

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
FEBRUARY 16, 2011 at 7:00 p.m. in the Vernal City Council room, 447 East Main, Vernal,
Utah 84078.

WELCOME: Mayor Showalter welcomed everyone to the meeting.

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

STAFF PRESENT: Ken Bassett, Roxanne Behunin and Micheal Davis.

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

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Cal Dee Reynolds.

APPROVAL OF CITY COUNCIL MINUTES OF FEBRUARY 2, 2011: Councilmember JoAnn Cowan moved to approve the minutes of February 2, 2011 with two corrections - changing Uintah Recreation Center to Uintah Community Center, and correcting Mayor Showalter's title. Councilmember Munford seconded the motion. The motion passed with Councilmembers Munford, Cowan, Reynolds, Norton and Clark voting in favor for a unanimous vote.

REQUEST FOR SPONSORSHIP OF DINO-TRIATHLON: Mark Mason, chairman of the Dino-triathlon Association, explained that the Dino-triathlon was very successful last year and the hope is to have even more participants this year. The City contributed \$2000 toward this event, and Mr. Mason asked the Council to consider the same sponsorship amount. There was some discussion regarding the use of vehicles supplied by Mayor Showalter for a lead and trail car that are a requirement for this event. Councilmember Cowan asked how many people participated last year. Mark Mason replied that they had 157 participants with 58 of them being from the Uintah Basin. Councilmember Norton asked if this event was sanctioned. Mr. Mason stated that it is sanctioned through the national organization, and the participants achievements go toward their point total. He stated that one of the primary goals this year is to provide signs on the race course to eliminate any confusion. Mayor Showalter suggested they consider having a host hotel and offer special rates and restaurant coupons for the participants. Mark Mason stated that they will be doing that. Councilmember Clark asked when the triathlon will be held. Mark explained that the youth event is scheduled for June 24th and the main event will be June 25th. After further discussion, Councilmember JoAnn Cowan moved to support the Dino-triathlon with a \$2000 sponsorship. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:

Councilmember Munfordaye;
Councilmember Cowanaye;
Councilmember Reynoldsaye;
Councilmember Nortonaye;
Councilmember Clarkaye.

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Councilmember Clark asked Mr. Mason to attend the next Uintah Recreation District Board meeting to discuss their participation in this event.

INTRODUCTION OF NEW EMPLOYEE, CHANT CALDWELL IN THE WATER DEPARTMENT: Mike Davis, Vernal City Water / Sewer Superintendent, explained that several employees have left employment with the City, and one of those positions has been filled by Mr. Chant Caldwell. He stated that he is a good fit for the water department. Mayor Showalter, the City Council, and City staff welcomed Mr. Caldwell to employment with the City.

PUBLIC HEARING: AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE, PLANNING & ZONING SECTION 16.26, ORDINANCE NO. 2011-01: Mayor Showalter stated that this item is not ready and will be tabled until a later date. Ken Bassett noted that the public hearing will be re-advertised.

REQUEST FOR APPROVAL OF CHANGE ORDER FOR STORM DRAIN PROJECT: Ken Bassett explained that the City completed a storm water project beginning at Vernal Avenue and going to the golf course along 500 South Street. As the project progressed, the contractor ran into a myriad of utilities that created difficulty installing the clean water filtration system which filters out any debris from the water before it enters Ashley Creek. The manholes for the filtration system had to be installed further down the hill on the corner of the golf course which required additional fill material. Kyle Marchant explained that because of the steep slope where the filtration system was installed, a lot of fill dirt needed to be brought in to bring the site up to minimum grade so the pipes would not erode. The cost to redirect the storm water and install the filtration system is \$18,866. In addition, the change order adds 63 calendar days to complete the work. Mayor Showalter asked if it was anticipated that there would be such a substantial cost change in this project. Ken Bassett explained that a large portion of the change order increases were due to the added sewer line work being paid for by the Ashley Valley Sewer Management Board. Councilmember Munford reminded the staff to implement the zero percent mark up on change orders. Councilmember Bert Clark moved to approve the storm drain project change order in the amount of \$18,866.65. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munfordaye;
- Councilmember Cowanaye;
- Councilmember Reynoldsaye;
- Councilmember Nortonaye;
- Councilmember Clarkaye.

REQUEST FOR AMENDMENT OF ENGINEERING CONTRACT FOR STORM DRAIN PROJECT: Ken Bassett explained that adding time to the storm drain project requires an inspector to be available longer which increases the engineering costs. The additional engineering will be paid for using Community Impact Board funding. Councilmember Norton asked if this increase was consistent with the hourly rate charged in the original contract. Ken Bassett answered yes. Councilmember Cal Dee Reynolds moved to approve the amendment to the engineering contract for

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additional inspection hours. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munfordaye;
- Councilmember Cowanaye;
- Councilmember Reynoldsaye;
- Councilmember Nortonaye;
- Councilmember Clarkaye.

