

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
DECEMBER 5, 2012 at 7:00 p.m. in the Vernal City Council room, 374 East Main,
Vernal, Utah 84078.

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

WELCOME: Mayor Showalter welcomed everyone to the meeting.

INVOCATION OR UPLIFTING THOUGHT: The invocation was given by Councilmember Ted Munford.

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

APPROVAL OF CITY COUNCIL MINUTES OF NOVEMBER 7, 2012: Councilmember Sonja Norton moved to approve the minutes of November 7, 2012 as written. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Norton and Clark voting in favor.

CRISIS CENTER PRESENTATION: Mayor Showalter explained that the director of the Uintah Basin Assistance Council and Myton Housing Authority, Mrs. Marcie Buca, would like to make a presentation to the City. Marcie Buca explained that the City, especially Councilmember JoAnn Cowan, has been very supportive of the domestic violence program. With the purchase of a new shelter, the old shelter was recently sold and part of the proceeds from that sale has been earmarked for Vernal City. She thanked Councilmember Cowan for being a wonderful mentor for this program. A check for \$10,000 was presented to the City. Ken Bassett stated that the funds will be set aside for the needs of the new shelter. Mayor Showalter and the Council thanked Marcie for her efforts in helping with housing needs for the community.

UINTAH ANIMAL SERVICES SPECIAL SERVICE DISTRICT PRESENTATION: Tina Williams, director of the Uintah Animal Services Special Service District, explained that this presentation is to make the community aware of what their role is and what services are being provided by the District. She introduced members of her staff, Angel Collins, animal control officer, and Heidi Heckelthorn, records clerk for the shelter. Tina presented a slide show presentation to the Council, and explained that programs have been initiated to educate the community to care for pets with outreach programs held at the schools, care center, senior citizen center and library. Posters have been prepared to explain how to adopt a shelter animal, and adoption events are held throughout the year. Also, a sterilization program is available at the first part of the year to help animal owners spay or neuter their pets. Ms. Williams provided pictures of the shelter, many animals both healthy and distressed, and explained their proactive approach to disease control, animal cruelty or neglect, urban livestock and even hoarding. Animal control officers are on call to handle emergencies such as dogs in livestock or aggressive dogs. Councilmember Cowan asked what can be done about dogs that are bark excessively. Angela Collins explained that it is a lengthy process to charge a pet owner with nuisance barking. The

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neighbor has to keep a log of the barking and fill out a complaint for the courts. Councilmember Norton asked when the shelter is open. Tina Williams responded that the shelter is open from 10 am to 5 pm except for Wednesday and Sunday. The shelter is cleaned and disinfected each morning before being open to the public. Councilmember Norton stated that pet owners find out the hours of the animal control officers and turn their dogs loose after animal control goes home. Tina Williams acknowledged this is a problem, and they work later in the summer to try to curb that behavior. Also, the police officers help with evening calls if it is urgent. Councilmember Clark asked if an animal is impounded, is there a place where that information is posted. Tina Williams stated they are trying to set up an information site. There was some discussion regarding lost livestock. Councilmember Munford thanked the staff of the Animal District for providing a valuable service to the community. Councilmember Everett agreed noting that the District’s involvement with the community is a tough job. Tina Williams stated that the success of the District is not possible without dedicated staff. Mayor Showalter told a story of a lady that took care of four kittens and noted that there are caring citizens in the community. He thanked the District staff for their work and the presentation.

PUBLIC HEARING: REQUEST TO REZONE PROPERTY AT 90 SOUTH 400 WEST FROM R-4 RESIDENTIAL ZONE TO CC-1 COMMERCIAL ZONE - BLUE OVAL HOLDINGS, LLC - ORDINANCE NO. 2012-35:

Mayor Showalter declared that he had an interest in the property being discussed. He excused himself from this portion of the meeting and asked Councilmember Norton to handle this item. Allen Parker presented a map to the Council and explained that Blue Oval Holdings is requesting to rezone property located at 90 South 400 West from residential to commercial. There is currently a home on the property. The neighboring property to the north is zoned CC-1 commercial and the general plan supports this action. The Planning Commission has reviewed this request and is forwarding a positive recommendation without a development agreement. Councilmember Cowan noted that this rezone is a natural extension of the businesses around it. She asked if there were any objections from neighboring property owners. Allen Parker answered no. Sonja Norton mentioned that this property is not even a full block off Main Street. The street to the north of Main Street is also commercial. Sonja Norton opened the public hearing for comments. Maryann Showalter stated that they have not finalized their plan for the property yet. There were no additional public comments. Councilmember JoAnn Cowan moved to adopt Ordinance No. 2012-35 rezoning property at 90 South 400 West from R-4 to CC-1. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

