

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
MARCH 7, 2012 at 7:00 p.m. in the Vernal City Council Room, 374 East Main,
Vernal, Utah 84078.

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

WELCOME: Mayor Showalter welcomed everyone to the meeting and recognized the Boy Scouts that attended the meeting.

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

INVOCATION OR UPLIFTING THOUGHT: Councilmember Munford offered an invocation.

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

APPROVAL OF THE CITY COUNCIL MEETING MINUTES OF FEBRUARY 15, 2012:
Councilmember Ted Munford moved to approve the minutes of February 15, 2012 as presented. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Munford, Everett, Norton, and Clark voting in favor.

A RESOLUTION AUTHORIZING THE SALE OF AND PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED OF NOT MORE THAN \$4,900,000 TAXABLE WATER REVENUE BONDS FOR WATER SYSTEM IMPROVEMENTS, FIXING THE MAXIMUM PRINCIPAL AMOUNT, MATURITY, INTEREST RATE AND DISCOUNT OF THE BONDS; AND RELATED MATTERS - RESOLUTION NO. 2012- 06: Ken Bassett explained that this issue is dealing with a water line project that is being funded by the Community Impact Board (CIB) in the form of a zero interest loan. The project includes replacing the raw water line from Ashley Springs to the water treatment plant. The City receives the majority of the culinary water from Ashley Springs which is located to the northwest of the City in the mountains. This line is approximately sixty years old and needs to be replaced. The estimated cost for this project is \$4.3 million dollars. Resolution No. 2012-06 outlines that steps that the City needs to take before the loan can be finalized including setting a period of time for public input, and holding a public hearing on April 4th. Ken Bassett brought the Council's attention to the amount of the bonds and explained that bond counsel and the State like the proposed funding to be higher than estimated in case the project costs more. The action the staff is asking the Council to take is to approve this resolution providing for the noticing of bonds to be issued. *Councilmember Bert Clark moved to approve Resolution No. 2012-06 setting the parameters for the water revenue bonds. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munfordaye;

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 7, 2012

Councilmember Everettaye;
Councilmember Norton.....aye;
Councilmember Clark aye.

REVIEW OF BIDS AND AWARD OF CONTRACT FOR MAIN STREET INTERSECTION WATER LINE PROJECT: Mayor Showalter stated that there was a press release about the upcoming resurfacing on Highway 40. This highway has a lot of truck traffic, and this water project will impact two intersections on Main Street which requires the water line to be replaced before the road project. Ken Bassett confirmed that this project, replacing the water lines in the intersections of Highway 40 at 500 West and Vernal Avenue, must be completed before the State repaves Highway 40 this summer. The Community Impact Board approved emergency funding of \$361,000 so this project could be bid quickly. Three bids were received with the low bid being submitted by Hubes Construction in the amount of \$261,295.70. The engineering cost is \$38,550. In total, the estimated expense for this project is \$300,000. Ken explained that Hubes Construction has worked for the City in the past with good results. Councilmember Clark asked why a temporary patch and a permanent patch were included in the specifications. Darrin Anderson, project engineer, explained that there would be approximately 300 feet of asphalt that will be dug up that will not be included in the State project so a permanent asphalt repair will be necessary. The temporary patches will be placed on Main Street. Ken Bassett recommended the Council accept the low bid. *Councilmember Ted Munford moved to accept the bid of Hubes Construction in the amount of \$261,295.70 for the Main Street water line project. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munfordaye;
Councilmember Everettaye;
Councilmember Norton.....aye;
Councilmember Clark aye.

PUBLIC HEARING: REQUEST FOR AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE, TITLE 16 PLANNING & ZONING, PETS & LIVESTOCK - ORDINANCE 2012-04 (TABLED): Mayor Showalter noted that this item has been tabled.

PUBLIC HEARING: REQUEST FOR AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE, TITLE 16 PLANNING & ZONING, DOMESTIC ABUSE SHELTER - ORDINANCE NO. 2012-07: Allen Parker explained that the Planning Commission is forwarding a proposed ordinance to the Council with the intent of adding a new use to residential zones. The City code is currently silent on allowing domestic violence shelters in any of the residential zones. He explained that the first section of the ordinance defines a “domestic abuse shelter”. The next section specifies that in the case where a home is converted

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 7, 2012

to a shelter, a set of drawing must be submitted to the City showing off-street parking and lighting, and if a new structure is constructed, a site plan has to be submitted. The last section of the ordinance adds a domestic abuse shelter to the R-1 zone as a permitted use. This also allows domestic abuse shelters to be a permitted use in the other residential zones. Ken Bassett explained that situations occur where family violence occurs making it necessary for the victims to have a safe place to stay, temporarily, until a more permanent solution is found. The City is currently looking at purchasing property for a larger shelter as the need is growing. The purpose of this law is to clarify that in a residential area a home can be used as a shelter. In most areas of the nation, domestic violence shelters are located in places where they fit in naturally with the rest of the neighborhood. Mayor Showalter opened the public hearing for comments. There were no public comments and the public hearing was closed. *Councilmember Ted Munford moved to approve Ordinance No. 2012-07 as presented. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

Councilmember Munfordaye;
Councilmember Everettaye;
Councilmember Norton.....aye;
Councilmember Clark aye.

