

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JUNE 6, 2012 at 7:00 p.m. in the Vernal City Council Room, 374 East Main, Vernal,
Utah 84078.

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

WELCOME: Mayor Showalter welcomed everyone to the meeting.

STAFF PRESENT: Ken Bassett, Roxanne Behunin, Dylan Rooks, Cassie Gledhill, Allen Parker and Mike Davis.

INVOCATION OR UPLIFTING THOUGHT: Councilmember Dave Everett gave an invocation.

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

APPROVAL OF THE CITY COUNCIL MEETING MINUTES OF MAY 16, 2012:
Councilmember Bert Clark moved to approve the minutes of May 16, 2012. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Munford, Everett, Norton, and Clark voting in favor.

APPROVAL OF THE CITY COUNCIL MEETING MINUTES OF MAY 22, 2012:
Councilmember Bert Clark moved to approve the minutes of May 22, 2012. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Munford, Everett, Norton, and Clark voting in favor.

DISCUSSION ON WOMEN'S CRISIS CENTER - DOREEN ROBBINS: Mrs. Doreen Robbins, resident at 894 W 250 North, thanked Mr. Ken Bassett, the victim advocate director, the Chief of Police, and the women's shelter director for meeting with the neighbors concerning this issue. She stated that her main concern was that the residents were not notified that the ordinance was being changed to allow the shelter in their neighborhood. She asked if a neighbor wanted to put a business in their home would the City notify the neighbors. Ken Bassett stated that the City does allow home occupations through the business licensing process, and there is no notification to neighbors if it is an allowed use. There are restrictions such as signs etc. Doreen Robbins stated that she still has concerns about increased crime, perpetrators showing up at the shelter, and what will happen to this home if a new center is built. Councilmember Munford stated that the abusers of the women being placed at the shelter should not know where they are, and the families will only be at the shelter for a short time. Doreen Robbins noted that this is a busy neighborhood with the ball fields and schools, so it is not private. Councilmember Munford stated that this home was chosen not only because it is close to schools and shopping, but also the home fits what is needed to house these families in need. Doreen Robbins voiced her concern that there would be a lot of people housed here smoking and loitering in the neighborhood. Mrs. Darla Taylor explained that mostly women and families will be living in

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this home that have jobs, attend school and other activities keeping them busy most of the day. If a perpetrator is seen, the police are contacted immediately. Also, some of the people do smoke, but most of the time they stay in the backyard. Councilmember Clark stated that these families do not use the front of the house much. Ken Bassett stated he will check on this being a public building to see if it falls under the smoke free laws. Councilmember Everett stated that a home for the disabled was placed in his neighborhood, and the residents have actually embraced them even though they had the same concerns at first. Ken Bassett stated that if a larger facility is needed in the future, this home will be sold and become a single family home again. Mayor Showalter stated that he understands the concern regarding the smoking and the loitering. He suggested the staff determine if this is a public building and if so, designate a place for the residents to smoke. Darla Taylor welcomed Mrs. Robbins to contact her office if she has any other concerns.

REQUEST FOR AMENDMENT TO THE VERNAL CITY MUNICIPAL CODE, CHAPTER 5.68 - AUTHORIZED SALE AND USE OF FIREWORKS - ORDINANCE NO. 2012-23:

Ken Bassett explained that the 2011 State Legislature changed the rules for the sale and discharge of fireworks. The changes caused considerable concern for Fire Chiefs so the Legislature again changed the dates and times that fireworks could be sold and discharged. Ordinance No. 2012-23 mirrors those changes. Councilmember Clark asked Mr. Bassett to clarify the dates and times. Mr. Bassett read the ordinance explaining the specific dates that fireworks can be sold and discharged. Mayor Showalter stated that he hoped the residents of the community use common sense when using fireworks as there are a lot of dry fields around. Councilmember Clark stated that some cities along the Wasatch Front restrict where fireworks can be discharged. Ken Bassett stated that the police respond to complaints, and the concern is in the County. Councilmember Bert Clark moved to approve Ordinance No. 2012-23. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

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

FIRE STATION PARKING LOT PAVING PROJECT WITH ALLRED PAVING: Ken Bassett reminded the Council that the fire station has recently been remodeled and now the parking lot is being repaved as part of that project. The Uintah Fire Suppression Special Service District is paying for that work. However, to the north of the parking lot is the City’s water and sewer building and the pavement in front of those building needs repaired. The cost to add that part of the parking lot to the contract with the fire station is \$18,032.00 for approximately 5000 square feet of asphalt. The old asphalt will need to be removed and a new layer added. Councilmember Clark stated that he noticed that the southwest corner had been excavated for a retention pond, and he wondered if another retention area would be needed for the water and sewer building. Ken Bassett stated that the drainage for the buildings was taken care of when

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they were constructed, and the contractor is simply redoing it. After further discussion, Councilmember Clark moved to approve the expenditure of \$18,032 to repair the parking lot behind the fire station with Larry Allred doing the work. 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.

