

**Sunset City Corporation  
City Council Minutes  
December 4, 2018  
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Minutes of a regular meeting held December 4, 2018 at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Mayor Madsen presiding.

**5:30 P.M. WORK SESSION**

**Mayor and Council Present:**

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

**City Employees Present:**

Susan R. Hale	Recorder
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**Excused:**

Ricky Carlson	Council Member
Nancy Greco Smalling	Council Member

**Others Present:**

Wayne Bennion	Wasatch Front Regional Council
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**Discuss the 3<sup>rd</sup> quarter Local Option Sales Tax for Transportation with Wayne Bennion of the Wasatch Front Regional Council:** Wayne Bennion stated authorized by State Code are four quarter-cent local option transportation sales taxes that counties, and in some instances cities, can impose. Davis County has imposed the 1<sup>st</sup>, 2<sup>nd</sup> and 4<sup>th</sup> quarter-cent taxes. They are presently considering imposing the 3<sup>rd</sup> quarter-cent tax because, during this past legislative session, the legislatures made it so it could be imposed without approval of the voters. If the tax is imposed, it will generate about \$12.5 million for transportation uses throughout Davis County.

Council Member Bangerter stated the economy is good and people are buying items, therefore the sales tax revenues are up. Taking that into consideration, he asked why Davis County now needs \$12.5 million more. Mr. Bennion answered that some of the rationale to impose it is that transportation investment helps keep the economy strong and there is an extensive list of transportation needs, such as the railroad crossing bridge on 1800 North, widening 2000 W. to five lanes, etc.

Council Member Noyes asked how the tax benefits the residents of Sunset, other than 1800 North, which keeps being pushed back. Mr. Bennion replied the eligible uses are more regional, meaning for roads and trails that pass through cities, not for roads that just penetrate residential neighborhoods. The improvements need to be directed toward congestion mitigation or helping with economic development, but not to maintaining the roadways. Therefore the benefit to Sunset City residents is that they travel on those eligible roadways and/or trails. They have seen instances when local governments demonstrate they are willing to add money to State funded projects, the projects can be accelerated. This tax might be able to do that for projects in Davis County, such as the bridge and widening of 1800 North.

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Mr. Bennion stated the legislature is discussing adding road maintenance as an eligible item for this third quarter-cent tax because cities are saying that even with Class B&C road funds and their 10% of the 4<sup>th</sup> quarter-cent tax, there is still not enough money to adequately maintain their roadways. Cities can inform the County Commissioners if they don't want the tax or if they do and what projects they would like to see happen with the money in their cities. The Legislature is also discussing allowing cities' internal roads be eligible for the tax revenue.

If this 3<sup>rd</sup> quarter-cent tax is passed, each year the Davis County Council of Governments (COG) will develop a priority list of regional transportation projects and then recommend to the County Commission which of those projects to fund. Mayor Madsen commented that during the COG meeting it was mentioned they could divide that money between the cities in Davis County, but that idea was nixed. Mr. Bennion stated it was nixed because it is clear in the State Code that the legislative intent has been that the funds be used for projects of regional significance and not distributed among the cities.

Council Member Bangerter is stated COG is a fair way of distributing the money, but he is concerned the cities with more political ambition will get the money and Sunset will be left out.

Council Member Wiggill stated Sunset has two major arteries, which are Main Street, which has already been done, and 1800 North, which is on the books to be done. If Sunset is not allowed to use it for other roadways, there is nothing Sunset can receive. Due to that, he wondered why Sunset residents would want to pay for the other cities' projects. He does not believe this tax will expedite the 1800 North project. Council Member Noyes followed up by stating he believes 1800 North will be a \$400-500 million project, so that \$12.5 million will be nothing to that project, but \$1 million to Sunset City would be huge. Mayor Madsen stated they applied for a grant to help with sidewalks, worded it as best they could and put in a 50% match, but it was denied based on not meeting the requirements.

