

**M**INUTES OF THE VERNAL CITY COUNCIL SPECIAL MEETING HELD  
DECEMBER 8, 2011 at 7:00 p.m. in the Vernal City Council Room, 374 East Main,  
Vernal, Utah 84078.

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

**WELCOME:** Mayor Showalter welcomed everyone to the meeting.

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

**ACKNOWLEDGEMENT OF SPECIAL MEETING:** Mayor Showalter explained that usually these meetings are held the first and third Wednesday of the month. However, the staff needed to attend the Community Impact Board meeting so the meeting was changed to tonight. The Council acknowledged and approved this special meeting.

**INVOCATION OR UPLIFTING THOUGHT:** Councilmember Ted Munford gave an uplifting thought.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Mayor Gary Showalter.

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES OF NOVEMBER 16, 2011:** *Councilmember Bert Clark moved to approve the minutes of November 16, 2011 as presented. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with Councilmembers Munford, Cowan, Reynolds, and Clark voting in favor.*

Councilmember Bert Clark asked for follow-up information based on the minutes of the last meeting. He asked if Questar Gas had fixed the bumps in the road where they patched the cuts made to upgrade their lines. Allen Parker stated that he would have the road superintendent, Glade Allred, inspect the repairs. Ken Bassett agreed that the asphalt needed to be rolled out smoother.

**INTRODUCTION OF NEW EMPLOYEES FOR ZONING ENFORCEMENT OFFICER AND BUILDING INSPECTOR:** Allen Parker stated he would like to introduce two new employees to the Planning Department. The first employee, Corey Coleman, is relocating from Saratoga Springs and will be working as a building inspector. The other new employee is Patsy Nelson who is originally from Vernal and will be working as the zoning compliance officer. Both employees are already making a difference, and their personalities fit well with the City. Mayor Showalter noted that these are two very important positions. The Mayor and Council welcomed Corey and Pat to the City.

**REQUEST FOR AMENDMENT TO THE VERNAL CITY PERSONNEL POLICIES AND PROCEDURES – DEFINING A “WORKING DAY” FOR LEAVE – RESOLUTION NO. 2011-16:** Ken Bassett explained that Resolution No. 2011-16 clarifies that a working day is

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equal to eight hours when applied to military and funeral leave. The reason this definition is needed is that several departments schedule employees for different shifts other than eight hours. When an employee goes on leave, they are paid for eight hours for each day. This is consistent with the other leave policies of the City. *Councilmember JoAnn Cowan moved to approve Resolution No. 2011-16. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

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

Councilmember Cowan commented that the impression is that the City does not have a lot of employees that are working on Friday. She asked the administrative staff to address that issue and only allow employees to work a varied schedule with Council approval. Ken Bassett agreed that several departments stagger the employee’s work hours, however, the departments are still covered. He stated that the departments will be made aware of the perception and will not be left unmanned.

**REQUEST FOR APPROVAL OF FRANCHISE AGREEMENT WITH ROCKY MOUNTAIN POWER – ORDINANCE NO. 2011-24:** Ken Bassett explained that the franchise agreement with Rocky Mountain Power expires on January 1st. The attorney’s for Rocky Mountain Power and the City have been working on a new franchise agreement and are close to producing an acceptable draft agreement for the Council to consider. In the meantime, Rocky Mountain Power is suggesting that the current agreement be extended for another sixty days to allow time to finalize a new franchise agreement. After further discussion, *Councilmember Bert Clark moved to allow a sixty day extension to the franchise agreement with Rocky Mountain Power. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with Councilmembers Clark, Reynolds, Munford and Cowan voting in favor.*

**PLANNING COMMISSION APPOINTMENTS:** Allen Parker explained that the City Council recently appointed two new alternate members to the Planning Commission. However, those people, Brenda Earlywine and Mike Weber, are unable to serve. The Planning Commission is now recommending Missy Huber and Adam Ray be appointed as replacements. Mayor Showalter asked if Allen spoke to Missy and Adam to see if they are willing to serve. Allen Parker stated that he did meet with them and explained the duties to see if there were interested in serving, and they are both willing and excited. Councilmember Bert Clark asked if the members whose terms expire at the end of the year have been asked if they were interested in continuing to serve. Allen Parker answered that he would ask them at the next Planning Commission meeting. *Councilmember Bert Clark moved to appoint Missy Huber and Adam Ray*

