

1 **M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
2 APRIL 18, 2012 at 7:00 p.m. in the Vernal City Council Room at 374 East Main,
3 Vernal, Utah 84078.

4
5 **PRESENT:** Councilmembers Sonja Norton, JoAnn Cowan, Dave Everett, and Ted Munford.
6 Mayor Gary Showalter and Councilmember Bert Clark were excused.
7

8 **SELECTION OF MAYOR PRO TEMPORE:** *Councilmember JoAnn Cowan moved to*
9 *appoint Councilmember Sonja Norton as the Mayor Pro Tempore for this meeting.*
10 *Councilmember Ted Munford seconded the motion. The motion passed with a unanimous*
11 *vote of the Council.*

12
13 **WELCOME:** Mayor Pro Tempore Sonja Norton welcomed everyone to the meeting.

14
15 **STAFF PRESENT:** Ken Bassett, Allen Parker, and Sherri Montgomery.

16
17 **INVOCATION OR UPLIFTING THOUGHT:** Councilmember Ted Munford gave an
18 invocation.

19
20 **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Councilmember Sonja
21 Norton.

22
23 **APPROVAL OF THE CITY COUNCIL MEETING MINUTES OF APRIL 4, 2012:**
24 *Councilmember Ted Munford moved to approve the minutes of April 4, 2012 as presented.*
25 *Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers*
26 *Norton, Cowan, Everett, and Munford voting in favor.*

27
28 **REQUEST FOR SPONSORSHIP OF GRADUATION NIGHT ACTIVITIES – SHELLY**
29 **CHIVERS:** Shelly Chivers gave a presentation on the upcoming Uintah High School graduation
30 night activities. She explained that this is an all-night graduation party sponsored by the high
31 school Parent-Teacher Organization for the graduating seniors. This is the fifth year for this
32 activity with around 70% participation of graduating seniors. Ms. Chivers thanked Vernal City
33 for being a sponsor of grad night since the beginning and asked for sponsorship again this year in
34 the amount of \$2,500. Councilmember JoAnn Cowan asked what the main prizes will be this
35 year. Ms. Chivers explained that they will be giving away computers, laptops, iPad's, camping
36 gear, household items, etc. She added that all participants receive a door prize. Councilmember
37 Dave Everett asked how the prizes are given away. Ms. Chivers explained that there are games
38 played throughout the evening, and tickets can be won towards a prize of their choice.
39 Councilmember Ted Munford asked if there has been any feedback from the students from past
40 events. Ms. Chivers stated that she has never heard a negative comment about the event. The
41 positive feedback from the participants gets the students excited for the next year's event.
42 Councilmember Ted Munford stated that he would like to see this activity continued to give kids
43 an alternative to the more traditional celebrations as seen in the past. *Councilmember JoAnn*
44 *Cowan moved to approve \$2,500 to sponsor the 2012 graduation night activities.*

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45 *Councilmember Ted Munford seconded the motion. The motion passed with the following roll*
46 *call vote:*

- 47 *Councilmember Nortonaye;*
- 48 *Councilmember Cowan.....aye;*
- 49 *Councilmember Everettaye;*
- 50 *Councilmember Munfordaye.*

51

52 **REQUEST TO APPROVE A MINOR SUBDIVISION FOR THE PROPERTY LOCATED**
 53 **AT 1356 SOUTH 500 WEST, VERNAL, UTAH FROM MICHAEL ESKELSON -**
 54 **Application No. 2012-008-SUB – ALLEN PARKER:** Allen Parker referred the Council to the
 55 meeting packets to discuss the request to approve a minor subdivision for the property located at
 56 1356 South 500 West, Vernal, Utah. Mr. Parker explained that this is a request to divide a single
 57 parcel into three separate parcels. This property is located in a RA-1 zone. Lot 2 has an existing
 58 house, and the purpose of the division is to split the house out and separate it from the existing
 59 raw land, so that it can be sold separately. Mr. Parker stated that the staff has reviewed this
 60 request, and it is in compliance with the City’s requirements. All corrections found by the
 61 engineering review have been made, and this is an approvable application. He added that there
 62 was a public hearing held at the last Planning Commission meeting, and the Commission
 63 forwarded a positive recommendation to the City Council. *Councilmember Ted Munford*
 64 *moved to approve the minor subdivision request by Michael Eskelson for the property located*
 65 *at 1356 South 500 West, Vernal, Utah – Application No. 2012-008-SUB. Councilmember*
 66 *Dave Everett seconded the motion. The motion passed with Councilmembers Norton, Cowan,*
 67 *Everett, and Munford voting in favor.*

