Mr. Pierce added they can add outside security cameras; however, he doesn't feel that a fence around the property will be necessary. Sunset is a safe community and Mr. Pierce does not anticipate that they will run into any safety problems.

Council Member Peterson added that the facility will be shared with several other businesses. There will be people coming and going from the property who will not be his customers, which makes it difficult for installing a fence. Furthermore, no car washing or repair work should take place on the lot. There will be an LED sign on the front, as well as large lights on the front and back sides of the building. Mayor Macfarlane stressed that there needs to be sufficient lighting for increased safety for the citizens and to prevent vandalism.

Council Member Peterson expressed additional concerns with Under a Grand Auto Sales sharing parking space with other businesses. In response to some of his remarks, Mr. Pierce

guesstimated that there are at least 12 other parking spaces on the north side of the property. While some of the stalls were paved today, the owner doesn't have the funds to pave the stalls in the back; therefore, the back of the building will not be used for the time being. Council Member Ripple asked if there will be any other marketing signage other than the LED display. Mr. Pierce answered that as of now they only have their temporary sign. However, they are planning on putting something on the side of the building in the future. Council Member Peterson added that the conditions of this conditional use business license should be strictly enforced to alleviate any potential issues that may arise.

Council Member Peterson made a motion to approve the conditional use business license of Under a Grand Auto Sales to be located at 2029 N. Main with the following five conditions: 1) only allow 10 parking stalls, with one being for an employee, one being for a customer and the remaining eight for cars to be sold; 2) hours: Monday through Friday 9:00 am to 8:00 pm, Saturday 10:00 am to 4:00 pm; 3) cannot help new customers after closing hours, but can continue with customers arriving before closing time; 4) pass fire and building inspections; and 5) an expansion on the number of vehicles allowed may be allowed if the dirt area is paved. Council Member Ripple seconded the motion. The motion passed unanimously with a roll call vote: Council Member Peay – yes, Council Member Ripple – yes, Council Member Peterson – yes.

- 2. Consider Ordinance 2015-07 correcting Section 3-4-8D, Number of Class B & C Beer Retail Licenses, of Sunset City Code:** Recorder Hale explained that when the Council passed an ordinance to amend the liquor laws, Class B was accidentally omitted. There are four different types of beer licenses: Class A, B and C. It was suggested that the Council amend the ordinance to make the correction.

Council Member Ripple made a motion to consider Ordinance 2015-07 correction to Section 3-4-8D, Number of Class B & C Beer Retail Licenses of Sunset City Code. Council Member Peay seconded the motion. The motion passed unanimously with a roll call vote: Council Member Peay – yes, Council Member Ripple – yes, Council Member Peterson – yes.

- 3. Consider Ordinance 2015-08 amending several sections of the Sunset City Code to change the term 'Board of Adjustment' to 'Appeal Authority' and update one section from Utah State Code 32A to 32B:** Recorder Hale explained when the Board of Adjustment was abolished and the Council initiated an Appeal Board for land use issues, several other sections throughout City ordinances were not amended to indicate their new title.

Council Member Peay made a motion to consider Ordinance 2015-08 amending several sections of the Sunset City Code to change the term 'Board of Adjustment' to 'Appeal Authority' and update one section from Utah State Code 32A to 32B. Council Member Ripple seconded the motion. The motion passed unanimously with a roll call vote: Council Member Peay – yes, Council Member Ripple – yes, Council Member Peterson – yes.

- 4. Mayor and Council reports:** Council Member Peay reported that all invitations have been sent regarding the Veteran's Day event, and they should be received this week. The Youth City Council made posters advertising the event, they turned out wonderful and will be posted everywhere in the community. The speakers and choir are all on board and the event should be very successful. Council Member Peay reported they are still working on dates for the Employee Christmas party and are in the process of selecting a caterer. Mayor Macfarlane expressed enthusiasm for the upcoming Veteran's Day event and invited everyone to attend.

