

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
AUGUST 15, 2012 at 7:00 p.m. in the Vernal City Council room, 374 East Main,
Vernal, Utah 84078.

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

WELCOME: Mayor Gary Showalter welcomed everyone to the meeting. The Council wished the Mayor a happy birthday.

INVOCATION OR UPLIFTING THOUGHT: The invocation was given by Councilmember Sonja Norton.

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

APPROVAL OF CITY COUNCIL MINUTES OF AUGUST 1, 2012: Councilmember Bert Clark asked several questions on items discussed during the last meeting. Councilmember Norton asked that WPU be spelled out. With that correction, Councilmember Cowan moved to approve the minutes of August 1, 2012. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Norton and Clark voting in favor.

INTRODUCTION OF NEW ACCOUNTING CLERK, SARAH HUNT: Mike Davis stated that Nancy Thorlaksen resigned and after interviews were conducted, Sarah Hunt was the top candidate. She will be doing the payroll and accounts payable work for the special service districts. Mr. Davis noted that Sarah grew up in Logan, and the City stole her from the oil field where she was doing accounting work. The Council and Mayor welcomed Sarah to Vernal City.

UINTAH RECREATION & VERNAL CITY EVENTS SPONSORSHIP REQUESTS: This item was tabled.

PUBLIC HEARING: REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE, CHAPTER 16.58 - SUBDIVISION CODE - ORDINANCE NO. 2012-29: Mayor Showalter opened the public hearing to allow those in the audience to comment. Allen Parker explained that the Planning Commission reviewed this ordinance at their last meeting and is forwarding a positive recommendation to the Council with two changes. The main purpose of this ordinance is to provide a mechanism for the City to participate in the latecomers provisions of the code. The City has found it necessary to complete public infrastructure improvements in a private subdivision and needs the ability to recoup costs from those that directly benefit from the improvements. Private developers have this ability already in the code. The two changes requested by the Planning Commission is to hold a public hearing with notices going to those property owners directly impacted, and place the filing fee into the fee schedule rather than the

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ordinance. Councilmember Norton mentioned that the hope is not to use this provision much, only in the case of a developer not completing a subdivision. Allen Parker stated that it is anticipated this mechanism will be used for Haven Estates right away. Councilmember Cowan asked if any developers looked at this ordinance. Allen Parker answered no. Councilmember Sonja Norton moved to approve Ordinance No. 2012-29 with the corrections requested by the Planning Commission. Councilmember Ted Munford seconded the motion. Councilmember Clark asked how the improvements on corner lots will be determined. Allen Parker noted that the ordinance allows the Council to determine the formula on a case-by-case basis. The motion received the following roll call vote:

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

PUBLIC HEARING: REQUEST TO REZONE PROPERTY LOCATED AT 597 NORTH 50 EAST FROM RA-1 TO R-2 RESIDENTIAL, BART HYDE - ORDINANCE NO. 2012-30:

Allen Parker explained that the City received a request from Bart Hyde to rezone property located at 50 East and 597 North in the Murray subdivision from RA-1 (residential/agricultural) zone to R-2 (residential) zone in order to build a twin home which matches the other structures in this subdivision. The request meets City code, and has received a positive recommendation from the Planning Commission. Further, Mr. Parker stated that he was not recommending a development agreement since this rezone request would keep the property residential. Mayor Showalter asked for any public comments. There being no comments, Councilmember JoAnn Cowan moved to approve Ordinance No. 2012-30 changing the zoning on 597 North 50 East. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

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

Mayor Showalter closed the public hearings.

REQUEST TO APPROVAL GRANT AGREEMENT FOR THE AIRPORT: Kelly Harvey explained the airport received a grant to develop a master design for the runway and airport expansion in the amount of \$800,000. However, the grant is only in draft form, for now, until the fiscal year closes for the federal government. The cost to the City will be \$10,556. Ken Bassett explained that these projects will give the airport a broader ability to facilitate growth. After further discussion, Councilmember Ted Munford moved to approve the City expenditure and have

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the Mayor execute the agreement. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:

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

REQUEST TO AMEND VERNAL CITY PERSONNEL POLICIES AND PROCEDURES, APPEAL PROCEDURES - RESOLUTION NO. 2012-16: Ken Bassett explained that during the 2012 State Legislative session, the legislators changed which personnel have appeal rights if an employee is terminated, suspended or wage reduced, even at the local level. The simplest way to comply with the State law is to refer to that section of State code. Councilmember Cowan asked if they have appeal rights if they are suspended without pay. Ken Bassett answered yes. After discussion, Councilmember Norton moved to approve Resolution No. 2012-16. Councilmember Munford seconded the motion. The motion passed with the following roll call vote:

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

REQUEST TO APPROVE MINOR SUBDIVISION FOR ROBERT KAY AT 43 EAST 200 NORTH – APPLICATION NO. 2012-021-SUB: Allen Parker directed the Council’s attention to a plat of a proposed property split located at 43 East 200 North. He noted that Mr. Kay is requesting to split a two acre parcel of property into three lots. The first lot is vacant land that will be changed to an “L” shape. The second lot has an existing home on it, and the third lot is vacant land except for a small shed. Parcel #2 does not meet the setback requirements; however, it is an existing non-conformance. This request has received a positive recommendation from the Planning Commission. Councilmember Cowan noted that her home is close to this property, and the Kay’s have tried to sell it as one large chunk with no success, and it would be reasonable to allow the owner to split it up. Councilmember Cowan moved to approve the minor subdivision for Robert Kay at 43 East 200 North as presented. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

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

PATCHING WORK BILLING BY UTAH SPECIAL TRANSPORTATION DISTRICT:

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Ken Bassett explained that the Uintah Transportation District has completed street chip and seal work for the City for the last several years. This year they chipped and sealed 100 South, Vernal Avenue and 500 West streets. In some areas the roadway actually needed to be leveled before it could be sealed. The District completed that additional work and is asking the City to reimburse them for it. The expenditure can be taken out of the Highway Improvement Fund. Councilmember Norton asked if the staff coordinates with them which areas will be patched as the roads seem to still be uneven in spots. Ken Bassett stated that he was not sure where the road was patched, and it is hard to catch all the bumps. After further discussion, Councilmember Bert Clark moved to approve reimbursing the Uintah Transportation District for the road patching work. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

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

ADMINISTRATIVE REPORTS:

Vernal Youth Baseball All Star Team:

Mayor Showalter reminded the Council that the 14 year old all-star team from Vernal is participating in the national tournament which was being held in Murray, Utah. He voiced his disappointment that there was not more media coverage to encourage local support.

CONVENE INTO CLOSED SESSION: Councilmember Bert Clark moved to convene into closed session to hold a strategy session to discuss the character, professional competence, or mental or physical health of an individual. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

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

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

Old City Office:

Ken Bassett explained to the Council that the White House Academy in the old City office building would like to remove the dias in the Council room area in order that the room can be

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used for a student gathering area. The Council did not have any opposition to that request considering that the old office would likely never need a dias in the future.

Joint City / County Meeting:

Ken reminded the Council of the City / County meeting scheduled on August 27, 2012 at 3:30 p.m. in the community room.

ADJOURN: There being no further business, Councilmember Cowan moved to adjourn. Councilmember Norton seconded the motion. The motion passed with a unanimous vote and the meeting was declared adjourned.

Mayor Gary Showalter

ATTEST:

Roxanne Behunin, Deputy Recorder

(S E A L)