

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
MAY 2, 2012 at 7:00 p.m. in the Vernal City Council Room, 374 East Main, Vernal,
Utah 84078.

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

WELCOME: Mayor Showalter welcomed everyone to the meeting.

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

INVOCATION OR UPLIFTING THOUGHT: Councilmember Bert Clark gave an invocation.

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

CLOSED SESSION: *Councilmember Bert Clark moved to convene into closed session to hold a strategy session to discuss pending or imminent litigation and discuss the purchase, exchange, or lease of real property and convene back into open session at the end of the discussion. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote and the meeting was convened into closed session:*

Councilmember Munfordaye;
Councilmember Cowan..... not present for the vote;
Councilmember Everettaye;
Councilmember Norton.....aye;
Councilmember Clark aye.

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

APPROVAL OF THE CITY COUNCIL MEETING MINUTES OF APRIL 18, 2012:
Councilmember Ted Munford moved to approve the minutes of April 18, 2012 as written. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Everett, Cowan and Norton voting in favor and Councilmember Clark abstaining.

REQUEST FOR SPONSORSHIP OF ROD & GUN CLUB EVENT - STACEY HOLLEY:
Mayor Gary Showalter explained that over the last six years, the Rod and Gun Club has brought an impressive shooting event to Vernal. Stacey Holley explained that in 2012 the Gun Club will host three major tournaments with the largest one being held June 7th through June 10th. Over 1000 shooters and their families are expected, representing 22 States and Canada and are projected to spend over \$1 million dollars in Vernal during the tournament. Also, the pistol range is used by local and state law enforcement agencies and local hunter education training. The large tournament needs local support to be successful, and Stacey requested the Council

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consider approving a \$5000 sponsorship, again, for this tournament. After further discussion, Councilmember JoAnn Cowan moved to continue to support the Rod & Gun Club event in the amount of \$5000. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:

Councilmember Munfordaye;
Councilmember Cowan.....aye;
Councilmember Everettaye;
Councilmember Norton.....aye;
Councilmember Clarkaye.

OIL & ENERGY PARADE PRESENTATION - GEORGE BURNETT: Mr. George Burnett explained to the Council his idea to recreate, as much as possible, the oil and energy parade that used to be an annual event in Vernal City back in the 50's, 60's and 70's. He stated that he wanted to give more recognition to the oil industry, and this event is a way to bring forth the history of the valley. He displayed pictures of the 1953 oil and energy parade and noted that two of the ladies on the derrick float are still alive and are willing to participate along with their granddaughters who will be wearing replicas of their grandmothers swim suit outfits. Councilmember Cowan asked who the ladies are on the float. Mr. Burnett stated that the ladies are Cleon Merkley, Lorraine Hampton and Viona McLean who were part of the Desk and Derrick Club formed to help women learn about the oil industry. Two of the ladies will be the Grand Marshalls for this section of the 4th of July parade. Councilmember Clark asked who the boy is on the heavy equipment. George Burnett stated that he was still working on finding out. Councilmember Cowan suggested he contact Doris Burton to see if she could help him find out who he was. Mayor Gary Showalter thanked Mr. Burnett for his report.

PUBLIC HEARING: REQUEST FOR AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE, CHAPTER 16.04, 16.20, AND ALL RESIDENTIAL ZONES, ADDING URBAN LIVESTOCK - ORDINANCE NO. 2012-04: Allen Parker explained that the Planning Commission has been considering recommendations for urban farms over the last few months and has now forwarded Ordinance No. 2012-04 to the Council. There are residents in the community who want to be able to keep chickens and small livestock in their yards to raise eggs etc., and this ordinance lists those animals as urban livestock in the residential zones. The size of lot required for this use is similar to a traditional single family home. Councilmember Cowan asked if the number of animals listed would be allowed on one lot. Councilmember Munford asked if a resident only wanted to keep chickens, could he substitute chickens for the other animals allowed. Allen Parker stated that the Council would have to decide how the staff should approach that. He noted that potentially, a resident could have a large urban farm. The remainder of the ordinance lists the uses for each residential zone to clarify exactly what is permitted. Councilmember Clark noted that most pet owners place the dog houses right next to their fence line and most likely will do the same thing with a chicken coop. Allen Parker explained that the urban livestock cannot create a nuisance, and the property owner can be cited. Councilmember Cowan stated that dogs create more of a nuisance as she has both chickens and

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rabbits in yards next to her home. She noted that many people are into organic food. Ken Bassett stated that more urban areas are doing this, and it is being administered differently in each community. He suggested the City require the animals be kept in the back yards so they do not wander onto neighboring property. Councilmember Cowan asked if geese should be added. Allen Parker noted that ducks need to be added into the definition. Ken Bassett stated that a property owner could actually have 18 small livestock, when the current animal ordinance only allows 4 cats or dogs. Councilmember Norton suggested a maximum number of livestock be allowed. Councilmember Cowan suggested only two categories be allowed on one piece of property. Allen Parker suggested the beehives be excluded from that requirement. Councilmember Munford asked if the numbers would be adjusted for the size of the lot. Allen Parker stated that the Planning Commission did not address that option. Mayor Showalter opened the public hearing for comment.