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

REQUEST FOR APPROVAL OF ENGINEERING CONTRACT FOR 500 SOUTH PEDESTRIAN RAMPS: Ken Bassett explained that federal funding has been awarded to the Uintah Transportation District to reconstruct the roadway on 500 South from Highway 40 to

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1500 West. As part of that project, upgrades must be done to the pedestrian ramps on the corners to meet ADA standards. Initially, the engineers did not think the ramps would have to be changed, however, they found out they do need to be brought up to current standards. The District does not have any funding for this addition to the road project and is asking the City to cover the cost. The engineering for the pedestrian ramps is \$32,000 and the construction is estimated to be \$50,000. The City has funding available in the Street Construction Fund to cover this project. Civco Engineering has provided a contract for the design work which will be overseen by UDOT. Mayor Showalter stated that at a recent meeting with UDOT, he asked them to consider designating an optional truck route to divert heavy truck traffic from Main Street. Ken Bassett stated that they are willing to consider an optional route separate from the study conducted by the Uintah Transportation District and would like to set up a meeting to discuss it. Mayor Showalter stated that an optional truck route will help the safety of the community, and will need the cooperation of the County. Councilmember Clark asked if UDOT is willing to put the sound mechanisms on the signal lights to help visually impaired pedestrians. Ken Bassett stated that the cross walks have the electronics to do that. Councilmember Clark asked him to pursue that. After further discussion, Councilmember Bert Clark moved to approve the engineering contract and pay for this project. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

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

APPOINTMENT TO THE HEALTH CARE SPECIAL SERVICE DISTRICT: Mayor Showalter stated that Councilmember Ted Munford has been representing the City on the Uintah Health Care Special Service District and has been appointed as the vice-chair. He recommended Mr. Munford be reappointed for another four year term. There was some discussion regarding the length of the current term. Councilmember Norton questioned if it had to be a Council member representing the City on the special service districts. Ken Bassett stated he would review the agreements. After further discussion, Councilmember JoAnn Cowan moved to ratify the appointment of Ted Munford on the Uintah Health Care Special Service District Board representing Vernal City. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

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

REQUEST FOR APPROVAL OF COOPERATIVE AGREEMENT WITH AERONAUTICAL DIVISION OF THE STATE OF UTAH: Ken Bassett explained that the airport manager has presented a cooperative agreement in reference to the design work that has

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to be done for the airport runway. The design work has to include all the environmental and technical issues. The engineering cost is \$860,000, with the FAA pays 90%. The State of Utah will pay 5% and provide oversight, leaving the remaining balance for the local entities to pay. Uintah County is responsible for 75% of the remaining balance and Vernal City is responsible for 25% . Councilmember Clark noted that the cost escalates when the FAA is involved. After further discussion, Councilmember Bert Clark moved to approve the cooperative agreement with the State Aeronautical Division. Councilmember Sonja Norton seconded the motion. The motion passed with the following roll call vote:

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

YEAR-END EMPLOYEE BONUS: Councilmember JoAnn Cowan presented the cost to give bonuses to the staff. She noted that sales tax revenue is back up and asked the Council to consider awarding a \$300 bonus for each employee this year. Councilmember Munford reminded the staff and Council that the bonus does not include the Council. Mayor Showalter asked Mike Davis what the sales tax picture looked like compared to 2011. Mike Davis answered that the sales tax to the City is up at least 10%. Councilmember Norton asked if the bonus is pro-rated for part-time employees. Ken Bassett answered that all the employees receive the same amount. Councilmember Ted Munford moved to approve a \$300 bonus for the employees across the board. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

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

REVIEW CITY COUNCIL MEETING SCHEDULE FOR DECEMBER: Ken Bassett explained that normally the Council meets twice a month, however, the next meeting is scheduled for the 19th of December. There are a few items that will need to be discussed after the Planning Commission meeting. He suggested the Council consider holding a special meeting on December 12th and cancel the meeting on December 19th. Councilmember Clark asked that the meeting be held at 4 pm on December 12th. The consensus of the Council was to hold the meeting on the 12th at 4 pm and cancel the December 19th meeting.

ANNUAL CITY COUNCIL MEETING SCHEDULE FOR 2013 – ORDINANCE NO. 2012-36: Mayor Showalter noted that this is the same schedule as 2012. Councilmember JoAnn Cowan moved to approve Ordinance No. 2012-36 adopting the same schedule – the 1st and 3rd Wednesday of each month at 7 pm. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

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

ADMINISTRATIVE REPORTS:

Uintah Impact Mitigation SSD:

Councilmember Sonja Norton stated that the Uintah Impact Mitigation SSD was able to refinance the museum bond netting a savings of \$27,000 a year. The curator facility at the museum is finished, and an open house will be held in the spring.

ADJOURN: There being no further business, Councilmember Dave Everett moved to adjourn. Councilmember Sonja 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)