

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD APRIL 21, 2010.

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD APRIL 21, 2010 at 7:00 p.m. in the Vernal City Council room, 447 East Main, Vernal, Utah 84078.

PRESENT: Councilmembers Cal Dee Reynolds, Sonja Norton, Bert Clark, Ted Munford and JoAnn Cowan and Mayor Gary Showalter.

WELCOME: Mayor Showalter 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 Allen Parker.

APPROVAL OF CITY COUNCIL MINUTES OF MARCH 17, 2010: *Councilmember Bert Clark moved to approve the minutes of March 17, 2010 as written. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Munford, Cowan, Reynolds, Norton and Clark voting in favor.*

FARMERS MARKET SPONSORSHIP REQUEST – DALE GRAY: Mr. Dale Gray explained that the Council awarded \$1000 a few years ago to start the Farmers Market. He asked if the City would consider sponsoring the event again this year. Councilmember Cowan asked what the funds are used for. Dale Gray explained that they use the money to purchase signs and banners, pay for a phone and web account, and advertising. Councilmember Cowan stated she would like to see them use the funds for advertising. Mr. Gray agreed and stated that the Farmers Market will be held at the gardens next to the library each Saturday beginning July 3rd. *Councilmember JoAnn Cowan moved to sponsor the Farmers Market in the amount of \$1000 for this year. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Ted Munfordaye;*
- Councilmember JoAnn Cowanaye;*
- Councilmember Cal Dee Reynoldsaye;*
- Councilmember Sonja Nortonaye;*
- Councilmember Bert Clarkaye.*

The motion passed with a unanimous vote.

Councilmember Sonja Norton asked if these events needed to come before the Council every year. Ken Bassett explained that the Council indicated they would prefer to receive any funding requests for special events personally each year even though the funding has been approved in the budget.

STRATA NETWORK CABLE SERVICE REPORT – TYLER RASMUSSEN: Tyler Rasmussen, representing Strata Network, stated that he would like to explain the asset purchase agreement which Strata Network has entered into with Bresnan Communications for the Vernal and Naples cable system. The cable company has been interested in selling their network system in this area, and it was felt that it would strengthen the core services offered by Strata Network. The purchase should be finalized by May 1st, and no changes are expected on the packages or pricing

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offered by Bresnan. One employee with Bresnan Communications will be transferring to Grand Junction, and the remaining employees will be offered employment with Strata Networks. Also, additional call center employees will be hired. The fiber network being purchased is mainly in downtown Vernal and will fit in with the fiber network Strata has in place going to Heber City to give better coverage. Mayor Showalter asked if there were any other cable providers. Tyler Rasmussen stated that this is the only cable system, however, there is competition from the satellite television and internet providers. Councilmember Ted Munford stated that there will be a concern of a monopoly, but it is preferable that a local company purchase the cable system. Councilmember Cowan asked what will happen to the e-mail accounts. Tyler Rasmussen stated that they will keep them active for up to 90 days and then transfer those accounts to a Strata e-mail account. Ken Bassett asked if there has been any discussion of adding voting members to the Board for the Vernal area since that is where the majority of the customers reside. Tyler Rasmussen answered that he is not aware of any change, but he will mention it to the Board.

ALIVE AFTER FIVE SPONSORSHIP REQUEST: Tina Christopherson, representing Alive after Five, explained that they would like to request continued sponsorship of this event. She explained that this concept started seven years ago to generate excitement in down town Vernal, and it brings a fun, family-friendly atmosphere each Thursday for five consecutive weeks. The singing competition is a huge draw for all ages, and they are able to provide the prize money largely due to the support of the City. Tina asked the Council to consider the same sponsorship funding of \$3500. Councilmember Norton asked who their other sponsors are for this event. Joe Evans stated that the original plan was to have the down town merchants help with this event, but it has become more of a community event, and sponsors, including Ashley Valley Medical Center and Strata Networks, are vital to make the program work. He explained that this program has helped many local singers with their careers. After further discussion, *Councilmember JoAnn Cowan moved to endorse and support the Alive After Five Program at the sponsorship rate of \$3500. Councilmember Ted Munford seconded the motion.*

