

**M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
FEBRUARY 6, 2013 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, JoAnn Cowan and Ted Munford. Mayor Gary Showalter was excused.

**MAYOR PRO TEMPORE:** *Councilmember Dave Everett moved to appoint Councilmember Bert Clark as Mayor Pro Tempore for this meeting. Councilmember Sonja Norton seconded the motion. The motion passed with Everett, Norton, Cowan and Clark voting in favor for a majority vote. Councilmember Munford was not present for the vote.*

**INVOCATION OR UPLIFTING THOUGHT:** The invocation was given by Councilmember Bert Clark.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Councilmember Sonja Norton.

**APPROVAL OF CITY COUNCIL MINUTES OF JANUARY 16, 2013:** *Councilmember Sonja Norton moved to approve the minutes of January 16, 2013. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Everett, Norton and Clark voting in favor, Councilmember Cowan abstained and Councilmember Munford was not present for the vote.*

**YOUTH CITY COUNCIL REPORT:** Grayson Massey, Vernal City Youth Mayor, reported that the Youth Council recently attended the annual State Legislature program with Councilmember Norton and Ken Bassett. The Youth Council observed the Legislature and actually debated a bill that has been submitted to the State officials. He expressed his gratitude to the Council for allowing the Youth Council to participate in this learning experience. Councilmember Cowan asked what bill they debated this year. Grayson Massey answered that they looked at the anti-bullying bill, and five Vernal Youth Councilmembers participated in the debate process. Ken Bassett noted that the Legislature provides the Youth Council the opportunity to be involved in the legislative process by debating a pertinent issue. Grayson Massey stated that the keynote speaker was Ken Jennings, winner of Jeopardy, and the Legislature actually played a game based on Utah.

Grayson Massey stated that the Youth Council will also be doing a blanket drive next Monday where they will distribute blankets to local charities. The Council thanked Grayson for his report.

**PUBLIC HEARING: COMMUNITY IMPACT BOARD FUNDING FOR WATER SYSTEM IMPROVEMENTS:** Mayor Pro Tempore Bert Clark opened the public hearing and asked the staff to explain the funding. Ken Bassett explained that this area produces a lot of oil and gas on federal land, and the companies extracting the minerals pay royalties to the federal government. A portion of the royalty money is set aside for communities where the extraction occurred. The government agencies in those communities apply for the funds through the Community Impact Board. Uintah County generates the most money in the State with oil and

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gas production followed by Carbon County with coal production. The City has received millions of dollars over the years for projects such as water and sewer lines and this building. This project is to replace a water line that is encased in a steel line and is deteriorating. When the line breaks the water follows the line and comes up in the meters making it hard to repair. The cost to replace this line located on south Vernal Avenue is estimated to be \$425,000. The application to the Community Impact Board is for ½ grant and ½ loan, although getting any grant funds will be difficult because the City’s water rates are not high enough to qualify for a grant. The application also asks for immediate funding instead of being placed on the priority list so construction can begin in the spring and provide needed fire protection. Councilmember JoAnn Cowan stated that it is hard to believe the water rates are too low. Councilmember Norton asked if the rates were raised recently. Ken Bassett stated yes, the rates were raised approximately 30%, but the CIB bases the rates on the average income level. The standard is to charge 1.75% of the average income in a month, and the City’s rates are only 1.32%. Councilmember Clark asked if there were any public comments. There being no comments, the public hearing was closed. *Councilmember JoAnn Cowan moved to approve the CIB application. 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.*

**REQUEST FOR APPROVAL OF ENGINEERING SERVICES CONTRACT FOR SOUTH VERNAL AVENUE WATERLINE PROJECT:** Ken Bassett explained that this contract is for the water line work on south Vernal Avenue that was just explained. He noted that even though the funding has not been approved yet, the project will move forward faster if the engineering contract with Engineering Services is approved to begin the design work as quickly as possible. The total cost is \$43,560 which is 12% of the estimated project cost. Councilmember Clark asked if an on-site inspector will be working on this project. Ken Bassett answered yes. *Councilmember Dave Everett moved to approve the contract with Engineering Services for the south Vernal Avenue water line project. 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;*

