

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
MARCH 3, 2010 at 7:00 p.m. in the Vernal City Council room, 447 East Main, Vernal,
Utah 84078.

PRESENT: Councilmembers Ted Munford, Sonja Norton, Bert Clark, and JoAnn Cowan and Mayor Gary Showalter. Councilmember Cal Dee Reynolds was excused to attend the Rural Water Conference.

INVOCATION OR UPLIFTING THOUGHT: The invocation was given by Councilmember Ted Munford.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Gary Showalter.

APPROVAL OF CITY COUNCIL MINUTES OF FEBRUARY 17, 2010: Councilmember Sonja Norton asked that the minutes clarify the discussion on temporary signs. Councilmember Bert Clark moved to approve the minutes of February 17, 2010 with those amendments. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Clark, Munford, Cowan, and Norton voting in favor.

INTRODUCTION OF NEW POLICE DEPARTMENT EMPLOYEE TROY DAVIS: Dylan Rooks, Vernal City Chief of Police, introduced Troy Davis to the Council. He explained that Mr. Davis worked for the City for over 10 years and left to pursue a career in metal fabrication and found his passion is still in law enforcement. His experience and calming influence will provide a good balance for the police department. Troy Davis stated that he is grateful to be back, and looks forward to being here a long time. Mayor Showalter welcomed Mr. Davis back. Councilmember JoAnn Cowan stated that it is hard to ignore an applicant with experience, and Mr. Davis interviewed above the other candidates because of his experience and knowledge. The Council welcomed Mr. Davis and his wife to Vernal City. Mayor Showalter expressed his thanks to the police officers and noted that the job they do is vital to the community.

REQUEST FOR APPROVAL OF PUBLIC WORKS PROJECTS USING COMMUNITY IMPACT FUNDS: Ken Bassett explained that from time to time as projects are funded by the Community Impact Board, the cost of those projects come in under budget. When that happens, supplemental projects connected with the original project can be done using the remaining funding. He noted that the funding included loans and grants and the Community Impact Board (CIB) requires the loan money to be used first. The funding that is left is grant funds. There are currently three projects which were funded by the Community Impact Board from the years 2006 to 2008 that have remaining funds available that can be used for these water or sewer projects. The Public Works Committee recommends completing a video inspection and cleaning of the sewer line using the \$380,342 of CIB sewer funds still available. Councilmember Bert Clark stated that the Sewer Management Board purchased a GPS system for pipe inspection and requested that the new videos be sent to the sewer plant. Ken Bassett stated that the water projects being recommended include the installation of additional valves along 1500 West which will tie into the original west Main extension project, as well as a looping project from Canal Road to 1500 West. The valve project will

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 3, 2010

make maintenance of the water system in this area more efficient, and looping the system will keep properties in this same area in water even if there is a water break with the water being brought in from a different direction. However, to complete both of these projects an additional \$76,000 will be needed. The funds can be taken from the water fund. Councilmember Norton asked how much money is available in the water fund. Mike Davis answered around \$700,000. After further discussion, Councilmember JoAnn Cowan moved to approve the three projects mentioned using CIB funds as described and the additional water funds. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Cowan, Norton, Clark and Munford voting in favor for a unanimous vote.

AMENDMENT TO THE VERNAL CITY POLICE DEPARTMENT MANUAL - RESOLUTION NO. 2010-06: Police Chief Dylan Rooks explained that in August the City Council approved the police department policy provided by Lexipol. Before the policy can be published, however, several updates needed to be reviewed. He presented 80 pages of amendments based on State and federal statutes, and recent court cases. In the future, updates will be provided every six months. Councilmember JoAnn Cowan explained that the Public Safety Committee has been given copies of the changes, and Ken Bassett and Dylan Rooks have carefully gone through these updates, and there is nothing of concern. Mayor Showalter asked what the cost is for the Lexipol policy. Ken Bassett stated the cost is approximately \$2000 annually. Councilmember JoAnn Cowan moved to approve the changes to the police department manual, Resolution No. 2010-06. Councilmember Bert Clark seconded the motion. The motion passed with Cowan, Norton, Clark and Munford voting in favor for a unanimous vote.

