

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JUNE 5, 2019 at 7:00 p.m. in the Vernal City Council room, 374 East Main, Vernal,
Utah 84078.

PRESENT: Mayor Doug Hammond and Councilmembers Bert Clark, Dave Everett, Samantha Scott, Travis Allan and Ted Munford.

WELCOME: Mayor Doug Hammond welcomed everyone to the meeting.

INVOCATION OR UPLIFTING THOUGHT: The invocation was given by Councilmember Dave Everett.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Council Samantha Scott.

APPROVAL OF CITY COUNCIL MINUTES OF MAY 15, 2019 SPECIAL BUDGET MEETING: *Councilmember Bert Clark moved to approve the minutes of May 15, 2019 special budget meeting. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Munford, Allan, Everett, Scott and Clark voting in favor.*

APPROVAL OF CITY COUNCIL MINUTES OF MAY 15, 2019 REGULAR MEETING: *Councilmember Bert Clark moved to approve the minutes of May 15, 2019 regular meeting. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Allan, Everett, Scott and Clark voting in favor.*

INTRODUCTION OF NEW FINANCE ADMINISTRATIVE CLERK – NICOLE UASILAA – MIKE DAVIS: Mike Davis introduced Nicole Uasilaa who lives in Roosevelt and used to work for Duchesne County. He stated she has good skills and is excited to have her working in his department. The Mayor and Council welcomed Nicole to the City.

INTRODUCTION OF NEW CUSTODIANS – GRACE CHEW AND MELISSA JENSEN: Wayne Smith, facilities technician, explained that at the beginning of May the City hired both a full-time and part-time custodian. He stated that Grace Chew previously worked for the City of Fruita in Colorado and is a great asset. Grace Chew stated she is thankful to be chosen for this position and is honored to work in such a beautiful building. Quinn Bennion noted that Melissa was not able to attend tonight and will be introduced at the next meeting. The Mayor and Council welcomed Grace to the City.

REQUEST FOR FUNDING FOR ENERGY SUMMIT – SYLVIA WILKINS: Sylvia Wilkins stated that the Economic Development office is getting ready to host the Energy Summit and asked the Council to consider sponsoring this event. Quinn Bennion stated it is an impressive event and it has been budgeted. After further discussion, *Councilmember Samantha Scott moved to approve \$1000 toward the Energy Summit. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munford.....aye;*
- Councilmember Allanaye;*
- Councilmember Everettaye;*
- Councilmember Scottaye;*

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Councilmember Clark..... aye.

APPEAL OF TAXI-CAB LICENSE DENIAL – KANDASE LIPSEY: Kandase Lipsey explained to the Council that she made a mistake 4 years ago and it is preventing her from obtaining a taxi-cab license. She noted that she needs the job to provide for her children. The charge was a class A misdemeanor for something that happened in September of 2014 and she was convicted in April of 2015. All of the requirements set out by the Court have been completed and she has not had any other charges. Quinn Bennion explained that when the staff reviews an application they go by the letter of the law, and if it says 5 years and it is short 2 days they have to abide by that regulation. If the Council sees that the spirit and letter of the law are different, they can alter from that. Councilmember Travis Allan stated he is hesitant to change the regulations as this job is a safety concern for the community. There was some discussion regarding the circumstances of the charge. Councilmember Travis Allan asked if she was working now. Kandase stated she is dispatching for the taxi company. Councilmember Dave Everett stated this is a tough decision as the Council wants there to be fairness and uniformity in the regulations. Councilmember Bert Clark stated that these ordinances were adopted for a reason and they worked diligently to come up with something that is fair and protects the riders. Councilmember Ted Munford stated it is hard to break the rules that the Council approved. Councilmember Samantha Scott agreed they needed to keep the standards up. There was some discussion regarding the date this occurred and the conviction date. Mayor Hammond asked if the regulations could be changed to the offense date. Councilmember Munford stated the regulations say conviction date. He suggested Ms. Lipsey bring in documentation showing the offense date of September and possibly the Council could consider that as her five year mark. Councilmember Dave Everett stated that may give her some hope, and applauded Ms. Lipsey for her efforts on appealing this decision to not issue a license. *Councilmember Ted Munford moved to allow Ms. Lipsey to have here five year mark for the class A misdemeanor to receive a taxi driver permit be her offense date instead of conviction date once she brings in documentation to the business license clerk. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;
Councilmember Allanaye;
Councilmember Everettaye;
Councilmember Scottaye;
Councilmember Clark..... aye.

REQUEST TO AMEND FEE SCHEDULE - WATER RATES – RESOLUTION NO. 2019-11 – MIKE DAVIS: Mike Davis reminded the Council that at the budget meetings last year they discussed implementing small water rate increase annually. Councilmember Bert Clark stated those funds are needed to build a small surplus that the Council is comfortable with as the City is a user entity for the water fund. Councilmember Ted Munford agreed. Quinn Bennion reminded the Council that the City has to start paying the Steinaker assessment of \$25,000 a year for 50 years. There was some discussion regarding the work being done to Steinaker Damn. *Councilmember Samantha Scott moved to approve Resolution No. 2019-11 changing the water usage rates. Councilmember Travis Allan seconded the motion. The motion*

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passed with the following roll call vote:

Councilmember Munford.....aye;
Councilmember Allanaye;
Councilmember Everettaye;
Councilmember Scottaye;
Councilmember Clark..... aye.