Councilmember Norton asked why there is a cost for the Western Park. Tina Christopherson explained that the last week of the competition has too many people to fit at the park so the Western Park is rented. The Council suggested asking the County to donate the space. Mayor Gary Showalter asked that the Down Town Merchants Association be approached, again, to see if they are interested in being involved and possibly remain open during the performances or offer specials to take advantage of the number of people attending the event. Tina Christopherson stated they would contact them again.

Mayor Showalter called for a roll call vote:

- Councilmember Ted Munfordaye;*
- Councilmember JoAnn Cowanaye;*
- Councilmember Cal Dee Reynoldsaye;*
- Councilmember Sonja Nortonaye;*
- Councilmember Bert Clarkaye.*

The motion passed with a unanimous vote.

JUNIOR LIVESTOCK SHOW PRESENTATION: Jeff Slaugh of 628 E 4000 South, explained that the Junior Livestock program offers many opportunities to the youth in the community. The last

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show included over 300 youth exhibits with 60% of those participants residing outside Uintah County. This year, the show will be held June 7th thru the 10th. Jeff invited the Council to attend the show and see the fine, young exhibitors and their animals. In the past, the City has sponsored the Junior Livestock show in the amount of \$1500, and the hope is to have City support again. Mayor Gary Showalter asked how many years the Junior Livestock Show has been in operation. After discussion, the consensus was the show is at least seventy years old. *Councilmember Clark moved to approve a \$1500 sponsorship for the Junior Livestock Show. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with the following roll call vote:*

Councilmember Ted Munford.....aye;
Councilmember JoAnn Cowanaye;
Councilmember Cal Dee Reynoldsaye;
Councilmember Sonja Nortonaye;
Councilmember Bert Clarkaye.

SOCCER TOURNAMENT SPONSORSHIP REQUEST: Lynaun Mortenson, 2160 West 2500 North, explained that with the emergence of the new soccer organization, there is more opportunity for players to participate in tournaments, and an opportunity has arisen for Vernal to host one of these tournaments. This competition is for all ages and level of play and is estimated to bring approximately 900 athletes and 2000 people to Vernal. The tournament will be held June 18th & 19th. Lynaun Mortenson asked the Council to consider sponsoring this event at a cost of \$2500 to help make this event successful. Councilmember Ted Munford asked if this is expected to be an annual sponsorship. Lynaun Mortenson stated that since this is the first tournament, there are some one-time purchases such as the goals. The other costs, such as the use of the fields, will need to be paid each year until the event brings in enough money to be self-sustaining. Councilmember Cowan indicated that the School District is considering eliminating fees for youth groups, and the cost will drop to paying for a supervisor only. Councilmember Munford asked what other sponsors and income is available. Lynaun Mortenson stated that the County has donated \$10,000, and they plan on having a concession stand and sell t-shirts to raise money. Also, several local businesses have been approached to help sponsor the tournament. She stated that the hope is that this will become more than a soccer tournament and become a tradition. After further discussion, *Councilmember Ted Munford moved to approve a \$1000 sponsorship for the soccer tournament. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:*

Councilmember Ted Munford.....aye;
Councilmember JoAnn Cowanaye;
Councilmember Cal Dee Reynoldsaye;
Councilmember Sonja Nortonaye;
Councilmember Bert Clarkaye.