REQUEST FOR ACCEPTANCE OF INFRASTRUCTURE FOR ASHLEY ESTATES II:

Allen Parker explained that the department heads have reviewed and approved the infrastructure that was built for phase II of the Ashley Estates development. The developer, Kimball Glazier, is now asking the City to accept the improvements. Mr. Parker showed the Council the section of the development that is included in the request. There is one area that was not in compliance, and that is the asphalt. A seal coat will be done, and there is a bond in place for that work. Also, a warranty is required. Mayor Showalter asked how the manhole covers line up. Allen Parker stated they did an excellent job with that. After further discussion, Councilmember Sonja Norton moved to accept the infrastructure for phase II of Ashley Estates. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Norton, Everett, Clark and Munford voting in favor.

REQUEST FOR APPROVAL OF POLICE VEHICLE LEASE AGREEMENT - RESOLUTION NO. 2012-11:

Chief Dylan Rooks explained that this is the third year for this lease and all the problems have been worked out. There were some recall issues with the vehicles. Mayor Showalter pointed out that local vendors cannot compete with this type of lease agreement with the residual value given to the vehicles at the end of the lease. Chief Rooks stated that there was an additional bidder this year which reduced the cost to \$85,000. Councilmember Bert Clark moved to approve Resolution No. 2012-11 renewing the police vehicle lease. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

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

PURCHASE OF HANSEN PROPERTY (BLOOM MASTERS):

Mayor Showalter explained that the property owner of the building behind Bloom Masters approached the City to see if we were interested in purchasing it. Ken Bassett noted that the building is 4000 square feet and the asking price is \$300,000. There is some confusion on the access which will need to be cleared up on the deed along with the lienholder. Also, Mr. Hansen has a lot of equipment and materials in the building that he is interested in selling. The department heads went through the building and identified a few items that might be useful at a cost of approximately \$14,000 - \$15000

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dollars, but that there was not a desire to purchase these items. Mr. Bassett suggested the City approve the purchase of the property only. Councilmember Norton asked if an appraisal will be done. Ken Bassett answered likely not since the seller is not really willing to negotiate on the price. After further discussion, Councilmember Bert Clark moved to approve \$300,000 expenditure for the purchase of the Hansen property with the correction of the deed for the egress and deed. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Clark, Norton, Everett and Munford voting in favor.

DISCUSSION ON CHANGING AGREEMENT WITH VERNAL AREA CHAMBER OF COMMERCE: Mayor Showalter explained that he attended a meeting with the Board of Directors of the Chamber of Commerce where they presented the upcoming budget. The City is presently contributing \$65,000 to the Chamber, and this year they returned \$5000. Adam Massey, Chamber director, explained that the Interlocal agreement with the City and County is coming up for renewal. The Chamber appreciates the support of Vernal City and Uintah County and proposes to renew the agreement for another three years with the cost decreasing by \$5000 each year. The cost to the City would be \$60,000 this year, \$55,000 the second year and \$50,000 the third year. These contributions are needed to keep the Chamber alive and provide local events. At the time the original agreement was signed, the Chamber employees were listed as County employees, including economic development. That program has now been moved to the County leaving the Chamber as an endowment focusing on building membership. Further, Mr. Massey stated that the Chamber helps the City with programs such as the Vernal Excitement Association, Holly Days, recycling and the Energy Summit. Membership fees are up approximately \$78,000, and the hope is to continue focusing on industry with advanced memberships. The Council expressed their appreciation for the hard work done by the Chamber staff promoting Vernal. Councilmember Clark asked if the agreement cost had been included in the upcoming budget. Ken Bassett answered that the \$65,000 amount was placed in the budget for the Council's approval. Mayor Showalter thanked Mr. Massey for the report.

ADMINISTRATIVE REPORTS:

Nuisance Abatement:

Councilmember Clark noted that with the high winds in the area lately construction sites have debris and dirt blowing onto neighboring property. He asked the staff to ask the contractors to be diligent in keeping trash and dirt down. Allen Parker stated he would pass the concerns on to the building official.

Main Street Flowers:

Councilmember Clark asked if the flowers along Main Street would be able to be maintained during the road construction. Ken Bassett stated that UDOT has assured him that the crews would be able to access the flowers.

National Guard Deployment:

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Ken Bassett reminded the Council that next Monday night at 6 pm there would be a presentation and barbeque for the National Guard troops from the Basin that are being deployed to Afghanistan. It is anticipated that approximately 3000 people will be in attendance and the Council needs to be present to sign the Community Covenant. He noted that this will be a great first event for the community, and is expected to be one of the largest celebrations honoring families and soldiers in Utah.

Meeting date:

Ken Bassett pointed out that the first meeting in July is scheduled for the 4th of July. The consensus of the Council was to cancel that meeting.

Budget special meeting

Ken Bassett explained that a special meeting is needed at the end of the month to approve the final budget reopener for FY2012. The consensus was to hold the meeting on June 27th at 4 p.m.

ADJOURN: There being no further business, *Councilmember Bert Clark moved to adjourn. Councilmember Ted Munford 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)