

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
DECEMBER 1, 2010 at 7:00 p.m. in the Vernal City Council room, 447 East Main,
Vernal, Utah 84078.

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

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

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Sonja Norton.

APPROVAL OF CITY COUNCIL MINUTES OF NOVEMBER 17, 2010: Councilmember JoAnn Cowan requested one correction to the administrative reports section of the minutes. With that correction, Councilmember Bert Clark moved to approve the minutes November 17, 2010. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Munford, Cowan, Norton and Clark voting in favor and Councilmember Reynolds abstaining.

INTRODUCTION OF NEW EMPLOYEE BART RICHARDSON: Art Piva, Vernal City street lead worker, introduced Mr. Bart Richardson to the Council. He explained that Bart was hired as a seasonal employee and now with the retirement of Richard Myers, Bart has been appointed to the open position. Bart Richardson stated he is happy to be working for the City. The Mayor and Council welcomed Mr. Richardson to Vernal City.

AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE, CHAPTER 9.32 – PERTAINING TO THE POSSESSION OF SYNTHETIC MARIJUANA – ORDINANCE NO. 2010-22: Ken Bassett explained that approximately three months ago the Public Safety Committee held a lengthy discussion on the possession and use of spice. Shortly after that, Uintah County passed an ordinance prohibiting the possession of spice and similar substances. Further, Ken explained that he spoke with the justice court judge who indicated that it is difficult to cite someone under the County ordinance and adjudicate the charge in the Vernal City justice court without a City ordinance. To complicate this issue even more, the legal counsel with the Utah League of Cities and Towns indicated that the Health District can determine if these are controlled substances. Ken indicated that he spoke with Joseph Shaffer, director of the Tri-County Health District, who indicated that his preference is to wait for the State Legislature to adopt a State-wide regulation for synthetic marijuana. However, the State Legislature does not meet until January, and if they approve any legislation regulating these substances, the effective date likely will not be until May, 2011. Because of these reasons, the City prosecuting attorney, Mike Harrington, has asked the City Council to consider adopting an ordinance prohibiting synthetic marijuana. Councilmember Clark asked if the local retailers that carry this item will be given time to remove it from their shelves. Ken Bassett stated that the newspaper will run an article on it. After further discussion, Councilmember JoAnn Cowan moved to approve Ordinance No. 2010-22 prohibiting synthetic

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marijuana in Vernal City. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munford.....aye;*
- Councilmember Norton.....aye;*
- Councilmember Reynoldsaye;*
- Councilmember Cowanaye;*
- Councilmember Clark.....aye.*

REQUEST FOR APPROVAL OF CHANGE ORDER REQUEST #109R FOR MUNICIPAL OFFICE BUILDING: Ken Bassett explained that Chief Rooks is requesting that a portion of the shelving in the evidence room be wider than 18” in order to separate and secure weapons that need to be stored. The back shelving unit can be increased to a width of 36" to accommodate deeper shelving needs at a cost of \$2117. Councilmember Cowan stated that guns are recovered regularly and need to be stored. Mayor Showalter noted that there will be plenty of storage area in the new building. Councilmember JoAnn Cowan moved to approve change order request #109R as presented. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munford.....aye;*
- Councilmember Norton.....aye;*
- Councilmember Reynoldsaye;*
- Councilmember Cowanaye;*
- Councilmember Clark.....aye.*

WEST MAIN STREET ROADWAY ACCEPTANCE REQUEST FROM UINTAH TRANSPORTATION DISTRICT: Ken Bassett explained that in December of 2009, the Uintah Transportation Special Service District prepared a plat to transfer ownership of the right-of-way for the extension of west Main Street and the new 2000 West Street from the District to Vernal City and Uintah County. The City approved the transfer at that time. However, the County Recorder did not record the plat because of concerns he had with the transfer language. The District has now changed the plat to include wording to dedicate and transfer all right and title of the right-of-way property to Vernal City and Uintah County and is asking the Council to approve the change. The right-of-way that will be transferred to the City is within the City limits. Councilmember JoAnn Cowan moved to approve the roadway acceptance and wording change for west Main Street and 2000 West Street. Councilmember Bert Clark seconded the motion. The motion passed with a unanimous vote with Councilmembers Cowan, Clark, Reynolds, Norton and Munford voting in favor.