AMENDMENT TO THE VERNAL CITY PURCHASING POLICY - LOCAL VENDOR PREFERENCE - RESOLUTION NO. 2010-10: Mayor Gary Showalter explained that the only change to the Purchasing Policy with Resolution No. 2010-10 is deleting the requirement of the local vendor or supplier within 5% of a low bid of a non-local vendor to match the low bid. Also the finance director does not have to give any notice. Ken Bassett reminded the Council that this provision is for expenditures that do not exceed \$100,000. Councilmember Clark asked who would determine if a vendor is a responsible bidder. Ken Bassett stated that for items such as office supplies, the finance department would review the vendor. Mayor Showalter stated that payment is not made until delivery of the product. Councilmember Sonja Norton moved to approve Resolution No. 2010-10. Councilmember JoAnn Cowan seconded the motion. The motion passed with Councilmembers Cowan, Norton, Clark and Munford voting in favor for a unanimous vote.

AMENDMENT TO VERNAL CITY FEE SCHEDULE FOR HYDRANT METER WATER COSTS - RESOLUTION NO. 2010-09: Ken Bassett explained that during the budget workshops last year it was discussed that trucks filling up at the public works facility become a nuisance, and it is preferable that they fill up elsewhere using a hydrant meter. This change to the fee schedule would lower the cost of water metered through a hydrant meter to be the same as the overage cost for a household so the water trucks would be more inclined to use the hydrant meter.

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 3, 2010

Councilmember Bert Clark moved to approve Resolution No. 2010-09. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Clark, Munford, Cowan and Norton voting in favor for a unanimous vote.

HOSPITAL EMERGENCY ACCESS ROUTE: Ken Bassett explained that the Emergency Management Committee of the County is asking the City to designate 200 North Street between 500 West and Vernal Avenue and 200 West Street between 100 North and 200 North as the emergency access routes to the hospital during a major event. This will allow numerous emergency vehicles to access the hospital more freely with the police department controlling the intersections. The Public Safety Committee reviewed this request and is recommending the City adopt these roadways as emergency access routes. After further discussion, Councilmember Sonja Norton moved to designate 200 North Street and 200 West Street as the emergency access routes. Councilmember JoAnn Cowan seconded the motion. The motion passed with Councilmember Cowan, Norton, Clark and Munford voting in favor.

REQUEST FOR APPROVAL OF CITY OFFICE BUILDING CHANGE ORDER REQUEST #33 & #35 - STEEL BEAMS AND LABOR & ADDITIONAL DE-WATERING COSTS AND EQUIPMENT FOR GROUND WATER CONTROL: Ken Bassett explained that change order request #35 for the municipal office building reflects the estimated cost for the additional equipment associated with the high ground water found at the construction site. The cost for the installation of perimeter drainage around the building and the sump pump basin and discharge line have already been approved. What was not included was the actual sump pump that is needed as well as the lines that will go to the exterior of the building from the interior. That cost is estimated at \$8000. This change order also reflects to-date the contractor's day-to-day costs to manage the ground water. Councilmember Clark asked where the ground water is going. Ken Bassett stated that it is going into the gutter either on 100 South or Main. Councilmember JoAnn Cowan stated that when the School District requested bids for new schools to be constructed, they included a provision for zero mark up on change orders. She asked if this project included a mark up. Ken Bassett stated the contractor charges a 10% fee. Councilmember Cowan stated that the contractor is only encouraged to make changes. Councilmember Sonja Norton asked if the contract included a penalty if the contractor does not finish on time. Ken Bassett stated that it does, however during the course of the project, there could be reasons to extend the time frame such as the delays caused by the ground water issue. Mayor Showalter asked if any commercial entity can pump water off their property into the gutter. Ken Bassett stated that the City has not ever had that request. Ken Bassett explained that change order request #33 changes the design of the bathroom floors on the second floor. The steel floors need to be depressed to provide for drainage at a cost of \$1700 for material and \$400 for erection. Mayor Showalter asked for an update on the winter work costs. Ken Bassett explained that Big D included \$65,000 in their bid for winter work. With the delay from the ground water, they anticipate additional winter costs. The contractor has not submitted a claim for these additional costs yet, but it is anticipated that they will ask for compensation for that winter work. The staff will require specific itemization for review of the request. Councilmember Munford stated that the standard

