

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

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

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

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

**INVOCATION OR UPLIFTING THOUGHT:** Councilmember Ted Munford gave the invocation.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Councilmember Dave Everett.

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES OF JULY 18, 2012:**  
*Councilmember Bert Clark stated that on line 25, Councilmember Ted Munford was not in attendance at that meeting; therefore, he should not be shown as voting. Councilmember Clark asked that Vernal Heeney be changed to Vernie Heeney on line 280. Councilmember Bert Clark moved to approve the minutes of July 18, 2012 with the corrections as noted. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Clark, and Norton voting in favor for a unanimous vote.*

**MIRANDY MASSEY NATIONAL GUARD RECOGNITION FOR DEPLOYMENT**

**BARBEQUE:** Mirandy Massey explained that she was here to say thank you for the support that Vernal City showed the National Guard members and their families prior to their deployment. Ms. Massey stated that Captain Vernon mentioned after the farewell barbeque how wonderful and supportive Vernal City was compared to other cities. Ms. Massey added that all of the soldiers really appreciated the sendoff and knew they were leaving their families in a good place. Ms. Massey presented a certificate of appreciation to the Mayor on behalf of the City Council and Ken Bassett, City Manager. Councilmember JoAnn Cowan mentioned that the Council signed a Community Covenant to show their support to the National Guard and their families. She asked Ms. Massey if she would be interested in attending a City / County meeting with the political leaders that signed the document to make sure those families are being supported as promised. Ms. Massey stated that she would be happy to attend the next meeting. Councilmember Cowan asked when the next City / County meeting would be held. Ken Bassett stated that the next meeting is scheduled for August 27, 2012 at 3:00 p.m. at the Vernal City office, and he will add Ms. Massey to the agenda. Councilmember Bert Clark asked Mr. Bassett if the meeting could be changed to 3:30 p.m. due to work schedules. Mr. Bassett answered yes.

**14 YEAR OLD BOY'S BASEBALL ALL-STAR TEAM PRESENTATION – CAM POPE:**

Mayor Gary Showalter explained that he has the upmost admiration for the players, coaches, and parents who offer financial support as well as all the volunteers who spend hours donating time to the baseball teams. Cam Pope explained that most of the baseball team was supposed to be in attendance tonight; however, the new football coach would not let them out of practice. Mr. Pope reported that the 14 year olds are the State champions. They attended the Babe Ruth World Series in Murray this year. Mr. Pope stated that the 9, 10, 12, and 13 year olds are also State

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champions. Coach Ryan invited the Council to watch the baseball team play at regional on August 18, 2012 at 3:00 p.m. at the Price Field in Murray, Utah. Mayor Gary Showalter suggested that they meet with the media to get the word out to the community to support the baseball team at regional. Councilmember Sonja Norton suggested advertising the information in the local newspaper as well as some history about the baseball team. Mayor Showalter stated that the baseball team has a reason to be proud. Councilmember JoAnn Cowan mentioned that coaches are her heroes who give their commitment to the kids, which in turn is a gift to the whole community. Coach Ryan thanked the Council for their support, and the baseball team handed out Vernal State Champion baseball hats.

**REQUEST TO VACATE RIGHT-OF-WAY LOCATED AT 750 NORTH VERNAL AVENUE TO 100 WEST - JURASSIC PROPERTIES - ORDINANCE NO. 2012-28 - KEN BASSETT:**

Ken Bassett explained that at the last Council meeting a public hearing was held to consider public input on a vacation of this right-of-way which was not an existing road way yet. The purpose of the vacation request, as signed by petitioners, was to turn the area into a community garden / playground area for the surrounding property owners. It will be maintained by those individuals. Mr. Bassett stated that the City Council approved the vacation and this is the formal ordinance for vacating the right of way. *Councilmember Dave Everett moved to approve Ordinance No. 2012-28 to vacate right-of-way located at 750 North Vernal Avenue to 100 West. Councilmember JoAnn Cowan seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munford .....aye;*
- Councilmember Norton ..... nay;*
- Councilmember Clark..... nay;*
- Councilmember Everett .....aye;*
- Councilmember Cowan ..... aye.*