Council Member Ripple reported that Citizens Corp planned a meeting for next Wednesday, however the meeting will be rescheduled due to Veteran's Day. There are several items that will be discussed in the next meeting including sending out notifications via mass email.

Council Member Peterson commented that the Planning Commission conducted a thorough review of the last conditional use permit and thanked them for their efforts. He also remarked that Salt Lake City increased their participation significantly by sending ballots by mail. He believes that voting by mail would help increase voter participation in Sunset as well. Mayor Macfarlane agreed that voting by mail would be beneficial for the citizens of Sunset.

Mayor Macfarlane expressed appreciation for all of the Council's efforts in their respective duties and responsibilities.

- 5. Department reports:** Police Chief Eborn said he was asked to update the Council on the status of the two new police cars. He received an email yesterday indicating that those cars are still about two weeks out. The Department needs them but will make do until they arrive. No interest was expressed in the old Charger through the end of October, however this week he received about four calls and one bid has been submitted. Therefore, Chief Eborn took the liberty of extending the bidding period through the end of this week. He has told interested parties that they will review bids next Monday or Tuesday. If none of the bids are acceptable, the Public Works Director has suggested that they take the car to an auction.

Public Works Director Monroe stated that the Parks Department has been busy winterizing all of the City parks and restrooms. They have started putting up Christmas lights and will finish next week. Salt was hauled in yesterday, and they are fully prepared for snow.

Fire Captain Scott reported that they will be landing Air Care, the new helicopter out of Ogden Regional. He also reported that everyone should have received an email yesterday regarding Ambulance 11. The Department has found a vehicle they would like to purchase from Farmington for \$20,000, which would come out of their apparatus budget. Recorder Hale explained that the account to which Captain Scott is referring was originally meant to serve as a savings account to purchase a fire truck, however it has since been made into a savings for fire and EMS vehicles. There is about \$36,000 in the account. Captain Scott reported that the Fire Chiefs have test driven the vehicle and Farmington is willing to work with the City on financing. Farmington suggested that they put \$10,000 down now and pay

the rest during the next fiscal year, however the Department prefers to pay for the apparatus in its entirety up front. Mayor Macfarlane stated that this item will need to be put on hold until the Council can open the budget.

Recorder Hale reported that the audit is currently taking place and should be completed by December 30th. There was a good turnout for elections last night and the final total won't be determined until the canvass on November 17th during the City Council meeting. There are still six provisional ballots that need to be reviewed as well as 13 outstanding mail-in/absentee ballots that could come in.

Mayor Macfarlane expressed her appreciation for all of the candidates who expressed an interest in serving the community on the City Council. She reported she recently attended business alliance and chamber meetings, where there was much discussion regarding use of the internet. Both meetings were very educational. She also attended a meeting with Wasatch Integrated and reported they have recently implemented a program called Davis Education Foundation Partnership, which is a recycling program. She was very interested in the program because Sunset doesn't have a strong recycling program in comparison with other cities. Mayor Macfarlane said she participated in the Lunch with the Mayor of Clinton to show support for the Sunset students there. Additionally, she toured Clinton's fire facility and met with their Fire Chief. Mayor Macfarlane reported the City's Administration Department is working at maximum level, and as a Council, they need to be mindful of their workload. She encouraged the Council and staff to better involve volunteers. She made mention of Syracuse's Pumpkin Parade, noting that it was all volunteer-driven.

Council Member Peterson asked if there is any way to get a bid for any of the ambulance issues. Captain Scott provided an overview of the costs associated with the ambulance and there was brief discussion regarding the aforementioned email.

Council Member Peterson made a motion to adjourn. Council Member Ripple seconded the motion. The motion passed unanimously with Council Members, Peay, Ripple and Peterson voting yes.

The meeting adjourned at 7:35 p.m.

Approved – November 17, 2015

/s/Beverly K. Macfarlane, Mayor

/s/Susan R. Hale, Recorder