

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JULY 17, 2019 at 7:00 p.m. in the Vernal City Council room, 374 East Main, Vernal,
Utah 84078.

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

WELCOME: Mayor Doug Hammond welcomed everyone to the meeting.

INVOCATION OR UPLIFTING THOUGHT: The invocation was given by Councilmember Bert Clark.

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

APPROVAL OF CITY COUNCIL MINUTES OF JUNE 19, 2019 REGULAR MEETING:
Councilmember Samantha Scott moved to approve the minutes of June 19, 2019. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Munford, Everett, Scott and Clark voting in favor.

APPROVAL OF CITY COUNCIL MINUTES OF JUNE 26, 2019 SPECIAL MEETING:
Councilmember Dave Everett moved to approve the minutes of June 26, 2019 Special Meeting. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Munford, Everett, Scott and Clark voting in favor.

INTRODUCTION OF NEW EMPLOYEE, MELISSA JENSEN, CUSTODIAN – DANNY ANDERSON: Quinn Bennion informed the Council that Melissa was not able to be here tonight so this item will be postponed to the next meeting.

TAXI CAB LICENSE APPEAL – JEFFREY NELSON: Mr. Jeffrey Nelson stated that he thought all his convictions had met the time limit required by the City in order to get his taxi-cab license, and he is in the process of getting them expunged. However, that process takes time so he is asking the City to issue his permit. Councilmember Ted Munford stated that the City code requires misdemeanors to be over five years old and asked why the license was declined. Mike Davis, finance director, stated that he has a conviction in 2013 that was a felony and that must be ten years old before the license clerk can approve a license. Mr. Nelson stated that he did not see that charge. Councilmember Ted Munford suggested Mr. Nelson come back and apply if he is successful in getting his convictions expunged. .

REQUEST FOR APPROVAL OF ACCEPTING RIGHT-OF-WAY AT APPROXIMATELY MAIN STREET AND 2000 WEST, VERNAL, UTAH – RESOLUTION NO. 2019-16: Allen Parker explained that when Utah State University dedicated a portion of land for the Main Street extension project, the plat was signed by the University, but not by Vernal City. When that record was audited by the County, it was decided that the proper remedy was to have the City and County approve a Resolution to receive that right-of-way and show that the use is for public purposes. Uintah County has already

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approved a resolution so now the City needs to review the resolution and approve it. The City Attorney reviewed the documents and modified them slightly by adding an acknowledgement that the original plat was intended to be signed. Councilmember Bert Clark asked what will happen with the utilities in that right-of-way. Allen Parker stated that is a different issue and the Council approved those through a different process. Councilmember Clark stated he is aware of a leak that happened on the pressurized irrigation line and does not want the City to assume any liability. Allen Parker agreed and stated that the City is not accepting responsibility for any infrastructure. Mayor Hammond mentioned that they have now moved that irrigation line to the northeast quadrant of the roadway. Allen Parker explained that this document is only dealing with property rights giving the City the right to trespass on that land for public purposes. *Councilmember Dave Everett moved to approve Resolution No. 2019-16. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:*

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

PUBLIC HEARING: REQUEST FOR RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE – CHAPTER 16.04 – DEFINITIONS, CHAPTER 16.20 SPECIFIC USES, CHAPTER 16.48 C-2 AND CC-1 COMMERCIAL ZONES AND CHAPTER 16.50 CP-2 AND CCP-1 PLANNED COMMERCIAL ZONES – MIXED USE ACCESSORY DWELLING – ORDINANCE NO. 2019-10 : Allen Parker explained that there are two components to this Ordinance. The first part was discussed with the Chamber of Commerce and deals with apartments that existed in the past or may be added in the future to downtown or commercial properties for residential purposes. This would be considered an accessory use and must be less than 50% of the building space. This defines it as being a “mixed use” development for residential purposes as well as commercial. The second component cleans up the code to match other sections and allow this use in specific commercial sections as a conditional use. The Planning Commission reviewed these changes some time ago and during an audit it was found that it was not forwarded to the City Council. He noted that the Planning Commission wanted to add qualifiers to the “mixed use” provisions to better address what could be proposed and create nuisances. The requirements are no longer listed in the definition, rather are placed in the correct section of the code. Councilmember Bert Clark asked about the parking provisions. Allen Parker stated that if it is a new development it is required to have two parking spaces for every dwelling unit. If it is an existing building, the parking is grandfathered. Councilmember Clark stated the merchants or tenants may complain as this could create a parking demand. Allen Parker stated he did not anticipate any greater parking demand. Councilmember Munford stated that most residential users would be going to jobs and home at night which should alleviate the parking. He asked the staff to keep an eye on it. Councilmember Dave Everett noted that there have been apartments in the downtown area in the past. Mayor Doug Hammond opened the public hearing for public input. There being no public comments the hearing was