**REQUEST FOR APPROVAL OF ENGINEERING SERVICES WITH CIVCO FOR THE 500 SOUTH STORM DRAIN PROJECT:**

Ken Bassett explained that at the last meeting, the Council approved this storm drain project to go from Vernal Avenue to 700 West. The purpose of this project is to separate the irrigation water from the storm drain water. 500 South is generally the area where most of the storm water of the City comes into. Mr. Bassett explained that the storm drain project at Vernal Avenue all the way east to the golf course has been completed, and this project adds another seven blocks of that separation of storm water from the irrigation water. Mr. Bassett referred to the budget for this project on page 20. The total budget for this project is \$734,000, and \$83,680 has been dedicated for the engineer design and construction with CIVCO. Mr. Bassett asked the Council to approve this request in order to get this designed quickly. Mr. Bassett stated that this project is being completed prior to the Transportation District completely repaving from Vernal Avenue all the way to 1500 West. Councilmember JoAnn Cowan asked if there was anything else that needed to be done on that road. Mr. Bassett explained that the Transportation District did a fine job notifying all utilities and property owners that once the work is done, there will be a five year moratorium placed on the road way. Mayor Gary Showalter asked if it is a reinforced road surface. Mr. Bassett stated that it is a new layer of asphalt only. Mayor Showalter asked if the road will withstand heavier traffic if needed. Mr. Bassett explained that 500 South from Vernal Avenue going west is not a

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truck route. Councilmember Sonja Norton mentioned that after looking at the figures, they seem higher than what is normally paid to engineering. Mr. Bassett referred to the middle of page 20 and explained that \$83,680 is for the design and engineering work. The rest of the budget is the actual construction work. The engineering is 12.8 % of the total construction cost which is right where we want to be with engineering. Councilmember Bert Clark asked if there are change order provisions in the contract. Mr. Bassett answered yes. Councilmember Clark asked up to how many. Mr. Bassett explained that there is no definite number; however, the goal is keeping the change orders down to very few, if any. John Wood with CIVCO stated that they do not anticipate generating any change orders. *Councilmember JoAnn Cowan moved to approve engineering services with CIVCO for the 500 South storm drain project. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

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

**REQUEST FOR APPROVAL TO AMEND VERNAL CITY PERSONNEL POLICIES AND PROCEDURES:**

**A. POST RETIREMENT EMPLOYMENT – RESOLUTION NO. 2012-14:** Mayor Gary Showalter stated that the way he read this resolution, the changes seem more like housekeeping items, and the Utah Local Governments Trust, along with other agencies, have approved or recommended this issue. Mr. Bassett stated that the changes being recommended in Resolution No. 2012-14 have been driven by the Utah State Retirement System. Mr. Bassett explained that during the last several months, there have been changes made to the City’s personnel policies and procedures regarding retirement of employees, as well as how we deal with post retired individuals. Post retired individuals are employees who have retired; however, returned back to work for a public entity such as Vernal City. Mr. Bassett explained that on Resolution 2012-14, there are a couple of items regarding retirement contributions for employees that were hired prior to July 1, 2011 who are retired from the Utah State Retirement System. One of the items indicates that the contributions to a 401K retirement account for these employees are no longer made to the State retirement system, since they are already retired. The contribution made to a 401K account is approved by the Vernal City Council from year to year. Mr. Bassett stated that there are presently only three employees, all of whom are law enforcement officers, who have retired from Utah State Retirement System in that category. Mr. Bassett referred to paragraph E, stating that those employees hired after July 1, 2011 who are retired from the Utah State Retirement System will have no retirement funds put into any account according to the rules of the Utah State Retirement System. The reason for this change was to keep employees from the “double dipping” issue which came before the Utah State legislature. Mr. Bassett referred to page 22 and explained the difference between the contributory and non-contributory retirement categories. Contribution rates paid by Vernal City to the Public Employees Contributory Retirement System shall not exceed the total contribution rates paid by the City for

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employees who are members of the Public Employees Non-Contributory System. There are currently four Vernal City employees in the non-contributory category. Mr. Bassett explained that this year, those four employees have to pay .21% of the total amount going into the system that exceeded what the City is allowed to put in as an employer. Councilmember Bert Clark pointed out that the sentence above Section D needs to be corrected, because “of” is in there twice. Councilmember Sonja Norton pointed out that there is also a correction needed on the last sentence of Section D to remove “of the” as it is in there twice. Mr. Bassett stated that he will get those corrected.