REQUEST FOR APPROVAL OF CONTRACT WITH ENGINEERING SERVICES FOR HAVEN ESTATES PROJECT: Ken Bassett explained that the Haven Estates subdivision is located off 500 West at approximately 850 South and was platted years ago, but not completed. There has been significant litigation issues concerning this subdivision, and the financier of the project has now filed bankruptcy. Approximately \$205,000 remains in the escrow account to install the public improvements, and the owners of the lots in this subdivision are anxious to get the improvements completed. Ken stated that Mr. Dave Church, an attorney assisting the City with this issue, is suggesting the City move forward with paving the road and completing the sidewalk. The estimated cost for this work is \$360,000. The remainder of the expenses not funded through the escrow account will be collected through an area impact fee. The engineering services for this project will cost \$44,000 for the design and construction engineering. Councilmember Clark asked what streets will be completed. Darrin Anderson explained that the road running east from 500 West with stub roads running to the south need to be finished with radius's at the end of each street. Mayor Showalter asked if the lot owners are aware they will be sharing in the cost of these improvements. Ken Bassett stated that their legal counsel is aware. Councilmember Everett asked what the cost will be to the homeowners. Ken Bassett stated it will depend on the number of lots affected, and they will also have the cost of the private improvements. After further discussion, Councilmember Bert Clark moved to approve the contract with Engineering Services for the Haven Estates project in the amount of \$44,000. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 7, 2012

Councilmember Munfordaye;
Councilmember Everettaye;
Councilmember Norton.....aye;
Councilmember Clark aye.

REQUEST FOR APPROVAL OF OUT-OF-STATE TRAVEL FOR ECONOMIC DEVELOPMENT / RETAIL CONFERENCE: Mayor Gary Showalter noted that the Economic Development Director with Uintah County is requesting that the City’s Planning Director attend a conference in Las Vegas with other area officials. The projected cost of the conference is \$1500. Allen Parker stated that he attended this conference last year with Tammy Lucero, Matt Cazier, and the Naples City Planner to answer questions that leaders in the retail world might have about the area. Councilmember Munford asked Mr. Parker to highlight what benefits have been seen since last year that can be attributed to this conference. Mr. Parker stated that they spoke with the retailers that are interested in the Lowes development as well as the Diamond Mountain shopping center. He stated that they all learned what is needed to communicate with these retail oriented and development institutions to peak their interest in the Vernal area. After further discussion, Councilmember Dave Everett moved to approve the out-of-state travel for Allen Parker for the Retailers Conference in Las Vegas in the amount of \$1500. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:

Councilmember Munfordaye;
Councilmember Everettaye;
Councilmember Norton.....aye;
Councilmember Clark aye.

ADMINISTRATIVE REPORTS:

Nuisance Abatement:

Councilmember Bert Clark asked the staff to look into getting the debris removed west of the Halliburton yard where a trailer home was torn down.

Sewer Management Board:

Councilmember Clark explained that Pryor Harrell, manager of the Sewer Management Board, brought up the issue of needing to be kept informed of any growth that will impact the main sewer trunk lines. The Sewer Management Board will be adopting new regulations requiring local entities to keep them informed of any new developments and require developers to complete a sewer study showing the impact to the sewer system.

Animal Special Service District:

Councilmember Dave Everett explained that the shelter manager, Sherry Gines, was recently awarded with the civilian employee award by the State shelter association. He noted that Sherry

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 7, 2012

has instigated new programs that have enhanced the community and effectively manage the shelter. The Council asked the staff to forward their congratulations to Sherry for receiving this award.

500 South Resurfacing Project:

Councilmember Clark asked when the 500 South resurfacing project will begin. Ken Bassett stated this project will be completed in two segments. The first area will be from 1500 West to 2500 West which is scheduled for this summer, and the next area will include Vernal Avenue to 1500 West which will be completed in 2013. It was originally anticipated that the funding from the federal government would not be available until 2016; however, the money will now be available in 2013.

Letter of Appreciation:

Mayor Showalter read a letter from Mr. Ed Zurbuchan thanking the citizens of Vernal, and especially Officer Vance Norton, for helping him through being a victim of poisoning. Mayor Showalter noted that Mr. Zurbuchan is a citizen who should be commended for his service to the community.

ADJOURN: There being no further business, *the Mayor declared the meeting adjourned.*

ATTEST:

Roxanne Behunin, Deputy Recorder

Mayor Gary Showalter

(S E A L)