DINO TRIATHLON SPONSORSHIP REQUEST: Jason Hadlock and Mark Mason presented information on the upcoming triathlon event to be held in Vernal. Mark Mason explained that this is the fourth year for this event, and it was going to be cancelled because the organizer moved. Several of the athletes decided to take over and are in need of funds for a successful event. There were 210 participants last year, and the hope is this year will be bigger. Councilmember Cowan asked how many participants are from out of the area. Mark Mason stated that over half of the athletes will

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need to spend at least one night in Vernal, and several hotels are offering special rates. Also, the event will end at the High School stadium, allowing family to see them cross the finish line. Councilmember Norton asked what the route will be. Mark Mason stated that the event begins at Red Fleet reservoir for the swimming leg of the competition, then they will pedal down Hwy 191 to 3000 North, and the run will be through Maeser to the High School. He asked the Council to consider sponsoring the event for \$2000. Councilmember Munford asked what the funds will be used for. Mark Mason stated that they need to rent temporary fencing and tents, buy signs, and pay for advertising. This year, Uintah County and the Travel Board are contributing \$10,000, but the hope is that in the future corporate sponsorships will pay for the event. Jason Hadlock explained that they also pay for rock trophies. After further discussion, *Councilmember JoAnn Cowan moved to sponsor the Dino Triathlon in the amount of \$2000 for this year. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

Councilmember Ted Munford.....aye;
Councilmember JoAnn Cowanaye;
Councilmember Cal Dee Reynoldsaye;
Councilmember Sonja Nortonaye;
Councilmember Bert Clarkaye.

PUBLIC HEARING: FY2010 BUDGET REOPENER #1 – ORDINANCE NO. 2010-07: Mayor Gary Showalter explained that the budget process is very complex, with each Councilmember being assigned to one or more departments to review their budgets. The City staff estimates the amount of revenue and then the budgets are trimmed to meet that expectation. Ken Bassett stated that two re-openers are held each fiscal year to more closely align the revenue with the expenditures and needs of each department. He stated that the revenue is an important part of the budget and there are several items that need to be considered as follows:

Revenue: The revenue of the City, including sales tax, licenses and permits, charges for services and fines and forfeitures, is down substantially – approximately \$1.2 million dollars less than what was budgeted last year, and down another \$100,000 than expected this year. Building permit revenue has been lowered from the projected \$200,000 to \$60,000, and fine and forfeitures decreased \$120,000.

Ken Bassett recommended \$500,000 be taken from the Green Space fund and \$300,000 from the Emergency Preparedness fund leaving an unrestricted fund balance of \$1.4 million dollars. If money is taken out of these special funds, the fund balance for the Green Space fund will be \$529,000 and the Emergency Preparedness fund will have \$330,000. The remaining special funds have the following fund balances:

Street Construction fund	\$1,030,000;
Storm Drain fund	\$355,000;
Equipment fund	\$550,000;
Education fund	\$200,000;
Women’s Crisis Center	\$170,000;
Housing Rehab	\$30,000;
Parking	\$540,000;
Downtown Vitalization	\$95,000.

Ken Bassett noted that additional money can be moved to the general fund if necessary.

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Expenditures: There was some discussion regarding the cost of the Centennial celebration. Ken Bassett explained that the facility construction expenses for public works and the general plan were budgeted last fiscal year, but most of the expense was incurred this fiscal year.

The projected FY2010 budget of the City was \$9.923 million dollars, and with the first reopener, the budget will be increased to \$9.975 million dollars. Ken asked if the Council would prefer to have a larger unrestricted fund balance than 12%. State statute allows local governments to have up to 18%. Councilmember Cowan stated that the women’s crisis center funding could be moved to the general fund to make up the difference. Councilmember Reynolds stated he did not see any reason to move more funds if the budget is already balanced and within State limits. Mayor Showalter asked for any public comments. After further discussion by the Council, Mayor Showalter suggested the Council review the budget reopener documents and continue the discussion at the next meeting. There being no further comments, the public hearing was closed.

