

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
APRIL 20, 2011 at 7:00 p.m. in the Vernal City Council room, 447 East Main,
Vernal, Utah 84078.

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

STAFF PRESENT: Allen Parker and Sherri Montgomery. Ken Bassett, Roxanne Behunin, and Mike Davis were excused.

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 APRIL 6, 2011: There not being a quorum present from the April 6, 2011 meeting, the minutes from April 6, 2011 shall be deemed to have been approved by the public body and will stand as proposed in compliance with the Vernal City Code, Section 2.12.080.

VERNAL ROTARY AND INTERACT CLUB LITTER CONTROL PROJECT – CHERI MCCURDY: Cheri McCurdy introduced the students present: Brian Gorum – Vernal Rotary Club, Steffanie Beddes – Interact President, Amelia McCurdy – Interact Vice President, and William McQuire – Interact Treasurer. Cheri McCurdy stated that the Interact Club is a junior version of the Rotary Club. Amelia McCurdy explained that the Interact Club is a service organization which focuses on local and international projects. The club has completed various local projects such as delivering Halloween bags to children in the hospital and creating Christmas cards for the Uintah Care Center. The club also completed an international project called kisses for kids and donated all the proceeds to the Southern Cross Humanitarian Organization in South America. Steffanie Beddes explained that the final project of the club is to adopt a section of the highway on Main Street and Aggie Boulevard to clean up three times a year. Ms. Beddes asked if the City would contribute to this project by being a sponsor and allow the club to place a sign on the highway stating that this highway was adopted by the Vernal Rotary and Interact Club. Mayor Gary Showalter asked what area they plan to clean up. Cheri McCurdy answered that it would be the new section of Main Street from 1500 West to 2500 West and Aggie Boulevard from 500 North to 500 South. Ms. McCurdy explained that this street has a lot of foot and bicycle traffic. Councilmember JoAnn Cowan stated that this is a fabulous project. Mayor Gary Showalter asked what the club needs the City to provide. Ms. McCurdy stated that they need to know where to put the garbage after it is picked up. Brian Gorum suggested working with the University to use their garbage dumpster. Councilmember JoAnn Cowan suggested the City pick up the bags of trash along the road after the project is completed. Mayor Gary Showalter stated that the City could provide garbage bags, gloves, and safety vests if needed. Councilmember Cal Dee Reynolds asked the club if they would be taking care of the weeds as well. Ms. McCurdy mentioned that it would just be the trash. Councilmember JoAnn Cowan suggested Glade Allred make a sign acknowledging the clubs for the project. Councilmember Sonja Norton suggested asking an oilfield company to donate jersey gloves for the project. Councilmember JoAnn Cowan thanked the club for their service and moved to authorize the public works to provide a sign, vests, and garbage bags to the Vernal

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Rotary and Interact Club. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Cowan, Norton, Reynolds, and Munford voting in favor for a unanimous vote.

GRADUATION NIGHT SPONSORSHIP REQUEST – SHELLY CHIVERS: Shelly Chivers, Director of the graduation night party, explained the need for funds to provide the high school graduates with an all night party. Ms. Chivers mentioned that this is the fourth year for this activity, and the students really enjoy the event. Ms. Chivers asked the City to match the sponsorship from the previous years of \$2,500.00. Mayor Gary Showalter asked the date of the party. Ms. Chivers stated that graduation is on May 27, 2011. There will be a dance for all of the youth from 9:00 p.m. - 11:30 p.m. Mayor Gary Showalter commended Ms. Chivers for directing this event for all these years. Ms. Chivers commented that there are many parents who donate and volunteer to make the event a success. Councilmember Ted Munford asked the approximate ratio of the number of students who have participated in the past. Ms. Chivers stated there is usually around 175 students who sign up and 30-50 students who show up at the door. Councilmember JoAnn Cowan asked how many students are in the graduating class. Ms. Chivers stated around 300 – 350 students. Councilmember Ted Munford asked what kind of feedback has been received from the students that have attended this event. Ms. Chivers stated that everyone has a good time and goes home with some great prizes. There is also a T-shirt contest, and all participants receive a T-Shirt that is created by the winner. Councilmember Sonja Norton stated that she has attended a few of these events as a parent, and the prizes are not cheap. In the past, they have given away a mini fridge, microwave, Xbox, Wii, and a four wheeler. Councilmember Sonja Norton moved to approve \$2,500.00 to sponsor the Uintah High School graduation night party. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munford.....aye;
- Councilmember Cowanaye;
- Councilmember Reynoldsaye;
- Councilmember Nortonaye.

PUBLIC HEARING: REQUEST TO AMEND SPLIT MOUNTAIN VILLAGE PHASE II SUBDIVISION PLAT LOCATED AT 290 EAST, 325 EAST, 355 EAST AND 380 EAST 500 SOUTH, VERNAL, UTAH – SCOTT GARDINER: Mayor Gary Showalter opened the public hearing for the request to amend Split Mountain Village Phase II Subdivision plat located at 290 East, 325 East, 355 East, and 380 East 500 South, Vernal, Utah.

Scott Gardiner at 90 South 400 West, Salt Lake City, Utah, introduced Kyle Ashworth who is helping with the project. Mr. Gardiner stated that in 2008, they had a 52 unit plat approved and recorded it. Due to the economy, the project was not completed. Mr. Gardiner explained that they decided to change the site design layout after meeting with an architect, and all units will be duplexes instead of six plexes. Changing to all duplexes will help with the elevation change, which made it complicated with the sewer. Mr. Gardiner stated that the most important positive change was adding 18 parking stalls for visitors. The project will also have more common areas with a park. Mr. Gardiner noted that in Phase III, they will expand 600 South and 700 South and at that time will visit the public road issue. The project has downsized from 52 to 46 units and will be owner occupied. Mayor Gary Showalter asked if all obligations including streets, landscaping, etc. have been met from Phase I. Mr. Gardiner stated they are in compliance for what has been developed, but there are still 16 units not completed out of 110 units.