**B. REPORTING INJURIES – RESOLUTION NO. 2012-15:**

Ken Bassett explained the purpose of Resolution 2012-15 which was recommended by the Utah Local Government Trust (ULGT), who is the insurance carrier for worker’s comp claims. ULGT is recommending that when an employee is injured on the job, the supervisor of that employee accompany them to the medical facility where they are receiving services. Mr. Bassett explained that the City is finding that the doctor who is treating the employee sometimes does not get the full story of what happened, and although a supervisor cannot go into an examining room with the employee, the supervisor has the right to ask the doctor the status of that employee. The resolution also indicates that if an employee is working on a weekend and a supervisor is not available, the employee must contact the supervisor or City Manager within three hours after the injury occurs. Councilmember Sonja Norton mentioned that the last sentence of Section C has an extra “a” in Manager. *Councilmember Bert Clark moved to approve Resolution No. 2012-14 and Resolution No. 2012-15. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munford .....aye;*
- Councilmember Norton .....aye;*
- Councilmember Clark.....aye;*
- Councilmember Everett .....aye;*
- Councilmember Cowan ..... aye.*

**MISCELLANEOUS:** Mayor Gary Showalter stated that with the Council’s permission, he would like to discuss a few items that are not on the agenda. The first item will be a recap of the Utah Fast Pass. Mayor Showalter commended Glad Allred who worked hard at making sure this event was a success. There was a group of 53 cars with an entry fee of \$7,000 per car. There was a Mercedes sedan which was the number one car with an entry fee of \$30,000. There was a Ford Spyder, Lamborghini, Ferrari, Maserati, Ford GT, and many more. Mayor Showalter explained that the City provided a luncheon knowing that a \$2,000 check would come back to the community. However, there was an anonymous donor who gave an additional \$2,000 to Vernal City. Mayor Showalter stated that it was humbling to accept this donation and suggested sending them a letter of appreciation with a unique gift from Vernal City. Mayor Showalter handed out a set of special pins from the Utah Fast Pass to each of the Council members. Mayor Showalter suggested a Councilmember consider giving their set to Glade Allred to show appreciation for his hard work on this event. The average value of the cars at this event was a

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quarter of a million dollars. Mayor Showalter asked the Council to brainstorm where they would like to see the \$4,000 used in the community.

Mayor Showalter introduced Doug Masiuk who is on a transcontinental run for diabetes. Mr. Masiuk stated that he started his run in San Francisco and came into Vernal yesterday. Mr. Masiuk added that the community has embraced him and offered support in many ways. Mr. Masiuk explained that he was diagnosed with diabetes as a juvenile and is running to show that a diagnosis of diabetes does not have to be the end of the world. People can still live active, healthy lives in spite of the disease. Mr. Masiuk stated that he is hosting an event at the Cobble Rock Park for diabetics and their families. Mayor Showalter mentioned that Mr. Masiuk will be on the early morning show on the 920 am radio station around 7:15 a.m. and on 105.5 around 7:40 a.m. Mayor Showalter suggested to the Council that they invite people to the event that they know might benefit from it. Councilmember Bert Clark asked Mr. Masiuk if he could explain the difference between Type I and Type 2 diabetes. Mr. Masiuk explained that Type 1 is known as juvenile diabetes which affects people of otherwise healthy condition and weight. Type 2 diabetes is often known as “adult onset diabetes” and is often attributed to obesity and inactivity. Councilmember JoAnn Cowan mentioned that the tribal members on the reservation have seen many cases of diabetes from the changes in their diets. Councilmember Cowan stated that in the local paper last week, Forrest Cuch was encouraging the tribal members to eat healthier and exercise and suggested Mr. Masiuk contact him. Mayor Gary Showalter thanked Mr. Masiuk for attending the meeting and for sharing his experience.