68

69 **REQUEST FOR WATER FILL STATION FUNDING – MIKE DAVIS:** Ken Bassett stated
 70 that Mike Davis is in attendance to talk about the history of filling oil and gas industry trucks
 71 with water from the public works site and the problems it is causing. Mike Davis explained the
 72 current procedure for how the trucks fill up with water. He stated that a few years ago, the City
 73 raised the water rate to \$30 per load of water to discourage large trucks from coming in.
 74 However, there are still approximately 200 loads of water per month coming out of the public
 75 works yard. Mr. Davis referred to the photos on the screen to show how the sewer bay and the
 76 mechanic bay are completely closed in on a regular basis when trucks are filling up. He further
 77 explained that Vernal City owns the property where the storm water retention is located on 500
 78 East and suggested utilizing this existing property for a water fill station. Mr. Davis stated that
 79 the public works yard was not built to support large trucks. Councilmember JoAnn Cowan asked
 80 if taking water is based on a honor system. Mr. Davis explained that they would have computer
 81 software set up to take credit cards for people who do not have established accounts, and repeat
 82 customers would have a card similar to what you use at the car wash. The drivers would swipe
 83 their card, enter their driver number, and the amount of water being requested. It would then fill
 84 the exact amount of water and automatically shut off. Councilmember JoAnn Cowan asked if
 85 there is any way someone can steal water. Mr. Davis answered no, and added that all of the
 86 monitoring equipment is secured behind the chain link fence. Councilmember Ted Munford

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87 stated that when touring the water facility, there was a discussion on how long it would take to
88 pay for this water station before a profit would be made. Ken Bassett asked if that was one or
89 three years. Mr. Davis explained that it would depend on what the Council decides to do with
90 the rates. If the current rate remains at \$30 per load, it would take approximately 18 – 24 months
91 to see a return. If the rate is increased to \$50 a load, a profit would be made much quicker. The
92 intent of the water fill station would not be limited to the oil field companies. It would also be
93 available to the public to be used by campers and hunters. Councilmember Dave Everett recalled
94 speaking with the drivers who were waiting in line at the public works yard, and they were all in
95 favor of this new water station. Mr. Davis gave the Council a brief history on how the use of the
96 City's public works yard for water got started. Councilmember JoAnn Cowan asked who the
97 vendor, PTI, is on the list of water users. Mr. Davis explained that PTI is a subsidiary of
98 Mountain West Oilfield Services, which is a nationwide company.
99

100 Councilmember Ted Munford stated that if the new water fill station is made available 24 hours
101 a day, the usage is going to increase. Mr. Davis mentioned that it also gets the companies away
102 from using the fire hydrants. Councilmember JoAnn Cowan asked how the companies are
103 accessing the fire hydrants. Mr. Davis explained that they take the top off, open the valve, and
104 take the water. Councilmember JoAnn Cowan asked how they pay for the water they take from
105 the fire hydrants. Mr. Davis stated that right now, it is based on the honor system.
106 Councilmember JoAnn Cowan asked what stops the companies from stealing the water. Mr.
107 Davis explained that currently, there is nothing stopping them from stealing the water. Ken
108 Bassett asked if there is a fire hydrant meter. Mr. Davis answered no. He added that they are not
109 using a meter, because the City sells the water by the load. Mr. Bassett stated that this is another
110 good reason to approve this water fill station. Mr. Davis explained that the City would have to
111 install 15 hydrant meters to cover all the trucks using the water by the load. Councilmember
112 JoAnn Cowan asked if the City could put a sign up at Western Park near the fire hydrant stating
113 to use the new water fill station on 500 East. Mr. Davis stated that PTI would be notified of the
114 new water station and is currently the only company using that fire hydrant after hours.
115