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**REQUEST FOR APPROVAL OF CIVCO ENGINEERING CONTRACT AMOUNT FOR 500 SOUTH PROJECT:** Ken Bassett explained that this project includes repaving 500 South Street with additional work to install ADA ramps and a storm drain system from 700 West to Vernal Avenue. The Uintah Transportation District will bid the storm drain project with the asphalt overlay project. This engineering contract includes the additional work and UDOT review for the storm drain work. The engineering cost is \$229,220 for both projects. Councilmember Bert Clark asked how the cost for each portion of this project will be figured. Ken Bassett explained that when the bids come in, there will be line items pertinent to each task. The engineers and he will review the invoices. After further discussion, Councilmember Sonja Norton moved to approve up to \$230,000 for the engineering for the 500 South project. 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;  
*Councilmember Sonja Norton* ..... aye;  
*Councilmember Bert Clark*..... aye;

**REQUEST TO AMEND THE VERNAL CITY PERSONNEL POLICIES AND PROCEDURES – SECTION 12.01.010 POLICY - RESCINDING CAREER LADDER SUSPENSION – RESOLUTION NO. 2013-04:** Ken Bassett explained that the Public Safety Committee discussed reinstating the career ladder program for the police department and is recommending approval of Resolution No. 2013-04. This program was implemented many years ago to encourage tenure with police officers by allowing them to increase their wage and position based on knowledge and experience. In 2010, this program was frozen because of lack of revenue. Councilmember JoAnn Cowan stated that something needs to be done for the other departments as well. Ken Bassett stated that other kinds of increases in pay are being considered such as when a building inspector obtains additional certification that benefits the City, his wage can be increased. Also, additional discussion will be held on implementing a merit incentive program and how that will work. Councilmember JoAnn Cowan moved to approve Resolution No. 2013-04. 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;  
*Councilmember Sonja Norton* ..... aye;  
*Councilmember Bert Clark*..... aye;

**DISCUSSION ON DOOR-TO-DOOR SOLICITORS:** Ken Bassett explained that after the last discussion on door-to-door solicitors, he researched what other communities were doing to regulate this type of business. The concern with this type of licensing is there has been a lot of

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litigation nation-wide where solicitors claim that their rights are being violated when cities require certain things or prevent them from doing business, and the courts, in some cases, have found in favor of them, causing local governments to rethink their ordinances. The regulations have been amended over the last few months, and the City Attorney is suggesting the entire chapter be updated based on these recent court cases. Both Provo City and Logan City have similar ordinances that cover a lot of issues and definitions that could be incorporated into regulations for the City. He asked the Council to review the codes from Provo City and give their input at the next meeting. Ken asked the Council to be aware that the City cannot take a long time to process an application and some type of appeal procedure is needed if an application is denied. There was some discussion regarding the time frame for allowing door-to-door solicitors. Ken Bassett stated that issue can be discussed when the ordinance is drafted.

### **ADMINISTRATIVE REPORTS:**

#### Airport Runways:

Councilmember Bert Clark stated he would like to acknowledge the work the County is doing in helping to haul away the snow that has built up at the airport. The snow has to be removed from the runways right away, and with the amount of snow this year, it has to be moved off-site to meet FAA guidelines.

#### Frozen water meters:

Councilmember Cowan noted that there have been a lot of frozen water meters this year, and the water crew was very courteous and kind helping the residents even on the weekend. She suggested the City invest in foam insulation to cover the meter barrels or have the water crew make a recommendation. Ken Bassett agreed that there have been a lot of frozen pipes, meters or service lines with the frost being driven deeper this year than normal. When the service line is frozen, the crew has a machine that blows hot steam into the line, but it takes a lot of time in bad conditions.

#### Fire Trucks:

Councilmember JoAnn Cowan explained that the Uintah Fire Suppression Special Service District purchased a pumper truck for the Vernal station using CIB funds, and it should be delivered within the next few weeks. The cost of that vehicle was approximately \$400,000.

#### Smithsonian Magazine.

Councilmember Dave Everett reported that there was a favorable article in the Smithsonian Magazine declaring this area the real Jurassic park.

#### ULCT Conference:

Ken Bassett reminded the Council that the Utah League of Cities and Towns spring conference will be held April 10<sup>th</sup> – 12<sup>th</sup> in St. George.

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**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.*

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Mayor Pro Tempore Bert Clark

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Roxanne Behunin, Deputy Recorder

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