REQUEST FOR APPROVAL OF BY-LAW CHANGE FOR PLANNING COMMISSION :

RESOLUTION NO. 2011-04: Ken Bassett explained that the by-laws for the Planning Commission identified the specific day of the month when their meetings will be held. This year, the Commission members have asked to change their meeting schedule to a day that is more convenient. The by-laws need to be amended to allow more flexibility. The City Council approves the annual meeting schedule after receiving a recommendation from the Planning Commission. Councilmember JoAnn Cowan moved to approve Resolution No. 2011-04 amending the Planning Commission by-laws. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munfordaye;
- Councilmember Cowanaye;
- Councilmember Reynoldsaye;
- Councilmember Nortonaye;
- Councilmember Clarkaye.

REQUEST FOR APPROVAL OF CHANGE ORDER REQUEST #125 & #129R FOR CITY HALL PROJECT:

Ken Bassett explained that change order request #125 adds the cost to tie the elevators into the emergency power source as required by the State inspector. This will allow the elevator to be operable when the power goes down. Councilmember Bert Clark moved to approve change order request #125 for \$2152.89. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munfordaye;
- Councilmember Cowanaye;
- Councilmember Reynoldsaye;
- Councilmember Nortonaye;
- Councilmember Clarkaye.

Ken Bassett explained that change order request #129R is to add tile along the base of the GFRC panels to prevent them from being marred or turning dark from the floor being mopped. Also, the panels are not all the way down to the floor consistently in the lobby area. Eagle Pre-Cast is willing to give the City a \$1000 credit toward this project and the total cost is \$7626.51. Councilmember Bert Clark moved to approve change order request #129R for a total cost of \$7626.51. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munfordaye;
- Councilmember Cowanaye;

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Councilmember Reynoldsaye;
Councilmember Nortonaye;
Councilmember Clarkaye.

CHANGE ORDER REQUEST SUMMARY FOR CITY HALL PROJECT: Mayor Showalter explained that the contractor and architect meet with the City staff every Tuesday to go over the status of the City Hall project, and many change order requests are brought up during this meeting. He asked Mr. Bassett to go over the added costs for this project. Ken Bassett explained that the significant cost increase deals with the ground water issue. During the construction of the building, the contractor has been monitoring the continuous flow of ground water in order to purchase an adequate pump to handle the water. The monitoring and pump have cost a significant amount. Another fairly expensive change was the west entrance and change to the Basin Auto entrance on Main Street. The total increased cost to the project so far is \$169,673 which is approximately 1.7% of the total contract amount. Mr. Bassett showed the Council the total project funding of \$16,985,000 minus the obligations so far leaving a balance of \$1,700,000. Councilmember Cowan asked what will happen to any funds that are not spent. Ken Bassett stated that the funds go back to the Community Impact Board, however, it is the City’s grant money. He suggested the Council again approach the neighboring property owner and negotiate the purchase of their property using this funding. Mayor Showalter asked if those funds can be kept for a future land purchase. Ken Bassett answered yes, possibly for six to eight months after the projects is completed. Mayor Showalter asked if the Community Impact Board looks unfavorably on funds being returned. Ken Bassett explained that the Board will quickly accept returned money. It was noted, however, that the CIB has taken the position that unused funds will be returned to the CIB and an applicant would have to apply for funds for an unrelated project. After discussion, the consensus of the Council was to purchase items that are necessary for the new building and approach the neighboring property owner.

ART WORK PROPOSAL FOR NEW CITY HALL PROJECT: Councilmember JoAnn Cowan explained that she looked at the possibility of purchasing original artwork from local artists for the new City Hall, but the cost was too high. She stated that she contacted the building designer who recommended an art gallery / design firm who does consulting for government buildings to help find appropriate art for the building. This firm, Alpine Art, has books full of limited edition prints and has put together a proposal to supply art work for the building which will provide color and history. The building will also need some artificial plants. Councilmember Cowan showed the Council and Mayor several pictures of the art work that can be purchased and the areas where they can be displayed. Also, Councilmember Cowan stated that the Freedom Gallery plaques can be included for an additional \$3000. The pictures of the Mayor’s will be reframed and matted to match the building and displayed in the corridor west of the Council chambers and the Council pictures will be placed upstairs. The police department will also display pictures of the officers in their lobby. Mayor Showalter thanked Councilmember Cowan for her work on this project. Councilmember Cowan stated that the cost for the prints, framing, installation, plants and Freedom Gallery display will be approximately \$75,000 which is approximately \$50,000 over the original budget. She asked the Council to accept the proposal from Alpine Art. After further discussion, Councilmember Ted Munford moved to accept the professional services of Alpine Art and purchase the display from Freedom Gallery at a cost not to exceed \$75,000 including matting, framing and installation of the

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art work selected. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munfordaye;
- Councilmember Cowanaye;
- Councilmember Reynoldsaye;
- Councilmember Nortonaye;
- Councilmember Clarkaye.

ADMINISTRATIVE REPORTS:

Uintah Recreation District:

Councilmember Bert Clark explained that the Recreation District has appropriated \$400,000 for the LaPoint park which will be the major capital project this year. Also, the mineral lease funds will be appropriated on a monthly basis rather than quarterly.

ADJOURN: There being no further business, Councilmember JoAnn Cowan moved to adjourn. Councilmember Clark seconded the motion. The motion passed with a unanimous vote and the meeting was declared adjourned.

ATTEST:

Mayor Gary Showalter

Roxanne Behunin, Deputy Recorder

(S E A L)