Julie Flake asked if the Planning Commission received input from local farmers. Allen Parker answered that they did not. Ben Flake, a former member of the County Planning Commission, suggested the ordinance be kept as simple as possible. Mayor Showalter stated that a reasonable amount of animals should be allowed so they will be treated in a humane way. Mr. Flake stated that chickens need to be able to roam while other animals do well in pens. He noted that there has to be a contingency for when the animals have babies that will put them over the limit. The ordinance should address the health, safety and welfare of the community without infringing on the neighbors.

Allen Parker stated that from an enforcement perspective, this ordinance is needed to allow these types of animals, and anyone who has them now in residential zones are in violation of the City code. Councilmember Norton stated that people are becoming more health conscious and want to raise their own food, but the City will need to set boundaries. Mayor Showalter agreed that some type of regulation is necessary, but should remain more generalized. Allen Parker gave an example of how the number of animals allowed could be stated in the ordinance. There being no further public comment, the public hearing was closed.

Councilmember Cowan moved to adopt Ordinance No. 2012-04 with verbiage to allow a total of six urban livestock, including ducks. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:

Councilmember Munfordaye;
Councilmember Cowan.....aye;
Councilmember Everettaye;
Councilmember Norton.....aye;
Councilmember Clarkaye.

WHITE HOUSE ACADEMY REQUEST TO LEASE CITY OFFICE BUILDING: Ken Bassett explained that during the past month, representatives from White House Academy have inspected the old City offices to see if that facility is adequate to house their school. Annilesa

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White, representing White House Academy, explained that they are planning on opening a satellite school of the American Heritage School, and the old City building will work for the academy with a few minor changes. A proposal was presented to the Council to lease the building. Councilmember Cowan asked if there was any concern about the location being close to Main Street. Mrs. White stated that the front portion will be used for pick-up and drop-off only, and the back section will be fenced off for recreation during the day. Mayor Showalter asked if the school will rely on tuition to pay the expenses. Annilesa answered yes the tuition is the funds that will be counted on, and the tuition has been scaled to sustain the overhead of approximately \$4000 - \$5000 a month lease payment. Councilmember Everett asked how this school is expected to compare with the enrollment of the Christian Academy. Annilesa White answered that their school stays around 90 students, and they hope their school will be around the same number. Councilmember Norton asked how lunch will be served. It was indicated that the students will be required to bring their lunch. Ken Bassett explained that the Council reviewed their proposal and has made recommendations for the staff to negotiate with them after the review of the City Attorney. Councilmember Cowan stated that she was comfortable with this use of the old City office building.

REQUEST FOR AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE, SECTION 13.08.030 - SEPARATE UTILITY SERVICE LINES REQUIRED FOR EACH DEVELOPED PARCEL OF PROPERTY - ORDINANCE NO. 2012-21:

Allen Parker explained that this ordinance simply clarifies that the utility lines need to be in the right-of-way to make maintenance possible. Currently there are utility lines that are near the right-of-way but are actually on private property making it hard to add connections. *Councilmember Sonja Norton moved to approve Ordinance No. 2012-21 as written. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munfordaye;*
- Councilmember Cowan.....aye;*
- Councilmember Everettaye;*
- Councilmember Norton.....aye;*
- Councilmember Clark not present for the vote.*

PRESENTATION OF FY2013 TENTATIVE BUDGET AND SETTING OF PUBLIC HEARING:

Ken Bassett presented the FY2013 tentative budget to the Council and explained that his budget message outlines some of the issues the Council will have to deal with this fiscal year. The tentative budget shows a positive increase in revenue amounts from sales tax which helps provide an appropriate budget to take care of the needs of the City departments. He suggested the Council set May 16th as the public hearing date for the upcoming budget to receive public input. *Councilmember Sonja Norton moved to set May 16th as the date for the public hearing for the FY2013 budget. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Norton, Everett, Clark, Cowan and Munford voting in favor.*

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Ken Bassett asked the Council to look at their schedules and set times to hold the budget workshops. After discussion, the budget workshop meetings were set for Monday, May 7th at 4 pm and Tuesday, May 8th at 4 pm. If an additional meeting is needed, the Council will set another date. Ken Bassett stated that the Administrative Committee needed to meet and look at health insurance and payroll recommendation for the Council’s consideration as well.

REQUEST FOR APPROVAL OF PROPERTY PURCHASE FOR WOMEN’S CRISIS CENTER: Ken Bassett explained that the City received a grant to purchase property for a new women’s crisis center for Vernal. Several properties were looked at, and an offer was made on a home located at 891 West 250 North if a few items were corrected. The property owners have agreed to make those repairs. The State of Utah will take care of the operating and maintenance costs, and the shelter staff is excited about this home. The cost of the home is \$281,000 with the back porch slab needing repair at a cost \$1500. The offer on the home was reduced by that amount of money. After further discussion, *Councilmember Dave Everett moved to approve purchasing the home at 891 West 250 North for the women’s crisis center at a cost of \$279,500. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munfordaye;*
- Councilmember Cowan.....aye;*
- Councilmember Everettaye;*
- Councilmember Norton.....aye;*
- Councilmember Clark aye.*

ADMINISTRATIVE REPORTS:

Fire Hydrant Maintenance:

Councilmember Bert Clark explained that at the recent Utah League of Cities and Towns conference a session was held on allowing groups or neighborhoods to adopt fire hydrants and storm drains and be responsible to keep them clear of snow or weeds. Ken Bassett stated that based on that workshop, he took the opportunity to speak with Jeremy Raymond, the director of the Uintah Fire SSD, and he is excited to move forward with this idea.

ADJOURN: There being no further business, *Councilmember Bert Clark 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)