

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

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

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

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

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Councilmember Bert Clark.

**APPROVAL OF CITY COUNCIL MINUTES OF OCTOBER 17, 2012:** Councilmember Sonja Norton moved to approve the minutes of October 17, 2012 with one spelling correction. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Norton and Clark voting in favor.

**REJECT BIDS FOR STORM WATER:** Ken Bassett explained that the 500 South storm drain system extends east from Vernal Avenue to the golf course. The purpose of the system is to take water from rain storms or snow runoff off the streets and put it into an area where it will not create property damage. The City received funding from the Community Impact Board to do this project, extending the system to 700 West where it will collect additional storm water and divert it to the golf course. Six bids were received for this project, and the low bid was approximately \$200,000 more than the engineers estimate. At the last Council meeting, the Council agreed to allow the staff to look at options that might provide cost savings before awarding the project. The staff, along with the engineers, looked at different options and presented these suggestions to the Public Works Committee. The Committee is recommending that this project be placed on hold until spring. The reasoning for that recommendation is to cut out winter costs from the project and add this project to the road repaving project which is being completed by the Uintah Transportation District. He noted that there could be a cost savings of approximately \$300,000 on mobilization, flagging and asphalt if these projects are combined. Councilmember Clark asked if a four year moratorium will be placed on the road once this work is completed. Ken Bassett answered yes. Councilmember Everett stated that combining the projects is the most financially responsible way to do it and will mitigate the amount of time that the roadway is under construction. Ken Bassett stated that the City will need to enter into an Interlocal agreement with the Uintah Transportation District to include the storm water work with their project. Also, the Council will need to reject the bids received on this project. Councilmember JoAnn Cowan moved to reject the bids for the storm water project and combine it with the Transportation District's road project in the spring. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

*Councilmember Ted Munford.....aye;*  
*Councilmember JoAnn Cowan .....aye;*  
*Councilmember Dave Everett.....aye;*

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*Councilmember Sonja Norton.....aye;*  
*Councilmember Bert Clark.....aye.*

**REVIEW OF BIDS FOR WATER FILL STATION:** Ken Bassett explained that for many years the City has been accommodating gas and oilfield companies who need to purchase culinary water for their operations, and they have been filling up their water trucks at the City public works yard. Only one vehicle can fill up at a time which creates a bottleneck in the yard. The water superintendent recommended a separate fill station be built at another location to fix this safety problem. Different locations were considered, and it was decided to enter into a contract with Western Petroleum to place the water fill station by their gas pumps on north Vernal Avenue. The site is already set up for truck traffic and will allow two trucks to fill-up with water at a time. It was initially estimated that the cost would be approximately \$100,000 to install the station unit which has already been purchased. Bids were requested to install the station, and the low bid came in at \$141,000. The Public Works Committee reviewed the bids and is recommending this project also be postponed until spring. There was some discussion regarding the mobilization costs in construction bids. Councilmember Cowan asked if another company would build a fill station before the City had the opportunity to finish this project. Ken Bassett did not think so. After further discussion, Councilmember Bert Clark moved to reject the bid received and rebid this project in the spring. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:

*Councilmember Ted Munford.....aye;*  
*Councilmember JoAnn Cowan .....aye;*  
*Councilmember Dave Everett.....aye;*  
*Councilmember Sonja Norton.....aye;*  
*Councilmember Bert Clark.....aye.*

**RATIFY BID FOR WOMEN’S SHELTER:** Mayor Gary Showalter explained that the City has been working with a Community Development Block Grant to renovate a home for the local crisis center to give families that are in turmoil a temporary place to live. Ken Bassett agreed that the crisis center is a safe haven for victims of domestic violence. The current shelter has become too small so a larger facility was purchased. Before the new home can be used for this purpose, security systems, fencing, handicap ramping and the basement remodeled to add two more bedrooms needs to be completed. Contractors were solicited to complete the work, and the low bid received was from All Serve Home and Business Inc., Bridger Murray, who is the general contractor licensed in the State of Utah. The contractor has been asked to proceed with the necessary renovation so the shelter can move prior to Thanksgiving. The cost of the work is \$12,154. Councilmember Cowan asked if the facility manager, Danny Anderson, is overseeing the work. Ken Bassett stated that he is involved and the work is being inspected. After further discussion, Councilmember JoAnn Cowan moved to ratify the contract with All Serve Home and Business to remodel the family crisis center. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

*Councilmember Ted Munford.....aye;*

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*Councilmember JoAnn Cowan .....aye;*  
*Councilmember Dave Everett.....aye;*  
*Councilmember Sonja Norton.....aye;*  
*Councilmember Bert Clark.....aye.*

**REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE – SECTION 6.12.120  
UNLAWFUL SALE OR DISPLAY OF CATS OR DOGS IN PUBLIC PLACES –**