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*as alternate members of the Planning Commission. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with Councilmembers Clark, Reynolds, Munford and Cowan voting in favor.*

**REQUEST TO TRANSFER SURPLUS FURNITURE TO FIRE DEPARTMENT:** Ken Bassett explained that the Uintah County / Vernal City fire department is interested in acquiring some of the old furniture from the old City office building. The fire chief has taken the opportunity to look at what is available and has prepared a list of items that will be useful in their newly remodeled fire station. Councilmember JoAnn Cowan noted that the Uintah Fire Suppression Special Service District spent \$300,000 remodeling and upgrading the fire station, and these furnishings will help finish that project. The wooden storage shelves will be used in the new storage area, and the conference and lobby furniture will be a nice addition. Councilmember Ted Munford agreed with reusing the furniture in this way. After further discussion, *Councilmember Ted Munford moved to approve the request from the Fire Department to transfer surplus property from the old City office building to the fire station. Councilmember JoAnn Cowan seconded the motion. The motion passed with Councilmembers Munford, Cowan, Clark and Reynolds voting in favor.*

**RELINQUISHMENT OF EASEMENT FOR PEG DEVELOPMENT:** Allen Parker displayed a subdivision plat for the PEG Development and explained that the majority of the parking area is designated as a public utility easement. The owner of the property would like to place another hotel over a section of the easement and is requesting that the City relinquish the easement so a structure can be built. The only requirement for an easement of this nature is to transfer storm water from property to property, and the current easement is overly broad for that purpose. Since this is private land, the City has no interest in running public utilities on it. Ken Bassett clarified that a document needs to be recorded so any future property owner understands there is an easement for the storm water. Allen Parker agreed. He stated that the Council can simply relinquish the claim, not remove the storm water easement. *After further discussion, Councilmember Cal Dee Reynolds moved to relinquish the easement for PEG Development excluding the storm water easement. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Reynolds, Munford, Cowan and Clark voting in favor.*

Councilmember Cowan asked if the second hotel that is scheduled to be built on this property would have underground parking. Allen Parker answered that it would not. The plat has 84 parking spaces which is in compliance with the City code. Mayor Showalter noted that many times travelers are driving a truck and trailer, and 84 spaces will not be adequate. Also, trucks require a wider space to maneuver. He suggested the Planning Commission consider this in the future for overnight lodging developments. Councilmember Clark asked if the code requires parking spaces for hotel employees. Allen Parker answered that it does not. Councilmember Clark suggested the Planning Commission incorporate employee parking into the code. The

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consensus of the Council was to observe how this development functions and adapt the code to minimize any parking problems.

**REQUEST FOR APPROVAL OF AN EMPLOYEE CHRISTMAS BONUS – JOANN COWAN:**

Councilmember JoAnn Cowan explained that she traditionally asks the Council to approve a Christmas bonus for the employees. The cost to the City for different bonus amounts was presented to the Council. Councilmember Cowan recommended the bonus be the same as last year. Councilmember Munford noted that the amount last year was \$250 and clarified that the City Council does not receive the bonus. *Councilmember Bert Clark moved to approve a \$250 Christmas bonus for each regular City employee. Councilmember Cal Dee Reynolds seconded the motion. The motion passed with the following roll call vote:*