AMENDMENT TO THE PAY SCHEDULE FOR FIRE FIGHTERS – RESOLUTION NO. 2010-30: Ken Bassett explained that when the Uintah Fire Suppression District was formed, the Vernal City / Uintah County fire fighters remained employees of the City. The District reimburses the City for the wages and benefits of the fire fighters. From time to time the District Board makes

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changes to the pay scale for the fire fighters, and the City needs to mirror that schedule. Resolution No. 2010-30 adds a \$20 per hour payment to hazmat certified fire fighters who respond to a hazmat spill to coincide with the Districts pay schedule. In turn, the company responsible for the spill will be billed and required to reimburse the District the cost for the fire fighters response. There was some discussion regarding the amount of time and effort for hazmat calls. Councilmember Sonja Norton moved to approve Resolution No. 2010-30. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munford.....aye;*
- Councilmember Norton.....aye;*
- Councilmember Reynoldsaye;*
- Councilmember Cowanaye;*
- Councilmember Clark..... aye.*

SETTING OF ANNUAL MEETING SCHEDULE FOR VERNAL CITY COUNCIL – ORDINANCE NO. 2010-23: Ken Bassett explained that State law requires the Council to adopt an annual meeting schedule. Ordinance No. 2010-23 sets the time and place for the meetings. Mayor Showalter noted the Ordinance lists the same time schedule as last year, the 1st and 3rd Wednesday of each month at 7:00 p.m. Councilmember Bert Clark moved to approve Ordinance No. 2010-23 setting the annual meeting schedule. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munford.....aye;*
- Councilmember Norton.....aye;*
- Councilmember Reynoldsaye;*
- Councilmember Cowanaye;*
- Councilmember Clark..... aye.*

SETTING OF ANNUAL MEETING SCHEDULE FOR VERNAL CITY PLANNING COMMISSION – RESOLUTION NO. 2010-29: Allen Parker explained that the Planning Commission also needs to set a meeting schedule for 2011. The Planning Commission members are recommending that the schedule be changed to the 2nd Tuesday of each month at 7 pm. Councilmember JoAnn Cowan moved to adopt Resolution No. 2010-29 setting the meeting schedule for the Planning Commission. Councilmember Sonja Norton seconded the motion. The motion passed with the following unanimous roll call vote:

- Councilmember Munford.....aye;*
- Councilmember Norton.....aye;*
- Councilmember Reynoldsaye;*
- Councilmember Cowanaye;*
- Councilmember Clark..... aye.*

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INFORMATION TO COUNCIL ON CHRISTMAS BONUS FOR EMPLOYEES: Mike Davis, Finance Director, presented the cost of awarding a Christmas bonus to the City employees to the City Council for consideration. He also provided prior year bonus amounts that have been approved.

If the Council decides to approve a bonus, the finance department would like to issue the checks soon to complete the end of the year statements. Councilmember Bert Clark asked if this had been budgeted. Ken Bassett stated that it is not included in the budget. Mayor Showalter asked if the money would be taken out of the general fund. Ken Bassett stated that it is charged to the specific department that the employee works in. Mike Davis noted that the City picks up the cost and does not bill the District for the bonuses paid to fire fighters. Mayor Showalter noted that the bonus amount has decreased from prior years. Councilmember Cowan stated that when the economy is better, the City can offer better bonuses. She suggested the Council consider awarding a \$250 bonus which is comparable to what was given in 2004. After further discussion, Councilmember Bert Clark moved to approve a \$250 net bonus to City employees. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with the following roll call vote:

Councilmember Munford.....aye;
Councilmember Norton.....aye;
Councilmember Reynoldsaye;
Councilmember Cowanaye;
Councilmember Clark.....aye.

ADMINISTRATIVE REPORTS:

Council Christmas Dinner:

Councilmember Norton asked if a Christmas Dinner would be scheduled for the Council. Councilmember Cowan stated that traditionally the Council and their spouses meet for Christmas. Mayor Showalter suggested the dinner not be on a Council meeting night. The consensus of the Council was to go to a restaurant on a weeknight, preferably December 16th.

Uintah Animal Services SSD:

Councilmember Ted Munford explained that he spoke with the Uintah Animal Services SSD Board about expanding the animal control work schedule, and they are willing to review it and make adjustments. Councilmember Cowan suggested they look at the scheduling for the shelter as well.

Holly Day:

Councilmember Bert Clark stated that he appreciated the work of the employees during the Holly Day event. Councilmember Munford stated that the Youth City Council handed out over 250 cups of hot chocolate. Mayor Showalter stated he would like to see a report on the event. Ken Bassett stated that he will prepare a financial report once all the expenses are in.

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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 and the meeting was declared adjourned.

Mayor Gary Showalter

ATTEST:

Roxanne Behunin, Deputy Recorder

(S E A L)