

**M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
MARCH 2, 2011 at 7:00 p.m. in the Vernal City Council room, 447 East Main,  
Vernal, Utah 84078.

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

**STAFF PRESENT:** Ken Bassett and Roxanne Behunin.

**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 Mayor Gary Showalter.

**APPROVAL OF CITY COUNCIL MINUTES OF FEBRUARY 16, 2011:** Councilmember Sonja Norton requested the minutes clarify the west entrance to the City office is on Main Street. Councilmember Clark corrected the park to the LaPoint Park. *Councilmember Norton then moved to approve the minutes of February 16, 2011 with the corrections. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Munford, Cowan, Norton and Clark voting in favor.*

**REQUEST FOR FUNDING FOR UINTAH BASIN JUNIOR LIVESTOCK SHOW:** Chris Brough, vice-president of the Uintah Basin Junior Livestock Show, explained that Mr. Glen Harrison was unable to attend the meeting so he would be making the presentation. He explained that last year there were 305 youth exhibitors participating in the Junior Livestock Show, and 60% of those participants were from outside the Uintah Basin. The youth learn responsibility as they care for the animals that they plan on showing. In the past, Vernal City contributed \$1500 for this event, and Mr. Brough asked the Council to consider continuing their support. Mayor Showalter asked what the dates are for the show. Mr. Brough stated that the program is scheduled for June 27<sup>th</sup> through the 30<sup>th</sup> at the Western Park. Councilmember Clark asked if a dinner was still held for the supporters. Mr. Brough answered that an awards banquet will be held. Mayor Showalter noted that many businesses support these youth, and the City sees a benefit from the participants coming to the City. He suggested the Livestock Show work with local hotels to give a price break to the travelers. Mr. Brough stated they would contact local hotels. *Councilmember JoAnn Cowan moved to support the Junior Livestock Show with a \$1500 contribution. Councilmember Sonja Norton seconded the motion. The motion passed with the following unanimous roll call vote:*

*Councilmember Cowan .....aye;*  
*Councilmember Munford..... aye.*  
*Councilmember Norton.....aye;*  
*Councilmember Clark.....aye;*

The Mayor and Council thanked Mr. Brough for their work to bring this event to Vernal City and support the youth.

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**REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE CHAPTER 9.32 - REPEAL OF SPICE ORDINANCE – ORDINANCE NO. 2011-06:** Ken Bassett explained that the State Legislature passed a “spice” law similar to the ordinance the City passed a few months ago that would provide consistent regulations throughout the State prohibiting synthetic marijuana. Since the legislation was approved by a two-thirds vote of the Legislature, the law goes into effect immediately with the signature of Governor Herbert. Therefore, it is no longer necessary for the City to have its own spice ordinance on the books, and it is being recommended that it be repealed. Mayor Showalter noted that Ordinance No. 2011-06 will not change the enforcement, it will simply be under the State statute. Councilmember Clark stated that seventeen other states have banned the use of spice. *Councilmember Clark then moved to approve Ordinance No. 2011-06 repealing the spice ordinance. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Cowan .....aye;*  
*Councilmember Munford..... aye.*  
*Councilmember Norton.....aye;*  
*Councilmember Clark.....aye;*

**REQUEST FOR APPROVAL OF CHANGE ORDER REQUESTS #100, #124, #126R:** Ken Bassett explained that three change orders need to be approved for the municipal office project. The first change request, #100, is associated with the work completed to the west drive entrance on Main Street and Basin Auto’s east drive entrance. The contractor had to move the storm drain pipe line that was in the west parking lot further to the east to facilitate a wider drive entrance. The cost for this work was \$8600. However, the earth work expense was over looked, and the architect determined his costs were legitimate expenses and should be paid. The cost for the dirt work is \$6261.87. *Councilmember Bert Clark moved to approve change order request #100 in the amount of \$6261.87. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call*

*vote:*

*Councilmember Cowan .....aye;*  
*Councilmember Munford..... aye.*  
*Councilmember Norton.....aye;*  
*Councilmember Clark.....aye;*