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

**REPORT ON PERMANENT COMMUNITY IMPACT BOARD (CIB) PRESENTATION:**

Mayor Gary Showalter explained that the City applied for substantial funding for the culinary water system from the Community Impact Board, and Mr. Bassett will report on the success of that application. Ken Bassett stated that the City actually had three applications for funding being reviewed. The first application was for the master plan for the water system to be updated including the demographics and potential development in the community. The Community Impact Board approved a \$40,000 grant with a match of \$40,000 from the City. Engineering Services will complete the water system master plan for the City. The next application was much more substantial for the replacement of the raw water line from Ashley Springs to Ashley Creek. This project includes five miles of 20”steel pipe being replaced with PVC pipe. This water line was lined approximately 15 years ago which extended the life of that line. Now the line needs to be replaced. The estimated cost is \$4.3 million dollars. The initial request from the Community Impact Board was for \$4.3 million dollars with 75% of the funds being in grant and 25% in loan. The Board approved the funding with all of it being a loan to be paid back over 30 years starting in 2015. Councilmember Bert Clark asked if the interest would be waived. Ken Bassett answered the loan will have zero interest. The final application included the replacement of the water lines under the intersections on Highway 40 and 500 West and Vernal Avenue. The Utah Department of Transportation will be resurfacing Highway 40 next summer, and they have requested that the City replace the utility lines with a more durable product before the overlay is started. This project was submitted as an emergency project to the CIB because it has to be completed by the 1<sup>st</sup> of April. The cost is estimated at \$360,000 and was awarded by the Community Impact Board as a grant. The Council thanked Mr. Bassett for his report.

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**ANNUAL CITY COUNCIL MEETING SCHEDULE FOR 2012 – ORDINANCE NO. 2011-25:** Ken Bassett reminded the Council that they need to set their annual meeting schedule for next year. Ordinance No. 2011-25 sets the schedule for the first and third Wednesday of each month at 7:00 pm. *Councilmember Bert Clark moved to approve Ordinance No. 2011-25 as presented, setting the Council meeting schedule for the first and third Wednesday of each month. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

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

**CLOSED SESSION:** *Councilmember JoAnn Cowan moved to convene into closed session to hold a strategy session to discuss the character, or physical or mental health of an individual and reconvene into open session after the discussion was concluded. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote and the meeting was convened into closed session:*

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

**RECONVENE INTO OPEN SESSION:** The Council reconvened into open session.

**SELECTION OF A JUSTICE COURT JUDGE – MAYOR SHOWALTER:** Mayor Gary Showalter announced that he is recommending Mr. Ray Richards be appointed as the Vernal City Justice Court Judge. *Councilmember JoAnn Cowan moved to ratify the Mayor’s recommendation and appoint Ray Richards as the Vernal City Justice Court Judge. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

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

Mayor Showalter noted that the four applicants for this position are all competent individuals making this a very hard decision.

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### ADMINISTRATIVE REPORTS:

#### Swearing in of elected Council members:

Ken Bassett reminded the Council that the re-elected and newly elected Councilmembers will be sworn into office on Monday, January 2, 2012 at noon. Councilmember Cowan asked the staff to contact Judge McClellan to administer the oath of office.

#### Airport Report:

Councilmember Bert Clark reported that the Airport Board held public hearings at the Western Park to discuss the acquisition of property for the airport. The analysis of those hearings will be available next week. Also, the fencing project has been completed. Mayor Showalter stated that the airport does need to expand to accommodate the growing oil and gas industry. Councilmember Clark stated that additional hangers are being considered on the west side of the new terminal along with a building for a fixed wing plane and helicopter pad.

#### December Meeting Schedule:

Ken Bassett noted that there are not any agenda items for the December 21<sup>st</sup> meeting, and suggested the meeting be canceled. The consensus of the Council was to cancel the regular meeting.

#### Gardner Development Group:

Ken Bassett reminded the Council that the Gardner Group would like to present their ideas for development of the property in front of Lowe's to the Council on December 20<sup>th</sup> at 4:00 p.m.

#### Retirement of Judge Pat McRae:

Ken Bassett explained that the open house for Judge McRae will be December 27<sup>th</sup> from 11 am to 3 pm.

#### Council Christmas Dinner:

The Council dinner was scheduled for December 19<sup>th</sup> at 6 pm.

#### Councilmember Reynolds retirement:

Mayor Showalter noted that as this meeting adjourns, he would like to pay tribute to Councilmember Cal Dee Reynolds for his many years of dedicated service to the City. Councilmember Cal Dee Reynolds stated that he appreciated the opportunity. The Council and audience expressed their appreciation to Cal Dee.

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

ATTEST:

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Roxanne Behunin, Deputy Recorder

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Mayor Gary Showalter

( S E A L )