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 3, 2010

practice for any future projects should include a zero mark up for change orders. Councilmember JoAnn Cowan moved to approve the change orders as presented. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:

- Councilmember Ted Munford aye;
- Councilmember JoAnn Cowan aye;
- Councilmember Sonja Norton aye;
- Councilmember Bert Clark aye.

REQUEST FOR APPROVAL OF 2010 PAINT STRIPING ENGINEERING: Ken Bassett explained that every year the City hires a contractor to stripe the roads to maintain the integrity of the markings. The contract will include three stripings over the course of the next fiscal year. The engineers will put together the bidding information. Councilmember JoAnn Cowan asked why this project needs an engineer. Ken Bassett stated that they put the bid documents together using the MUTCD highway standards that are used throughout the nation. Mayor Showalter asked if there is an exclusive contract established with Engineering Services for the City. He stated he understood the engineering firm has to have a good working relationship and knowledge of the water and sewer systems, but on projects like this, possibly other engineering firms would be interested in submitting a proposal. Ken Bassett stated that on water and sewer projects familiarity of the system by the engineers is critical. The City could, however, solicit proposals from engineers for this project. Councilmember Clark stated that the City may receive competitive bids. Mayor Showalter stated that for future consideration of engineers, the Council needs to look at not just price, but also professionalism and experience. Councilmember Ken Bassett stated that the first striping should happen in May, and proposals from engineering firms should be received within a month. Councilmember Sonja Norton moved to solicit proposals for engineering services for the street striping project. Councilmember Ted Munford seconded the motion. The motion passed with Cowan, Norton, Clark and Munford voting in favor for a unanimous vote.

ADMINISTRATIVE REPORTS:

Accounts Payable:

Councilmember Clark stated that he would like to know if the payment to the Sewer Management Board increasing or decreasing. Mike Davis stated he sends a report to the Sewer Management Board on the usage and will provide that report to the Council.

Councilmember Cowan suggested employees try to use Priceline to book hotel rooms in Salt Lake City to get a lower price.

Utah League of Cities and Towns Conference:

Ken Bassett explained the Spring conference is scheduled for April 7 thru the 9th.

FY2010 Budget reopener:

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 3, 2010

Ken Bassett gave the Council a copy of the schedule for the FY2011 budget and the FY2010 budget reopener. The week of March 22nd the Council committees need to meet with the department heads to review the FY2010 budget and more closely align expenditures with revenues. The Administrative Committee decided to meet on Monday, March 22nd at 9 am, the Public Safety Committee will meet 1:30 pm on March 22nd. The Public Works Committee will meet on Tuesday, March 23rd at 2:30 p.m.

Sales Tax Report:

Mike Davis informed the Council that the December sales tax report shows revenue is down 50% compared to last year which is lower than projected. Ken Bassett stated that as the City looks at the sales tax and history, the first 6 months of this fiscal year are dismal. As the fiscal year progresses, the numbers come closer to what was received last year.

ADJOURN: There being no further business, Councilmember Bert Clark moved to adjourn. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Clark, Norton, Cowan and Munford voting in favor for a unanimous vote and the meeting was declared adjourned.

Mayor Gary Showalter

ATTEST:

Roxanne Behunin, Deputy Recorder