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Councilmember JoAnn Cowan asked if the Planning Commission had any concerns. Councilmember Sonja Norton stated that there were no concerns. Councilmember JoAnn Cowan clarified that the garages would be in the front. Mr. Gardiner answered yes. Councilmember Sonja Norton asked if Phase I had to be completed, before Phase II could begin construction. Allen Parker explained that all phases could be built at the same time. Councilmember Ted Munford noted that the project is in compliance with all the code requirements. Mayor Gary Showalter asked if all the units will be for sale and not rented. Mr. Gardiner stated they will all be owner occupied. Mayor Gary Showalter asked if Phase I was primarily rentals. Kyle Ashworth stated that they have all been sold to individual owners. Councilmember Sonja Norton asked if the code had been changed recently for developments to be 51% owner occupied. Mr. Parker explained that the change applies only to new developments, but this development follows the code based on their first application date. Councilmember Sonja Norton explained that it was to protect the integrity of the development for purchase, because FHA financing requires 51% owner occupied. Kyle Ashworth noted that the development has that language in the CC&R's (The covenants, conditions and restrictions.) Councilmember Ted Munford moved to approve the request to amend Split Mountain Village Phase II Subdivision plat located at 290 East, 325 East, 355 East, and 380 East 500 South, Vernal, Utah as presented. Mayor Gary Showalter closed the public hearing. Councilmember JoAnn Cowan seconded the motion. The motion passed with the following roll call vote:

Councilmember Munford.....aye;
Councilmember Cowanaye;
Councilmember Reynoldsaye;
Councilmember Nortonaye.

REQUEST TO RATIFY SILVER PINES SUBDIVISION AMENDMENT – ALLEN PARKER: Allen Parker reminded the Council that a phone poll had been conducted to approve the amendment to the Silver Pines Subdivision, which now needs to be ratified. Mr. Parker referenced Pages 12 and 13 of the meeting packets to remind the Council what was previously discussed. The change is adding garages to the previously approved plat. Councilmember Sonja Norton moved to ratify the phone poll for the Silver Pines Subdivision amendment. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with Councilmembers Cowan, Norton, Reynolds, and Munford voting in favor for a unanimous vote.

BUREAU OF RECLAMATION WATER PROJECT – ALLEN PARKER: Allen Parker explained that the easement encroachment agreement with the Bureau of Reclamation is to install a new 8” water line on West Highway 40 between 1500 West and the old USU center. In completing this project, it is necessary to go under the irrigation canal. The agreement is allowing the City to make that crossing. This looped water line will provide another source of water in case of an emergency in other sections of the City. Councilmember JoAnn Cowan recalled a year ago when a water line broke near the Holiday Inn, which shut off all the water in that area. Councilmember Cal Dee Reynolds mentioned that with a loop, the City can shut off a valve and continue to have water in other places. Councilmember JoAnn Cowan moved to approve the easement encroachment agreement with the Bureau of Reclamation. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Cowan, Norton, Reynolds, and Munford voting in favor for a unanimous vote.

RECOMMENDATION FOR PLANNING COMMISSION MEMBER – ALLEN PARKER:

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Allen Parker explained that the Planning Commission is recommending Anders Fillurp as an alternate member. Mr. Fillurp is well educated with a civil engineering master's degree in public policy. Mr. Fillurp is new to the area and wishes to participate in the community. Councilmember JoAnn Cowan moved to approve Mayor Showalter appointing Anders Fillurp to the Planning Commission as an alternate member. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Cowan, Norton, Reynolds, and Munford voting in favor for a unanimous vote.

ADMIN REPORTS: Councilmember JoAnn Cowan is concerned with people breaching the roads and not going in and repairing them up to standard. There are a couple of cuts from 500 South and West Main Street that are way below the regular pavement. Councilmember JoAnn Cowan asked who is responsible for inspecting the roads. Allen Parker explained that it is the street department's responsibility, and that he had a meeting with the street and water departments on this issue. Councilmember JoAnn Cowan stated that the cuts on West Main Street were not done by the City. Mr. Parker mentioned that they were done by Silver Spur. Councilmember JoAnn Cowan stated that the City has spent a large sum of money on 500 South and then someone cuts into the road without repairing it correctly. She also mentioned that the sewer cuts were never fixed on 500 South. Councilmember Cal Dee Reynolds explained that the Sewer Board is going to discuss this issue at the next meeting. They plan to talk to the contractor on the requirements that need to be met. Mr. Parker stated that the City can start fixing some of these problems in the interim. Councilmember Sonja Norton asked if the City puts a moratorium in place when a road is being redone. Mr. Parker answered yes, but explained that the issue with 500 South was an error on the part of the contractor who failed to hook up a sewer line. Councilmember Cal Dee Reynolds noted that there is a two year warranty, and the contractor has to fix it on his own. Councilmember JoAnn Cowan recommended that the City inspect the 500 South issues. Councilmember Sonja Norton stated that 500 West also has some issues. Mr. Parker explained that the City is currently doing an inventory on the problems and will contact those responsible for fixing them properly. Councilmember Sonja Norton asked if there is a certain amount of time that it is to be maintained. Mr. Parker explained that the warranty time was changed from one year to two years. Councilmember Sonja Norton asked what needs fixed on 1000 West Main Street. Mr. Parker explained that the culvert was collapsing and the City was repairing it.

ADJOURN: There being no further business, Councilmember JoAnn Cowan moved to adjourn. Councilmember Ted Munford 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)