Ken Bassett explained that change order request #126R pertains to the purchase of two additional dishwashers and a ceramic top range for the kitchen in the new City hall building. As the staff looked at the type of stove initially purchased, it was noticed that it had round elements, and it was determined that in order to keep the stove top clean, a flat ceramic top was preferable. Also, two dishwashers were included in the specifications for the break rooms, and an additional two machines are needed for the remaining break rooms. Councilmember Cowan and Councilmember Norton questioned the cost of the ceramic top range. Ken Bassett explained that the stove must meet ADA standards and is a drop in stove. After further discussion, Mayor Showalter recommended change order request #126R be approved. He requested that in the future these types of items be purchased locally. *Councilmember JoAnn Cowan moved to approve change order request #126R001 for \$3,130.40. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Cowan .....aye;*

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*Councilmember Munford..... aye.*  
*Councilmember Norton.....aye;*  
*Councilmember Clark.....aye;*

Councilmember Sonja Norton asked the staff to bring change orders to the Council’s attention before the work is completed if possible. Ken Bassett explained that these change orders needed to be approved quickly so the completion of the municipal office building would not be further delayed. Mayor Showalter suggested that if any additional items come up, the staff contact the Council via telephone for a quick decision.

Ken Bassett explained that change order request #124 changes the electrical connections in the city manager’s office and the judge’s office from the middle of the room to the wall. The original assumption was that the furniture configuration would go over the carpeted lid, but once the furniture was installed, it was noticed that the plugs are not covered. This change order moves the electrical and computer connections to the wall behind the furniture. Also, the visual screen for the conference / jury room on the first floor was located on the north wall. However, anyone sitting on the east side of the room would not be able to see the screen because of the furniture selected. The screen has now been moved to the west wall and a marker board has been added. The cost for this work is \$3518.75. After discussion, *Councilmember Munford moved to approve change order request #124 at a cost of \$3518.75. Councilmember JoAnn Cowan seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Cowan .....aye;*  
*Councilmember Munford..... aye.*  
*Councilmember Norton.....aye;*  
*Councilmember Clark.....aye;*

Mayor Showalter stated that overall, the change orders for the municipal building project are not exorbitantly over budget, and are only slightly over 1% of the total project. He commended the staff, particularly Mr. Bassett and Mr. Anderson, on doing an excellent job of controlling change orders and costs. The Council agreed that the staff has gone the extra mile watching over this project.

**ADMINISTRATIVE REPORTS:**

Flowers:

Councilmember Bert Clark asked the staff to coordinate with the Uintah Recreation District to plant flowers for the City streets and parks. Ken Bassett agreed to contact the Recreation District.

Path Snow Plowing:

Councilmember JoAnn Cowan asked if the street department would plow the snow off the Kids Canal trail as that area is covered by trees and the snow is not melting.

Budget Meeting Schedule:

Ken Bassett directed the Council’s attention to the calendar for the budget meetings. He asked the Council to correlate these meetings with their schedules.

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Utah League of Cities and Towns Conference:

Ken Bassett explained that the ULCT conference is scheduled for April 13<sup>th</sup> -15<sup>th</sup> in St. George. Councilmembers Clark, Cowan and Norton indicated they would be attending and Councilmember Munford and Mayor Showalter stated they would check their schedules.

State Legislature Update:

Councilmember Sonja Norton stated that the Immigration Bill presented by Representative Sandstrom was watered down somewhat and takes into consideration worker permits. If an illegal worker is caught working without the permit, they will be fined \$2500. She stated that a fiscal note should have been attached as increased law enforcement will be needed. Another bill that is being watched closely is the allowance of a movie studio on any property no matter the local zoning or regulations. Ken Bassett stated that the sales tax bill will affect residents in the community by adding tax back onto food sales and is being hotly debated. Advocates for the poor are against the bill, and the position of the State is that it is a more consistent revenue stream.

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

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Mayor Gary Showalter

ATTEST:

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Roxanne Behunin, Deputy Recorder

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