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closed. *Councilmember Ted Munford moved to approve Ordinance No. 2019-10. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

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

AIRPORT GRANT AGREEMENTS – MOTT LAND PURCHASE AND AIRPORT MASTER PLAN: Quinn Bennion explained that the City is being asked to accept two grants from the FAA for two projects at the airport. The first one is the purchase of property to the south that helps remove obstructions in the flight path. The other is to complete a master plan for the airport. The FAA will reimburse the Transportation District for 95% of the cost. There will be no cost to the City for these projects. After further discussion, *Councilmember Bert Clark moved to approve the master plan and land purchase agreements for the airport. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

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

REQUEST FOR APPROVAL OF ADDENDUM TO THE RECYCLOPS AGREEMENT TO PROVIDE RESIDENTIAL RECYCLING PICKUP: Quinn Bennion reminded the Council that the City entered into an agreement with Recyclops for a pilot program to provide curb side recycling for residents that opted in. There are currently around 25 residents that pay through the City for this service. The business has approximately 200 customers in the valley and plans to expand their service by providing specific bags with their logo on them for pick up. There were some issues with animals getting into the bags or the wind and they have addressed those problems by asking their customers to put the bags in a crate or more secure area and have added a driver for more timely pick-up. The agreement allows for a yearly extension and that is provided in the addendum. *Councilmember Dave Everett stated this is a good start, and moved to approve the addendum with Recyclops to provide residential recycling pick-up. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Everett, Scott, Munford and Clark voting in favor.*

REQUEST FOR APPROVAL TO AMEND THE VERNAL CITY PERSONNEL POLICIES AND PROCEDURES – SECTION 9.11.030 – RECORDING CONVERSATIONS AND TELEPHONE CALLS – RESOLUTION NO. 2019-14: Quinn Bennion explained that the Council recently approved a policy regarding employees recording while on duty, and this policy is no longer needed as it could be in conflict with the new policy.

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He noted that three training sessions were held with the employees to explain the new regulations. *Councilmember Samantha Scott moved to approve Resolution No. 2019-14. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

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

REQUEST FOR APPROVAL TO AMEND THE VERNAL CITY PERSONNEL POLICIES AND PROCEDURES – SECTION 18.020.020 – LONG DISTANCE CALLING CARDS – RESOLUTION NO. 2019-15: Quinn Bennion explained that this resolution deletes the section dealing with long distance calling cards that the City no longer uses. *Councilmember Dave Everett moved to approve Resolution 2019-15. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

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

RESIGNATION OF KIMBALL GLAZIER AND ADAM RAY FROM THE PLANNING COMMISSION: Allen Parker explained that the City received a resignation from Kimball Glazier who has been serving on the Planning Commission. His notice says that he has conflicts with the meetings that are not resolvable. Also, the City was notified that Adam Ray has moved. He suggested that of the alternates be moved into the regular position vacated by Mr. Glazier, however, he has not discussed that with the Planning Commission members yet. *Councilmember Samantha Scott moved to accept the resignation of Kimball Glazier and remove Adam Ray from the Planning Commission. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

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

ADMINISTRATIVE REPORTS

Wellness Program:

Quinn Bennion explained that the City employees have been very busy with the kick off of the new motion program available to all employees on the high deductible health plan. The incentive puts money into the health savings account for the employee if they walk. Many

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employees are getting devices that track their steps and are walking around City Hall. He noted that there is a lot of energy and excitement and some employees are very competitive. In a few months the Wellness Committee will host more competitions to keep it fresh and growing with the main goal to have the employees feel healthier and help the City's insurance rates.

Special Service Districts:

Mayor Doug Hammond explained that the directors of the Special Service Districts have been meeting to figure out what to do to stay operating. The proposal is to use savings to clear the debt for all, however, there are some groups that do not want to do that. The Districts need to present their suggestions to the County in August.

Taxation Legislation:

Quinn Bennion explained that a Tax Task Force Committee is hosting meetings across Utah to see what can be done to change the tax code. An open house was held in Roosevelt and approximately 120 people attended. The Committee is just listening to the concerns right now which went from no more taxes to needing more taxes for education. He stated that he wants them to be aware that rural communities are much different from urban cities when it comes to how the taxes are distributed. Councilmember Samantha Scott stated they do have a spot on their website as well where you can post comments.

ADJOURN: There being no further business, Councilmember Samantha Scott moved to adjourn. Councilmember Bert Clark 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)