

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
OCTOBER 5, 2011 at 7:00 p.m. in the Vernal City Council Room, 374 East Main,
Vernal, Utah 84078.

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

WELCOME: Mayor Showalter welcomed everyone to the first fall meeting and gave a special welcome to the students.

STAFF PRESENT: Ken Bassett, Roxanne Behunin and Allen Parker.

INVOCATION OR UPLIFTING THOUGHT: Councilmember JoAnn Cowan gave an uplifting thought.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Ted Munford.

APPROVAL OF THE CITY COUNCIL MEETING MINUTES OF SEPTEMBER 21, 2011: Councilmember Bert Clark asked for the minutes of September 21st to reflect that he gave an invocation rather than an uplifting thought. *Councilmember Clark then moved to approve the minutes of September 21, 2011 with that correction. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Munford, Cowan, Norton, and Clark voting in favor for a unanimous vote.*

INTRODUCTION OF NEW EMPLOYEE FOR GOVERNMENT BUILDINGS DEPARTMENT, JANEINA MILLER AND FOR THE STREET DEPARTMENT, RUSSEL AUGUSTUS AND LEROY KELSEY: Mayor Showalter noted that several new employees have joined forces with Vernal City and will be introduced to the Council.

Danny Anderson stated that JaNeina Miller has been hired as the custodian to take care of this building and public works. She has around 15 years experience and has lived in Vernal for the past 10 years. The staff is glad to have her working here, and she has scrambled to get this building cleaned. Mayor Showalter and the Council welcomed Neina to employment with Vernal City.

Art Piva explained that two employees have joined the Street Department. The first new full-time employee, Russel Augustus, is replacing Dennis Eaton who retired in July. The other full-time employee, LeRoy Kelsey, started as a seasonal employee, and is now replacing an employee who transferred to the Water Department. They both live in Vernal with their families. Mayor Showalter welcomed both Russel and LeRoy, and noted that they are joining a good crew. The City Council also welcomed the new employees to City employment.

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BIKE RACK PRESENTATION – TRACY FROST: Tracy Frost explained that after presenting this issue a few months ago, she researched different bike rack styles and costs as requested by the Council. Also, as discussed with the City staff, the requested locations have been adjusted to a four block area from 200 West to 200 East along Main Street. Ms. Frost presented a map of the proposed bike rack locations. The proposed locations for the two larger bike racks are on 100 West by the bus hub, and one at Cobblerock Park. Allen Parker stated that the County Commission has tentatively agreed to install two larger bike racks by the library. Also, two racks should be placed at City Hall. Tracy Frost noted that there are a lot of different designs, but the type that are up off the ground work better for snow removal. She explained that local welding companies were contacted to build the racks, with only one vendor being interested. Councilmember Cowan suggested she contact Marty Hansen with JR Welding to see if he was interested. Mayor Showalter suggested they research where the bike traffic is going and place the bike racks at convenient locations based on that research. There was some discussion regarding how the racks will be placed so they do not block pedestrian traffic. Tracy Frost presented a cost of \$2507 to purchase the bike racks as discussed. Councilmember JoAnn Cowan moved to allocate \$2507 for this project with the provision that the local vendor be given the opportunity to match the price. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:

Councilmember Munfordaye;
Councilmember Cowan..... aye.
Councilmember Norton.....aye;
Councilmember Clark aye.

REQUEST FOR AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE, PLANNING & ZONING SECTION 16.58.050 - PLATTING AND RECORDING REQUIREMENTS - ORDINANCE NO. 2011-20 (CONTINUED): Allen Parker explained that he revised Ordinance No. 2011-20 based on the comments from the Council and after looking at the codes for other cities. The major changes being made by this Ordinance would be how a final plat needs to be created to subdivide property. Councilmember Cowan stated that eventually plats will be digitized and submitted in digital form. Allen Parker agreed, and stated that the mylar still needs to be recorded. He stated that this ordinance eliminates the requirement for tracing linen, Indian drawing ink and a clean cut plat. Also, a subdivision name must be approved by the County Recorder’s office. Councilmember JoAnn Cowan moved to approve Ordinance No. 2011-20. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

Councilmember Munfordaye;
Councilmember Cowan..... aye.
Councilmember Norton.....aye;
Councilmember Clark aye.