116 Councilmember Ted Munford asked Mr. Davis if he had a suggested water rate. Mr. Davis
117 suggested \$40 a load for commercial use. Councilmember JoAnn Cowan asked the reason for
118 raising the rate. Mr. Davis stated that it is good business. Councilmember JoAnn Cowan asked
119 if raising the rate would be overcharging them. Mr. Davis stated in his opinion, no. Ken Bassett
120 suggested discussing the rates at a later time due to this requiring a separate resolution.
121 Councilmember Sonja Norton asked where the trucks would be pulling in and if the trucks
122 waiting would be in a circle line. Mr. Davis explained that there is plenty of off street parking.
123 Councilmember Dave Everett asked how long an average truck takes to load. Mr. Davis stated
124 that in the current public works yard, it takes about 20 minutes for a transport to fill.
125 Councilmember Dave Everett stated that with four or five trucks, it should not be a long wait.
126 Mr. Davis explained that if the trucks all showed up at the same time, the last truck would be
127 waiting an hour. Councilmember Sonja Norton asked if the trucks come in from the North or the
128 South. Mr. Davis explained that they could come from either direction. Councilmember Sonja

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129 Norton stated that she was worried about the residence to the south of this proposed location.
130 Mr. Davis explained that an average transport is approximately 80 feet, and there would be 129
131 feet available. Councilmember JoAnn Cowan asked who owns the lot directly to the North.
132 Mr. Davis stated that he did not know who the owner was of that property, and he added that it is
133 for sale at this time. Councilmember JoAnn Cowan stated that if she resided on the south of the
134 proposed water facility, she would not be happy. She added that the trucks cannot be backed up
135 in their driveway and that the City should look into buying a right of way on that property on the
136 north side. **Councilmember JoAnn Cowan moved to approve the automated water fill station
137 in the amount of \$93,412 and to explore the possibility of purchasing either a right of way or
138 buying enough property on the north side to keep trucks from blocking the residential
139 driveway.** Mr. Davis clarified that if the City chooses to buy the property, it will change the
140 construction figures. Councilmember Sonja Norton asked if the City decided to purchase more
141 property, could there be more filling stations. Mr. Davis answered yes. Councilmember JoAnn
142 Cowan asked if there was enough demand to expand the filling station. Mr. Davis stated that he
143 cannot predict what the oil and gas industry is going to be like for the next 10 years.
144 Councilmember Ted Munford explained that if the City makes it easier and more accessible 24
145 hours a day, he sees the usage increasing. Councilmember Sonja Norton asked if this is
146 something the City needs to provide or if a private party can provide it. Mr. Davis explained that
147 the City still sells the water; therefore, it makes no sense to have a private party make the profit.
148 **Councilmember Ted Munford seconded the motion. The motion passed with the following roll
149 call vote:**

- 150 **Councilmember Norton**aye;
- 151 **Councilmember Cowan**.....aye;
- 152 **Councilmember Everett**aye;
- 153 **Councilmember Munford**aye.

154
155 **VERNAL CITY FUND BALANCE POLICY - RESOLUTION NO. 2012-09:** Ken Bassett
156 explained that this is a request from Mike Davis, Finance Director, as well as the auditors. The
157 governmental accounting standards guide drives how the City does all of the accounting. One of
158 their requirements is that the City have in place a fund balance policy that directs the City on
159 how to place unexpended fund balances in the budget. There are five different categories that
160 they use, including an unassigned fund balance. He added that this is not the capital project
161 fund. It is just the general fund balance. The City Council could take any of these categories and
162 change them from time to time if necessary. The auditors have asked the City to adopt this
163 policy because this is what the governmental standards require. Councilmember Sonja Norton
164 asked if the City is currently doing anything similar or are the categories new. Mr. Bassett
165 explained that the categories are new. **Councilmember JoAnn Cowan moved to adopt
166 Resolution No. 2012-09 for the Vernal City Fund Balance Policy. Councilmember Dave
167 Everett seconded the motion. The motion passed with the following roll call vote:**

