

**M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
MARCH 21, 2012 at 7:00 p.m. in the Vernal City Council Room, 374 East Main,  
Vernal, Utah 84078.

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

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

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

**INVOCATION OR UPLIFTING THOUGHT:** Councilmember Sonja Norton gave an invocation.

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

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES OF MARCH 7, 2012:** Councilmember Sonja Norton asked that the amount of \$1500 for Allen Parker’s travel be added to the motion. With that correction, *Councilmember Sonja Norton moved to approve the minutes of March 7, 2012. Councilmember Bert Clark- seconded the motion. The motion passed with Councilmembers Everett, Norton, and Clark voting in favor.*

**REQUEST FOR SPONSORSHIP OF JUNIOR LIVESTOCK SHOW – CHRIS BROUGH:** Mr. Chris Brough explained that the annual junior livestock show is scheduled for the 6<sup>th</sup> through the 8<sup>th</sup> of June. There are 112 participants from Uintah County and 113 participants from outside the area scheduled to show their animals. The community has always been very supportive of the show along with the City. Mr. Brough asked the Council to consider continuing their support of the Junior Livestock Show. After further discussion, *Councilmember Bert Clark moved to support the Junior Livestock Show as a sponsor in the amount of \$1500. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:*

*Councilmember Everett .....aye;*  
*Councilmember Norton.....aye;*  
*Councilmember Clark ..... aye.*

**PUBLIC HEARING: REZONE REQUEST FROM BRAD AND RULA BULLOCK FOR PROPERTY LOCATED AT 197 EAST 100 NORTH, FROM R-4 RESIDENTIAL ZONE TO C-2 COMMERCIAL ZONE – ORDINANCE NO. 2012-10:** Allen Parker explained that the City receive a request from Brad and Rula Bullock to rezone a parcel of land from R-4 (residential) to C-2 (commercial). Mr. Parker noted that this area is designated as high density residential and mixed use development in the City’s general plan which makes this application compatible. The property to the south is zoned as CC-1 (commercial) which does not require any set back. However, the C-2 zone would be more appropriate for this parcel to require landscaping to fit the neighborhood. Councilmember Dave Everett asked if the floral shop will retain their current location or move their business entirely. Rula Bullock stated that they plan on moving the

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 21, 2012**

shop. Ken Bassett explained that the Council needs to discuss requiring a development agreement if the rezone is approved. The agreement will place specific conditions on the applicant and property upon granting the rezone. He noted that with this parcel being next to a residential zone, once the parcel is zoned commercial, all kinds of uses would be allowed that may not be appropriate. Allen Parker stated that this property has an existing structure that will not be expanded so the Planning Commission did not address the parking. Mayor Showalter noted that there is limited parking next to the home. Mayor Showalter opened the public hearing for public comment. Councilmember Clark asked if the landscaping will be maintained. Rula Bullock stated that they plan on planting grass and a garden to turn the home into a Victorian flower shop. Councilmember Clark asked if a sign will be installed. Rula Bullock stated that they do plan on placing a monument type sign with lights in the yard. There were no further public comments and the public hearing was closed. Councilmember Bert Clark moved to approve Ordinance No. 2012-10 rezoning property at 197 East 100 North from R-4 to C-2 with a development agreement to allow the property to be used as limited retail. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

*Councilmember Everett* .....aye;  
*Councilmember Norton*.....aye;  
*Councilmember Clark* .....aye.

**UTAH NATIONAL GUARD PRESENTATION - COMMUNITY COVENANT:** Lieutenant Williams, with the Utah National Guard, displayed a short presentation explaining the Community Covenant Program. He explained that the main purpose of the program is to foster partnerships to provide support for soldiers and their families. If the City decides to participate, a liaison from the unit in Orem will be assigned to assist. Lt. Williams stated that this is a national movement recognizing the commitment and sacrifice of service members and their families. The program was started in 2008, and in 2010 the Utah State Legislature signed a proclamation officially honoring the program. The covenant will be between the community and the local service members, their families and veterans. Mayor Showalter asked if this program will also be presented to the County. Lt. Williams stated that they will be presenting this program to other agencies to create a network of support. He noted that the National Guard unit in Vernal has a broad base with members living in eastern Utah, Colorado and other States. The typical steps to begin this program is to pass a resolution, designate a liaison, authorize a group of dignitaries to sign the mission statement, and organize a ceremony. However, the community needs to decide exactly how they want to proceed to make the ceremony unique for them. Lt. Williams asked the Council if they wanted to participate. The consensus of the Council was to support the Community Covenant program. Lieutenant Williams suggested the Council look to the first part of May to sign the resolution. Ken Bassett noted that the Vernal National Guard unit will be deployed in June. The Council suggested Lt. Williams contact the staff to proceed with the resolution and join this program.

**CHAMBER OF COMMERCE PRESENTATION - ADAM MASSEY & SI HUTT:** Si Hutt, president of the Vernal area Chamber of Commerce, explained that the Chamber is trying

## **MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 21, 2012**

to focus on economics and growth for area businesses by increasing general commerce, and bringing value to Chamber members. The web page is accessible to members to promote commerce and network to strengthen their marketing strategies. Adam Massey, the Chamber director, stated that the last two years the Chamber has been heavily involved in economic development by promoting the area particularly for current business expansion and retention. The County has now lost rural status which makes it harder to receive funding for small companies. However, the Chamber is sponsoring a promotional program to get people to buy local as well as bring travel and tourism to the Basin. A meeting was held with local hotels and motels as well as restaurants to see how the Chamber can help them. Also, the Conservations Committee is working on a recycling campaign, and the Education Committee is holding monthly meetings to keep on top of any educational projects that the Chamber can help with. The Public Relations Committee is picking the business of the month, hosting the job fair, and sponsoring community events. Mr. Massey mentioned that the Osmond Family would be hosting a concert with the proceeds going to the hearing disabilities network, with the help of the Chamber. This past year the Chamber had 36 new members and a 96% renewal rate. So far this year, there are 30 new members. Si Hutt stated they are trying to get more industry involved and reduce what support is needed from local governments. With the recent success, the Chamber can offer to give \$5000 back to the City or put that funding toward the sponsorship of an event. Mayor Showalter stated he appreciates the continuity that the Chamber now exhibits. After further discussion, the consensus of the Council was to put the funding toward the sponsorship of community events such as the recycling. Councilmember Clark stated that the Recreation District is in the process of updating their master plan which will include installing recycling receptacles in the parks to help promote recycling.