Councilmember JoAnn Cowan reported that she received a phone call on Monday commending the Vernal City public works department for their diligence on fixing the water break on Main Street and wanted them aware that the community acknowledges what they do and appreciates them. Ken Bassett mentioned that they started at 2:00 a.m. and ended at 3:00 p.m.

Ken Bassett announced that the next City / County meeting will be held on Monday, August 27, 2012 at 3:30 p.m. at the Vernal City office. Mr. Bassett also reminded the Council about the Energy Summit event at Western Park on September 5, 2012. There is a luncheon in connection with the Chamber of Commerce, and they need to know in advance who will be available to attend. Councilmember Bert Clark stated that he will be there. Mayor Gary Showalter asked if this was an all-day event. Mr. Bassett answered yes.

Councilmember JoAnn Cowan stated that there will be a ribbon cutting at the new library on August 6, 2012 at 1:00 p.m.

### **ADMINISTRATIVE REPORTS:**

Councilmember Sonja Norton gave a report from the Vernal City Excitement Association and the Impact Mitigation Special Service District. Councilmember Norton stated that the Impact Mitigation contributes \$300,000 to the Uintah Basin Area Technology College (UBATC) and \$300,000 to Utah State University (USU) in scholarships every year. If the colleges do not use the money, it goes back into the fund. Councilmember Bert Clark asked how the public is made aware of these scholarships. Councilmember Norton explained that they continually advertise

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through the colleges and the high school. Councilmember Norton reported that they also help fund the local RN program. She added that they have ongoing funding from USU for the RN program to the BSN program, which is transferring from USU eastern to a USU program in the Basin. The mannequins they use are not cheap. They are around \$75,000 and are very life like with sounds and reactions to medications which really enhances the training for nursing. Councilmember Norton reported that USU is completely full at night, and they are working with UBATC to use some of their space at night. An addition to the Bingham building is being planned on the south side to add 12 classrooms, and USU will be paying for the addition. Councilmember Clark asked if they sold their other building. Councilmember Norton answered not yet.

Councilmember Norton reported that they are trying to find ways to encourage adult and high school enrollments. One thing that they have done locally that Councilmember Clark helped with is giving a Uintah Recreation District membership as part of the USU membership. Councilmember Clark added that there are a minimum number of credit hours needed, and they are checking into making this benefit available for online students as well. Councilmember Norton reported that through the UBATC program, they are supporting the CDL trucking program, because it has a huge impact in our area. They have also started a new 900 hour petroleum technology program in conjunction with the local industry. Councilmember Norton stated that they have played a major roll along with the legislature in bringing the weighted pupil unit back, so that our students can have concurrent enrollment which is also huge in our area. The new addition to the Utah Field House will be ready in October and will store all the fossils found here. In regards to the EPA air quality study, the impact mitigation has secured one million from the CIB to help fund the study. Funds also came from the Western Energy Alliance as well as other sources.

Councilmember Norton reported that the Vernal City Excitement Association hosted a chalk art event on July 21, 2012. It took nine hours for the first drawing and five hours for the second drawing. Mayor Showalter asked if the event was advertised. Councilmember Norton answered not really. Councilmember Norton added that there were a lot of people walking past and commenting on the artwork. Councilmember Norton mentioned that they are planning an event every Tuesday in August at 8:00 p.m. On September 15, 2012, there will be a Polynesian culture event with dancers, music, and food. They are still working on the venue. In October, there will be a scary movie played on a huge inflatable screen. They are still working on the location. Councilmember JoAnn Cowan suggested the park by the middle school. Councilmember Cowan asked the status of the bicycle racks. Allen Parker stated that they were installed within the last few days. Councilmember Cowan suggested writing something up for the local newspaper on the bike racks being installed downtown.

**ADJOURN:** There being no further business; *Councilmember JoAnn Cowan moved to adjourn. Councilmember Sonja Norton seconded the motion. The motion passed with a unanimous vote, and the meeting was declared adjourned at 8:23 p.m.*

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Mayor Gary Showalter

ATTEST:

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Roxanne Behunin, Deputy Recorder

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