- 168 **Councilmember Norton**aye;
- 169 **Councilmember Cowan**.....aye;
- 170 **Councilmember Everett**aye;

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171 *Councilmember Munford* *aye.*

172

173 **AMENDMENT TO THE VERNAL CITY PUBLIC WORKS SPECIFICATIONS,**
174 **SECTION 13.04.010 - ORDINANCE NO. 2012-20:** Ken Bassett explained that this is a
175 housekeeping item. In January of this year, the City Council adopted a new addition of the
176 public works specifications that outline how the utility work, road work, curb, gutter, and
177 sidewalk are to be constructed. The specifications also give guidance to contractors on how
178 they work with the City such as bonding and insurance. In the Municipal Code, there is
179 reference to the Specifications for Public Works and the previous amendment made to that
180 document. Mr. Bassett explained that this has been removed and the verbiage “the most recent
181 publication of such specifications as adopted by the Vernal City Council on January 18, 2012,
182 Ordinance No. 2012-06” has been added. *Councilmember JoAnn Cowan moved to adopt*
183 *Ordinance No. 2012-20 for the amendment to the Vernal City Public Works Specifications,*
184 *Section 13.04.010. Councilmember Ted Munford seconded the motion. The motion passed*
185 *with the following roll call vote:*

- 186 *Councilmember Norton* *aye;*
- 187 *Councilmember Cowan*..... *aye;*
- 188 *Councilmember Everett* *aye;*
- 189 *Councilmember Munford* *aye.*

190

191

192 **ADMINISTRATIVE REPORTS**

193

194 Joint City-County Meeting:

195 Ken Bassett reminded the Council that there will be a Joint City / County meeting on April 27,
196 2012 at 3:00 p.m. at the County building.

197

198 Mr. Bassett gave a report on the discussion regarding the Utah National Guard presentation and
199 the Community Covenant program. This program commits the City to provide in various ways
200 support to the soldiers and their families who are serving from our area. At the last City / County
201 meeting, it was discussed holding an event in June that will give an appropriate farewell to the
202 soldiers that will be deploying to Afghanistan. Mr. Bassett explained that when the soldiers
203 leave on June 12th, it will be different than it was years ago when they all left together on a bus.
204 The soldiers will actually be leaving in their own vehicles. Therefore, it has been decided to
205 have a community BBQ on the evening of June 11th. There will be a small program
206 acknowledging all the soldiers and their families. Craig Blunt is going to ask Anadarko if they
207 will do the cooking and find another oil field company to provide all of the food. The Uintah
208 Recreation District has reserved the area and will be bringing their inflatable toys for the kids to
209 enjoy. Councilmember JoAnn Cowan asked where this event will take place. Mr. Bassett stated
210 that it will be held at the Colton Pavilion. Councilmember JoAnn Cowan asked if the flags will
211 be put up at the walking park. Mr. Bassett stated yes, as well as having the scout troops put flags
212 up more closely associated with the Colton pavilion. Mr. Bassett stated that the liaison also

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213 suggested having the elementary school students write letters as part of the presentation to the
214 soldiers.

215
216 Mr. Bassett was asked by Bert Clark to announce to the Council that the Special Service District
217 Association will be holding a training meeting on the open meetings act and other items for those
218 who sit on the district boards next Wednesday, April 25th, at 6:00 p.m. at the County building.

219
220 **ADJOURN:** There being no further business, *Councilmember JoAnn Cowan moved to*
221 *adjourn. Councilmember Dave Everett seconded the motion. The motion passed with a*
222 *unanimous vote, and the meeting was declared adjourned.*

223
224
225
226 _____
227 Mayor Pro Tempore Sonja Norton

228
229 ATTEST:

230
231 _____
232 Roxanne Behunin, Deputy Recorder

(S E A L)