**ORDINANCE NO. 2012-34:** Mayor Gary Showalter noted that as the Council begins the discussion on whether or not to allow folks to sell dogs on the streets, that it may seem mean spirited, however, on the other hand, the Council must keep in mind the wellbeing of the animals. Ken Bassett explained that this issue was brought up by the Uintah Animal Service District to promote responsible ownership of pets. People allow their pets to have litters, but do not know what to do with them so they go to Wal-Mart or some other location and try to sell or give away these animals. Sometimes they are successful, but many times the kittens or puppies end up at the shelter or dropped off somewhere in the valley. Usually none of the vaccinations have been done, and sometimes the animals are sold as pure bred when they really do not have any papers. Councilmember Everett stated that it does not stop anyone from placing an ad in the paper to try to sell their pets. Sherry Gines, shelter manager, explained that they take care of displaced animals where people become tired of taking care of them, and they try to adopt them out. She stated that a constant complaint is someone bringing in an animal that their child picked up outside a local store without permission, and now the parent has to dispose of it. The shelter works with rescue groups to vaccinate, spay or neuter these animals and find them appropriate homes. Councilmember Cowan asked what residents should do when they find their pet is going to have a litter. Sherry Gines stated they do not want to stop them from giving the animal away to a good home, but be responsible in how they do it and have the animal fixed. Debra Gustafson, animal control officer, stated that they can also take the puppies to the shelter. Councilmember Cowan voiced her concern that some people will simply kill the animals if they cannot give them away. Mayor Showalter stated that there will be a learning curve to teach people to treat their pets in a more civilized manner than having them on display in the street. Sandy Hansen, animal rights advocate, explained that she has fostered dogs that were abandoned, and this ordinance is the first step for animal welfare in the community. The Council may be closing one door to dispose of puppies and kittens, but there are other more humane options. She suggested the Council look at waiving the relinquishment fees or pay to spay or neuter pets. Further, Ms. Hansen stated that the bulk of the cost of the shelter is from irresponsible pet owners. Sherry Gines agreed that this is the first step, and the shelter does occasionally waive fees. Many times when a dog is picked up by animal control, the owner simply finds another free animal rather than pay the impound fee. Councilmember Clark asked what happens if they do not have room at the shelter. Sherry Gines stated that they take as many animals as they can and adopt them out to make room at the shelter. If that is not possible, they ask people to keep the animal for a short time until they do have room. Mayor Showalter noted that it will take time to see how effective this option is, and law enforcement and animal control will need to be involved especially on the weekends. Debra Gustafson stated that animal control is on duty on

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Saturdays. She suggested that possibly the Council consider one location a few days a week until the community gets used to this idea. The objective is to make sure the puppies are healthy, vaccinated and go to good homes. Ken Bassett noted that if, for example, the shelter were to sponsor a location using volunteers that would be allowed under the ordinance. Sandy Hansen mentioned that there are lots of avenues for people to sell or give away animals such as free ads, and this is a way to encourage responsible pet ownership. Councilmember Bert Clark asked what will happen if they have a kennel license. Ken Bassett informed the Council that there are no kennels licensed in the City. Councilmember Dave Everett requested that in conjunction with the ordinance, an effort be made to inform the public of other avenues to sell or give away their animals, and possibly allow sidewalk sales under the supervision of the shelter. Councilmember Norton asked if there were any other animal fostering places. Sherry Gines stated that the shelter does have a volunteer program where the applicants are screened to make sure they can humanely take care of the animals. After further discussion, Councilmember Dave Everett moved to approve Ord. 2012-34 in conjunction with a public awareness campaign. Councilmember JoAnn Cowan seconded the motion. The motion passed with the following roll call vote:

*Councilmember Ted Munford.....aye;*  
*Councilmember JoAnn Cowan .....aye;*  
*Councilmember Dave Everett.....aye;*  
*Councilmember Sonja Norton.....aye;*  
*Councilmember Bert Clark.....aye.*

**REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE – CHAPTER 5.60  
DOOR-TO-DOOR SOLICITORS - ORDINANCE NO. 2012-33:**

Ken Bassett reminded the Council that new regulations were adopted for door-to-door solicitors requiring criminal background checks before any business license permit is issued. The Council was concerned about the time of day that solicitors would be allowed to knock on your door. Ordinance No. 2012-33 was drafted to regulate the time of day as follows: “It is unlawful for any person to solicit before sunrise or after sunset unless prior permission from the resident is given to do so.” The City Attorney has reviewed this language and is suggesting this item be tabled until the entire code can be revised to address safety issues and be more specific why a permit would not be issued. After further discussion, Councilmember JoAnn Cowan moved to table Ordinance No. 2012-33 until the City Attorney presents a revised ordinance. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

*Councilmember Ted Munford.....aye;*  
*Councilmember JoAnn Cowan .....aye;*  
*Councilmember Dave Everett.....aye;*  
*Councilmember Sonja Norton.....aye;*  
*Councilmember Bert Clark.....aye.*

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**REVIEW CITY COUNCIL MEETING SCHEDULE FOR NOVEMBER 21, 2012**

**MEETING:** Mayor Showalter noted that the next regularly scheduled Council meeting falls on the day before Thanksgiving, and he suggested the meeting be canceled. After discussion, the consensus of the Council was to cancel the November 21, 2012 meeting.

**ADMINISTRATIVE REPORTS:**

Halloween Walk:

Councilmember Clark noted that the Mayor's walk was successful with the largest group of participants ever. The estimated turnout was 3500 to 3700 children. The pumpkin festival did not have as many participants.

**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.

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Mayor Gary Showalter

ATTEST:

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Roxanne Behunin, Deputy Recorder

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