**REQUEST FOR SPONSORSHIP OF COUNTRY EXPLOSION EVENT – STEVE NUTTALL:** Mr. Steven Nuttall, Mr. Steve Evans, and Mr. Darrin Brady thanked the Council for allowing them to present this item. Mr. Nuttall stated that last year was the first time this event was held in Vernal and approximately 4500 people attended. The cost for this event was \$125,000 and this year the budget is projected to be \$310,000. The main increase is the talent level, as well as advertising. He noted that they have started a very aggressive marketing campaign and their web site has already received over 26,000 hits. Mayor Showalter asked if this is a for-profit organization. Steve Evans stated that for the most part they are profitable, with the proceeds going back to the community. The projection is that over the years as the event grows, it will become financially sound. Councilmember Dave Everett asked if they had approached the County or the Travel Board for funding. Steve Nuttall stated that they have not. He noted that Vernal City will have their logo placed on the boards next to the stage as well as have hand outs and literature for things to do. Steven Evans stated that the benefit to the area will be immense. The billboards and printed material needs to be submitted to the printer by the 1<sup>st</sup> part of April. Councilmember Norton suggested that the City, County and Travel Bureau get together and coordinate their sponsorship. Steve Evans asked the Council to consider supporting this event to get it off the ground.

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 21, 2012**

The consensus of the Council was to put this item on the agenda for the joint City - County meeting scheduled for Friday.

**REQUEST FOR APPROVAL OF FINAL PLAT FOR SILVER PINES CONDOMINIUMS:** Allen Parker explained that the Planning Commission has reviewed the plat for Phase III of the Silver Pines development and is forwarding a positive recommendation to the Council. This subdivision is located at 850 South 50 East and contains 108 condominium units. Bert Clark asked if the Sewer Management Board has been made aware of this additional phase. Allen Parker stated that the primary plat included all the phases and was initially sent to the Sewer Management Board. Councilmember Clark stated that this development will contribute to the main sewer trunk line, and the Sewer Management Board needs to know what that impact will be. Allen Parker stated that the engineering was approved in 2008; however, the plans can be submitted again. Ken Bassett asked if there were any comments from the Sewer Management Board regarding this development in 2008. Allen Parker noted that there was some discussion on how the flow would exit the development, but there were no objections at that time. Ken Bassett stated that it is difficult to tell a developer that they cannot move forward after receiving approval for all four phases in 2008. Allen Parker agreed to check with the Sewer Management Board to make sure they have all four phases on file. Councilmember Norton asked if the developer has completed Phase I and Phase II before starting on Phase III. Allen Parker stated that is not a requirement of the code. Councilmember Norton asked that the Planning Commission consider amending that so a portion is not left unfinished, collecting weeds or other hazards. After further discussion, Councilmember Norton moved to approve the final plat for Silver Pines Condominiums Phase III after reviewing the plans with the Sewer Management Board. Councilmember Clark seconded the motion. The motion passed with Councilmembers Norton, Clark and Everett voting in favor.

**REQUEST FOR APPROVAL OF AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE - SECTION 8.04.010 - NUISANCE DESIGNATED - ORDINANCE NO. 2012-09:** Ken Bassett explained that the issue of excessive dust has been brought to the attention of the staff. The nuisance is compounded when there is a construction site which is not maintained and creates a problem for the neighboring property owners. The other issue is the dust that is being stirred up by vehicles sweeping parking lots. The street department operators are not aware of any sweeping equipment that does not have a water application to keep the dust down. However, not all of the sweeping companies use water. Ordinance No. 2012-09 would require these contractors to use water to keep the dust particles down. Matter of individuals with businesses use the water. Councilmember Clark asked if the construction companies and parking lot sweepers would be notified. Ken Bassett stated he will notify them. After further discussion, Councilmember Sonja Norton moved to approve Ordinance No. 2012-09 with the addition of the word "particles". Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

*Councilmember Everett* .....aye;  
*Councilmember Norton*.....aye;

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD MARCH 21, 2012**

*Councilmember Clark ..... aye.*

**ADMINISTRATIVE REPORTS:**

Budget Reopener:

Ken Bassett noted that the FY2012 budget reopener is scheduled for next week. Mike Davis stated he will contact the Councilmembers who are not present to see when they would be available to go over the budget

Joint City - County Meeting:

Ken Bassett reminded the Council the joint City/County meeting is scheduled for Friday, March 23rd at 3 pm.

**CLOSED SESSION:** *Councilmember Bert Clark moved to convene into closed session to hold a strategy session to discuss the purchase, exchange, or lease of real property and reconvene into open session when the discussion is finished. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote and the meeting was convened into closed session:*

*Councilmember Everett .....aye;  
Councilmember Norton.....aye;  
Councilmember Clark ..... aye.*

**RECONVENE INTO OPEN SESSION:** Mayor Showalter declared the meeting back in open session.

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

ATTEST:

\_\_\_\_\_  
Roxanne Behunin, Deputy Recorder

\_\_\_\_\_  
Mayor Gary Showalter

( S E A L )