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REQUEST FOR AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE, BUSINESS LICENSING CHAPTER 5.20 – ALCOHOLIC BEVERAGES - ORDINANCE NO. 2011-21:

Allen Parker explained that the City received an application from a developer to build a brewery in the City. As the staff reviewed the code, it was noted that there was no compatible alcohol license for a beer manufacturer. Ordinance No. 2011-21 adds beer manufacturing to the alcohol / beer licensing classifications. This classification is similar to State code which also allows a tasting room for beer that is below the 3.2% alcohol content, and allows retail sales. Also, one requirement of the State license is that food be served on the premises if on-premise consumption will be permitted. Mayor Showalter asked if the location of the brewery would be 500 East Main. Allen Parker answered yes, on the property just behind the strip mall. He noted that the way the site plan was presented, the brewery will be centered on the vacant land, with a separate restaurant to be developed in the future. Mayor Showalter asked if this project meets the City’s parking requirements. Allen Parker stated that it does meet the parking for a tavern with manufacturing in the back, and the site plan has been approved by the Planning Commission. Councilmember JoAnn Cowan asked why the initial license is \$1500. Ken Bassett stated that he simply put the same fee required for a tavern since a brewery can sell beer for on-premise consumption without a specific percentage of food sales. Councilmember Cowan asked how the City’s alcohol license fees compare to other communities. Ken Bassett stated that he did not know, but for the City these fees have not changed for many years. There was some discussion regarding breweries in other areas. Councilmember Cowan voiced her concern that the City will be charging a high license fee for a business that will only be offering samples of gourmet or exotic beer simply to try to sell their product. She stated that in order to get a brewery permit, a business owner has to go to the expense of installing the equipment and having their product tested first before the State will grant a license. Ken Bassett stated that there is no requirement to sell a specific percentage of their sales in food, unless the Council wants to add that requirement. That way it would parrot a restaurant even though this is not a restaurant. Mayor Showalter agreed that the individuals behind this business have to make a significant capital investment and will be aiming for a more sophisticated type of clientele. Councilmember Norton noted that this type of business cannot be within the proximity of churches or schools and asked if proximity has been defined. Ken Bassett stated that it has been defined in the code. After further discussion, Councilmember Bert Clark moved to approve Ordinance No. 2011-21. Councilmember JoAnn Cowan seconded the motion. The motion passed with the following roll call vote:

Councilmember Munfordaye;
Councilmember Cowan..... aye.
Councilmember Norton.....aye;
Councilmember Clark aye.

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PLANNING COMMISSION RECOMMENDATIONS: Allen Parker explained that the Planning Commission has received another resignation submitted by Glen Spencer. Several residents have been suggested to replace the vacant positions on the Planning Commission, although these people have not been contacted yet to see if they are willing to serve. Councilmember Sonja Norton stated that Mike Weber is being recommended and would be a good choice. Allen Parker suggested he approach the recommended residents and report back at the next meeting. Councilmember Cowan asked who makes the final appointment. Ken Bassett answered that the Mayor appoints the Planning Commission with the City Council's ratification. Councilmember Clark stated that he spoke with Brenda Erkwine, and she is happy to be considered. Councilmember Norton suggested their appointments be conditional on their willingness to serve, but the Planning Commission wanted the appointments to be made today. Allen Parker stated that he knew that there were a number of other people the Council were interested in appointing, so he did not want to approach anyone until after this meeting. Mayor Showalter stated, that with the approval of the Council, he would like to appoint Brenda Erkwine, Michael Drechsel and Mike Weber to the Planning Commission conditional upon their acceptance. Councilmember Sonja Norton moved to accept the Mayor's appointments to the Planning Commission with Brenda Erkwine and Michael Drechsel as regular members and Mike Weber as an alternate. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Norton, Clark, Munford and Cowan voting in favor for a unanimous vote.

Allen Parker agreed to contact the new members by phone and then send them a letter.

ADMINISTRATIVE REPORTS:

Nuisance Abatement:

Councilmember Clark asked if the public was being made aware that yard sale signs cannot be placed on power poles. Ken Bassett stated that the signs are taken down and letters are sent out for them not to put them up again. Also, a data base is kept on who is sent a letter to keep track if they do it again so a citation can be issued. Councilmember Clark asked the staff to follow-up with information to the public on nuisance issues.

City Council Packets:

Councilmember Norton Sonja asked if the Council packets could be delivered on Monday instead of Tuesday. Ken Bassett explained that the reason the packets are prepared on Tuesday is so any last minutes items can be placed on the agenda. However, the day can be changed. Councilmember Ted Munford stated he would prefer receiving his packet electronically. After discussion, the consensus was to continue to deliver the packets on Tuesday.

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ADJOURN: There being no further business, *Councilmember Bert Clark moved to adjourn. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Clark, Norton, Reynolds, Cowan and Munford voting in favor and the meeting adjourned.*

ATTEST:

Roxanne Behunin, Deputy Recorder

Mayor Gary Showalter

(S E A L)