Mr. Bennion appreciated hearing their concerns. He stated the current cost estimate for the funded I-15 interchange at 1800 North is \$80 to \$90 million and the current cost estimate for widening 1800 North, including the bridge over the railroad tracks, is \$80 or \$90 million, which is not yet funded. There is no guarantee that COG will put the \$12.5 million or even \$6 million toward leveraging state dollars on 1800 North, but there is a possibility. He stated the WFRC is available to help cities with their application for any of the funds the State administers, so for Sunset to ask whenever they need some help. There is an approximately \$4 million improvement project on 800 North that is funded through WFRC. He is aware there is a lot of competition for the monies and it probably seems it doesn't come to Sunset very often. He asked the Council for questions they may have. There was a question about the options between State Codes 59-12-2217 vs. 2218 and a question on who to contact for help with grant applications. He will do his best to find the answers and get them to Mayor Madsen.

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

Work session adjourned at 6:15 p.m.

**6:30 P.M. REGULAR SESSION**

**Mayor and Council Present:**

D. Howard Madsen	Mayor
Chad Bangerter	Council Member
Ricky Carlson (arrived 6:40 p.m.)	Council Member
Norm Noyes	Council Member
Scott Wiggill	Council Member

**City Employees Present:**

Susan R. Hale	Recorder
Ken Eborn	Police Chief
Jason Monroe	Public Works Director

**Excused:**

Nancy Greco Smalling	Council Member
Linda J. Youngdell	Treasurer/Office Manager

**Others Present:**

Nathan Rich	Wasatch Integrated Waste
Beverly Macfarlane	Janet LuJan
Wanema Butcher	Laura Penman

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 November 20, 2018 as presented. Council Member Noyes seconded the motion. The motion passed unanimously with Council Members Bangerter, Noyes and Wiggill voting yes.

**Public Comments:** Beverly Macfarlane told Public Works how nice the Christmas lights look and how well they've been working to clean the streets of leaves.

**1. Presentation by Nathan Rich of the Wasatch Integrated Waste Management District:**

Nathan Rich, Director of the Wasatch Integrated Waste Management District, stated, in the last 10 years waste generation has gone up about 30-40%, so that is one problem they're facing and the other is population growth they expect over the next 20 years. The services they provide include a citizen drop off area, a household recycling facility, an electronic waste drop off area and a landfill thrift store which allows them to pull items that are still of use to sell to others. The green waste and compost recycling center is the largest amount of recycling they do at about 120,000 tons per year. They also do metals recycling and have a landfill gas to energy project. They ship the landfill gas to HAFB and generate about 2.5 megawatts of power with the gas, while controlling the environmental impact of methane.

The waste to energy facility (burn plant) was closed due to HAFB no longer purchasing the steam from it and it was an aging system they were being required to invest more in EPA control standards than they could afford. They got good use of the system because it was in operation for 30 years processing about 3.5 million tons of waste and it extended the life of the landfill.

The District will begin transferring or processing a portion of the waste to again extend the life of the landfill. The transfer station is currently under construction at the site of the former burn plant and is scheduled to be completed in early March. The transfer station also serves as the receiving floor for the new mixed waste processing facility. He showed the location of each facility and the process using the power point presentation. The mixed waste processing facility will recover all of the recyclable materials from the household waste. They plan to send the organic materials to an anaerobic digester being built by the South Davis Sewer District and send the non-recyclable plastic and some of the cleaner paper to a cement kiln in Weber Canyon for use as fuel. All of this processing has a cost to it; however it is much cheaper than paying the trucking cost and dumping fees to transfer the garbage to another landfill. As the years progress more of the waste will go to the anaerobic digester and cement kiln. This project will require a \$2.00 increase to the 1<sup>st</sup> household garbage can per month. The transfer station will be completed in the spring and they have a Request for Proposal out on the processing facility to get a firm cost by mid-January. This is about a \$15 million facility. The Board took a non-binding vote on moving forward with the project with the \$2 increase. It passed with only two voting no. He asked if there were any questions.