REQUEST TO APPROVE TAX RATE FOR 2020 – ORDINANCE NO. 2019-09: Mike Davis explained that the certified property tax rate has been prepared by the County. The current rate with new growth will generate \$416,908. Last year the Council increased the property tax to cover the cost for the homeless bill which was estimated to cost \$18,200. This year legislation was adopted by the State recognizing the homeless shelter in Vernal so the City will not have to pay that cost after January 2020. He stated there are two ways to handle dropping the tax rate by the \$18,200 that it was increased to cover this tax. One, the Council can approve the certified rate and hope the State takes it off and reduce the rate next year, or two, the City can drop the certified tax rate now by that cost. Councilmember Ted Munford asked what his suggestion is. Mike Davis stated that he believes they will stop deducting the homeless tax rate in January. *Councilmember Bert Clark moved to approve Resolution No. 2019-09 approving the certified tax rate and deducting the \$18,200. Councilmember Travis Allan seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;
Councilmember Allanaye;
Councilmember Everettaye;
Councilmember Scottaye;
Councilmember Clark..... aye.

FY2020 BUDGET APPROVAL – ORDINANCE NO. 2019-08: Mike Davis stated that he has incorporated all of the changes approved by the Council leaving a projection of having to use \$380,631 of unappropriated funds. This will leave the unappropriated funds at around 25%. Councilmember Ted Munford thanked the staff for all their work during this tough budget cycle. *Councilmember Samantha Scott moved to approve Ordinance No. 2019-08 adopting the FY2020 budget. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;
Councilmember Allanaye;
Councilmember Everettaye;
Councilmember Scottaye;
Councilmember Clark..... aye.

CONCRETE BID REVIEW AND REQUEST FOR APPROVAL OF AGREEMENT: Mike Davis explained that every few years the City bids out concrete repair for small projects that occur throughout the year including ADA sidewalk needs and hazardous sidewalks. Only one bid was received from Stearns Construction. Quinn Bennion stated this is a three year contract. *Councilmember Bert Clark moved to approve the contract with Stearns Construction for*

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concrete maintenance and repair. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

Councilmember Munford.....aye;
Councilmember Allanaye;
Councilmember Everettaye;
Councilmember Scottaye;
Councilmember Clark..... aye.

REQUEST TO ACCEPT PROPOSAL FOR AUDITING SERVICES AND APPROVAL OF AGREEMENT: Mike Davis explained that auditing falls under professional services so formal bids are not required. The current auditing firm has presented a proposal to provide services for the next three years and he suggested the Council approve their proposal. *Councilmember Samantha Scott moved to accept the proposal from Smuin, Rich and Marsing to perform auditing services for the next three years and approve the contract. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;
Councilmember Allanaye;
Councilmember Everettaye;
Councilmember Scottaye;
Councilmember Clark..... aye.

REQUEST FOR APPROVAL OF WHITE HOUSE ACADEMY LEASE AGREEMENT FOR 2019/2020: Quinn Bennion explained that the White House Academy approached the City a few months ago asking that the rent be lowered and the City agreed. Now it is time to renew the lease and they have asked for another reduction down to \$2500 a month for twelve months. This does put the lease at the lower end of the market. Councilmember Dave Everett asked what the maintenance cost would be if the building went vacant. Quinn Bennion stated it would be better to have it occupied. However, the City does pick up some of the utilities. Councilmember Travis Allan asked if they were current on the rental payments. Quinn Bennion stated they have been fairly consistent in paying the rent. Councilmember Travis Allan asked if there was a long term plan for that building. Councilmember Bert Clark stated the idea was to sell that building when the economy improves. After further discussion, *Councilmember Dave Everett moved to approve the lease agreement with White House Academy for \$2500 a month. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munford.....aye;
Councilmember Allanaye;
Councilmember Everettaye;
Councilmember Scottaye;
Councilmember Clark..... aye.

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ADMINISTRATIVE REPORTS:

Vernal Excitement: Councilmember Ted Munford stated that Vernal Excitement started last week and there was a good turn out and the park was full. He encouraged the Council to attend.

Recycling: Quinn Bennion stated he contacted the owner of Recyclops and they are reaching out to their customers to keep their recyclables contained. They are also adding more drivers to pick up the bags faster.

Walking park: Quinn Bennion stated that the staff made the decision to take down the fence on the street side so it would be easier to maintain.

Election: Councilmember Samantha Scott stated that she made the decision not to run for re-election. A friend, names Nicholas Porter, has decided to run.

CONVENE INTO CLOSED SESSION: Councilmember Bert Clark moved to convene into closed session to discuss hold a strategy session to discuss the sale of real property including any form of water right or water shares, hold a strategy session to discuss pending or reasonably imminent litigation and discuss the character, professional competence, or physical or mental health of an individual. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

Councilmember Munford..... aye;
Councilmember Allan..... aye;
Councilmember Everett aye;
Councilmember Scott aye;
Councilmember Clark..... aye.

RECONVENE INTO OPEN SESSION: The meeting reconvened into open session.

POLICY & LEGISLATION CONTINUED: REQUEST TO CONSIDER APPROVAL OF A PROPERTY PURCHASE AGREEMENT – QUINN BENNION: Quinn Bennion explained that the City’s offer to purchase the property for downtown parking was accepted. After discussion, Councilmember Bert Clark moved to commence to purchase the property at 43 South & 65 South 100 West in Vernal at a cost of \$125,000 and direct the staff to complete that purchase. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:

Councilmember Munford..... aye;
Councilmember Allan..... aye;
Councilmember Everett aye;
Councilmember Scott aye;
Councilmember Clark..... aye.

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ADJOURN: There being no further business, Councilmember Ted Munford moved to adjourn. Councilmember Samantha Scott seconded the motion. The motion passed with a unanimous vote and the meeting was declared adjourned.

Mayor Doug Hammond

ATTEST:

Roxanne Behunin, Deputy Recorder

(S E A L)