AIRPORT OPERATIONS BUILDING EXPENSES AND FUNDING: Ken Bassett explained that at the last City / County meeting, the elected officials discussed the bill which the City received for the overage cost to build the airport operations building. Councilmember Clark noted that the County received a grant from the Community Impact Board, but apparently it was not enough to cover the cost. Ken Bassett stated that the grant was for \$328,000 and the bid from Brett Woods Construction was \$426,620. An additional \$15,000 was generated in interest earnings, leaving a shortfall of \$127,945 with Vernal City being responsible for 25% of that shortfall – around \$32,000. Mayor Showalter stated that this project was handled in a most haphazard manner, however, the City does not seem to have much choice except to pay the bill. Ken Bassett stated that another issue is the landscaping and asphalt to finish the exterior. Bridger Murray, a local construction contractor, explained that he received a request from Kelly Hayes, the County’s facility manager, to submit a bid for the exterior work. Councilmember Clark asked if he was given any specifications. Mr. Murray stated that he was asked to submit his own design for sidewalks, flower beds and asphalt. Ken Bassett voiced his concern that FAA guidelines need to be followed adjacent to the tarmac. Mayor Showalter suggested this issue be discussed, again, with the County Commission. Councilmember Sonja Norton stated that she would also like to see the breakdown from Brett Woods Construction. *Councilmember Cowan moved to table this item until more information is received from the County. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Ted Munford.....aye;*
- Councilmember JoAnn Cowanaye;*
- Councilmember Cal Dee Reynoldsaye;*
- Councilmember Sonja Nortonaye;*
- Councilmember Bert Clarkaye.*

RATIFY CHANGE ORDER TO SILVER SPURS CONTRACT AND ENGINEERING SERVICES CONTRACT FOR 500 SOUTH SEWER AND STORM DRAIN PROJECT ADDING IRRIGATION PROJECT: Ken Bassett reminded the Council that Roxanne Behunin contacted them regarding the change to Silver Spurs Contract in the amount of \$121,091 and Engineering Services contract in the amount of \$9000 to add the irrigation work. The Council indicated they were in favor of this change and need to ratify the change order. *Councilmember*

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JoAnn Cowan moved to ratify the change order and contract adjustments as presented. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Cowan, Clark, Reynolds, Norton and Munford voting in favor for a unanimous vote.

AMENDMENTS TO THE VERNAL CITY PERSONNEL POLICIES AND PROCEDURES, CHAPTER 18.04 – INFORMATION TECHNOLOGY RESOURCES ACCEPTABLE USE POLICY:

Ken Bassett explained that Resolution No. 2010-05 adds language to the City’s personnel policies and procedures governing the use of technology. The added language clarifies the fact that the City has the right to monitor the use of technology or hardware belonging to the City without giving notice. *Councilmember Ted Munford moved to approve Resolution No. 2010-05 amending the IT policy. Councilmember Cal Dee Reynolds seconded the motion and the motion passed with Councilmembers Munford, Reynolds, Clark, Norton and Cowan voting in favor.*

UTAH HOUSING REQUEST TO WAIVE FEES FOR CROWN HOMES PROJECT:

Ken Bassett explained that the City received a request from Utah Housing Corporation, a non-profit housing organization, to waive the building fees for the Crown Home housing project. This project does meet the 60% of medium gross income criteria required to waive the building permit fees, and the Council can waive the impact fees for affordable housing. Councilmember Munford asked how much the fees are. Ken Bassett stated that the building permit fees are based on the value of the homes and the impact fees are around \$2500 per lot. Councilmember Norton stated that she would like an agreement for the homes to remain low income. Ken Bassett stated that they are receiving tax credits for this project that require the same guarantee. *Councilmember Bert Clark moved to waive the building and impact fees for the Crown Home project. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Ted Munford.....aye;*
- Councilmember JoAnn Cowanaye;*
- Councilmember Cal Dee Reynoldsaye;*
- Councilmember Sonja Nortonaye;*
- Councilmember Bert Clarkaye.*

REVIEW OF BIDS AND AWARD OF CONTRACT FOR STREET STRIPING PROJECT:

Ken Bassett presented the bids that were received for the Vernal City pavement marking project and noted that the bid is for two striping’s. The specifications for the bid included Vernal City specifications for the paint and a UDOT specification which requires the paint to be 25% thicker. The philosophy is that the UDOT specification will give longer life to the striping. Further, Ken Bassett stated that the engineer and Glade Allred, the street superintendent, would like to try the UDOT specification to see if it is more durable. Mayor Showalter agreed that possibly the thicker paint would make it possible to stretch out the time between applications. Councilmember Cowan stated that the City may have a cost savings with the UDOT spec. Ken Bassett noted that the low bidder using the UDOT specification for the paint is Peck Striping at a cost of \$125,104.00. Councilmember Cowan moved to accept the low bid for the UDOT specifications from Peck Striping Inc. Councilmember Reynolds asked if the red curbing would also be awarded to the same company. Councilmember Ted Munford asked if the local company could be awarded the red curbing portion of this project if they meet the 5% local bidder requirement. Councilmember Clark stated that it may be better to have one company do the entire project, and he seconded the motion. After further discussion, *Councilmember Cowan amended her motion to award the UDOT striping*

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to Peck Striping and award All Serve Home and Business Inc. the red curbing portion of the project. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

- Councilmember Ted Munfordaye;*
- Councilmember JoAnn Cowanaye;*
- Councilmember Cal Dee Reynoldsaye;*
- Councilmember Sonja Nortonaye;*
- Councilmember Bert Clarkaye.*

The motion passed with a unanimous vote.

Councilmember Sonja Norton noted that there is a lower bid for the red curbing from Straight Pipe out of St. George, Utah so the local bidder may not be within 5% of the bid. Mayor Showalter wondered if they would be willing to travel to Vernal for that small of a job. Councilmember Reynolds stated that if they are not interested, then the contract should be given to the local bidder. Roxanne Behunin explained that if they do not want to do that portion of the project, their bid would be pulled and the local bidder would be within 5% of the low bid. Ken Bassett stated he would contact that bidder and see if they are interested in that small portion of the project.

REAPPOINTMENT OF BOARD OF ADJUSTMENT MEMBERS: Allen Parker explained that there are two individuals who have been serving on the Board of Adjustment whose terms have expired. Both members, Nick Eaton and Karen Sisneros, have indicated their willingness to continue to serve on this Board. He recommended the Council reappoint them to the Board of Adjustment. *Councilmember Cal Dee Reynolds moved to reappoint Nick Eaton and Karen Sisneros to the Board of Adjustment. Councilmember Sonja Norton seconded the motion. The motion passed with a unanimous vote with Councilmembers Reynolds, Norton, Munford, Clark and Cowan voting in favor.*

ADMINISTRATIVE REPORTS:

Public Safety Committee:

Councilmember JoAnn Cowan stated that the police department will be changing the color of the leased cars to gray with blue trim, and are not fully staffed.

Ashley Valley Sewer Management Board:

Councilmember Bert Clark explained that Hadco Construction brought in Chapman Construction as a subcontractor to have three separate crews working on the sewer line project. There have been several sewer back-ups happen with the construction, and Hadco has indicated they will assume responsibility for that problem. Also, the road from 1500 West to Walgreens will be paved as soon as the weather permits.

Uintah Impact Mitigation:

Councilmember Sonja Norton explained that the Impact Mitigation District is partnering with the Transportation Special Service District and the Energy Lab at USU to develop tar sands to be used as paving material. The hope is this will create more jobs and research for the area.

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Uintah Health District:

Councilmember Cal Dee Reynolds stated that the ground breaking for the new Golden Age Center is scheduled for April 30th at 1:00 p.m.

Elected Officials Softball game:

Ken Bassett reminded the Council that the softball game challenge between the Cities and the County will be the morning of May 1st, after the dedication of the new baseball complex.

ADJOURN: There being no further business, Councilmember JoAnn Cowan moved to adjourn. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with a unanimous vote.

Mayor Gary Showalter

ATTEST:

Roxanne Behunin, Deputy Recorder

(S E A L)