Council Member Carlson said looking over this plan, there is still a big void with the burn facility being gone. He believes it was closed prematurely. He and Mr. Rich discussed this and other renewable energy.

Council Member Bangerter stated he has always been impressed with Wasatch Integrated and trusts the Board to do the right thing. The Council would have to discuss what is best for Sunset in regards to the recycle cans and rates. Sunset has regular waste, recycling and green waste cans and he asked Mr. Rich which can he believed would be better for Sunset to discontinue if the Council decides to go that route. Mr. Rich said the green waste program is working well and recommended leaving that one in. Whether or not the City decides to discontinue the recycle can does not impact the Wasatch Integrated District's program. If the residents want to continue separating their recycling, the materials are cleaner and therefore, better quality. The price of the recycling can should go down because the hauler can bring it to the District, which is closer and less costly than where they have been taking it. The question for the Council is the residents' feelings on doing their part to recycle. Council Member Bangerter believes what they are getting is economical. As a Council they will just have to decide what is going to be best for the residents.

Council Member Carlson asked about China taking the United States' recycling. Mr. Rich said 60% of the U.S. recyclables had been going to China and believes China will never take their recyclables again, which is forcing the United States to recycle in country.

2. **Consider Resolution 2018-22 to approve Joining a Joint Land Use Study in Cooperation with the Office of Economic Adjustment, Department of Defense, Hill Air Force Base and Its Surrounding Cities and Counties, and the State of Utah:** Mayor Madsen stated he gave some wrong information about the Joint Land Use Study agreement in the cost to the City. There is no cost associated with this agreement. This resolution is just stating the City's support in partnering with HAFB and the surrounding cities in the study. When it comes time to share the costs, the cities will have the opportunity to opt out of the study. And the cost will be divided by the cities according to each city's population.

Council Member Wiggill made a motion to approve Resolution 2018-22. Council Member Carlson seconded the motion. The motion passed 3 to 1 by a roll call vote: Council Member Noyes – yes, Council Member Wiggill – yes, Council Member Carlson – yes, Council Member Bangerter – no.

3. **Mayor, Council and Department Head Reports:** Council Member Bangerter stated it seems like everyone is doing their job and thanked all the employees for their efforts.

Council Member Wiggill encouraged everyone, as winter comes on, to check on their neighbors and help them when necessary.

Police Chief Eborn stated he recently applied for a small grant through the State of Utah and was awarded \$3,150. He plans to use that and the money left over from the previous purchase of radios to purchase two more police radios, putting them a little farther ahead in the planned radio upgrade.

Public Works Director Monroe reported 1300 North is slated to be opened Friday from Main Street to the rail road tracks.

Mayor Madsen advised the police have been very busy with several cases. There are a lot of warrants from the Court expiring, but will be renewed for another four years to give them more time to contact those people. Re-keying the building is moving forward and the carpet on the stairs will be replaced on Friday, the 7<sup>th</sup>. He and Director Monroe will be going over the exercise equipment downstairs and getting rid of the pieces that are in bad shape. President Trump has granted the Federal Government employees a federal holiday tomorrow due to the passing of President Bush. If a Council Member were to suggest it being a City holiday too, he would not argue. None did. He has asked that an RFP be put out for a prosecutor and City Attorney because it has been discussed several times, so he will have that done to see what's out there. He reminded everyone about the Senior Christmas luncheon on Wednesday, December 12<sup>th</sup> at noon. The Sunset Employee party will be on January 5th and asked everyone to RSVP to Court Supervisor Arbogast. He reported that Council Member Smalling's husband has been in the hospital for a while, but is improving. That is why she was not here tonight.

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

The meeting adjourned at 7:40 p.m.

Approved – December 18, 2018

/s/D. Howard Madsen, Mayor

/s/Susan R. Hale, Recorder