

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JUNE 5, 2013 at 7:00 p.m. in the Vernal City Council room, 374 East Main, Vernal,
Utah 84078.

PRESENT: Councilmembers Bert Clark, Dave Everett, Ted Munford, Sonja Norton 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 Bert Clark.

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

INTRODUCTION OF MR. CHARLES BASSETT: Mayor Showalter stated that he has gained insight to Ken Bassett's wisdom after meeting his father. Ken introduced his father, Charles Bassett, to the Council. Charles Bassett stated that he enjoyed visiting the area and everyone that lives here is blessed to have such nice surroundings to visit. The Mayor and Council thanked Mr. Bassett for attending the meeting.

APPROVAL OF CITY COUNCIL MINUTES OF MAY 13, 2013: *Councilmember Bert Clark moved to approve the minutes of May 13, 2013 as written. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Norton and Clark voting in favor.*

APPROVAL OF CITY COUNCIL MINUTES OF MAY 14, 2013: *Councilmember Bert Clark moved to approve the minutes of May 14, 2013 as written. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Norton and Clark voting in favor.*

APPROVAL OF CITY COUNCIL SPECIAL MINUTES OF MAY 15, 2013: *Councilmember Bert Clark moved to approve the minutes of the special May 15, 2013 Council meeting as written. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Norton and Clark voting in favor.*

APPROVAL OF CITY COUNCIL MINUTES OF THE REGULAR MEETING OF MAY 15, 2013: Councilmember Bert Clark asked that the word "donated" be changed to "deeded" for the Uintah County property. Councilmember Norton moved to approve the minutes of the regular May 15, 2013 meeting with that correction. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Norton and Clark voting in favor.

REQUEST FOR APPROVAL OF POLICE CAR LEASE WITH ZION'S BANK - RESOLUTION NO. 2013-15: Ken Bassett explained that as discussed in the budget meetings, the City is continuing to lease police cars from Ken Garff dealership. The City has a total of 23

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police vehicles, and this lease is to replace 12 of them for two years. The cost is \$91,000. There is an additional lease approved last year for the remainder of the police cars which will renew next year. He noted that the City Attorney still needs to review the documents. Councilmember Clark asked if this lease will be for Dodges or Fords. Ken Bassett stated that it includes six Interceptors. Mayor Showalter stated that the Ford Interceptor is being built specifically for law enforcement use and are all-wheel drive. The cost for the Interceptor is not much more than the Dodge. *Councilmember Bert Clark moved to approve the lease agreement with approval of the City Attorney. 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.

REQUEST TO AMEND FEE SCHEDULE FOR THE REVIEWED TEMPORARY PARKING FACILITY - RESOLUTION NO. 2013-14: Allen Parker reminded the Council that they recently passed an ordinance to allow temporary parking associated with special events. The ordinance calls for a fee to be charged to process the application, and the recommended amount is \$75. Mayor Showalter asked if there would be any limitations based on the size of the crowd. Allen Parker stated that the fee can be on a sliding scale based on the size. Mayor Showalter stated that his concern is the police manpower to effectively control the crowd. Councilmember Cowan stated that clean-up will also be necessary after the event. She asked who would be responsible to clean up the parking area. Mayor Showalter stated that trash will travel to the neighboring property and maybe a deposit should be required to make sure it is cleaned up. Ken Bassett stated that the City should not intervene between two properties that are private in nature. The City can require a deposit in the name of the property owner, but would not want to hold it for the property owner. He suggested a signed lease agreement be attached to the application. Allen Parker stated he would bring an amendment to the temporary parking ordinance for consideration. *Councilmember Sonja Norton moved to approve Resolution No. 2013-14. 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 AMENDMENT TO THE VERNAL CITY PERSONNEL POLICIES AND PROCEDURES - DRUG AND ALCOHOL TESTING - RESOLUTION NO. 2013-13: Ken Bassett explained that the City requires employees to submit to a drug test for pre-employment, random testing and post-accident testing. Recently, a test result for an

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applicant came back as “negative dilute”, and it was not known what that meant. Apparently an individual may have a lot of water in their urine specimen that decreases the amount of creatinine chemicals that are tested to determine whether it is a legitimate sample. When the sample is diluted it is considered a negative dilute testing. Resolution No. 2013-13 adds language to the drug testing policy to outline how to handle a test when the result is a negative dilute. The policy will require the individual to take another drug screen. If the levels are too low, then they must be retested immediately which follows Department Of Transportation guidelines. If the sample comes back again as negative dilute, then it is accepted as a negative sample. Councilmember Cowan stated that people understand the diluted urine tests. Ken Bassett stated that is why they are required to retest immediately not allowing time to drink a lot of water. The next section of the resolution deals with reasonable suspicion testing. If an employee is at work and seem to be under the influence, the supervisor can have them tested. This policy updates the signs a supervisor will be looking for dealing with different kinds of substances. Also, the supervisors will receive annual training. Councilmember Norton asked what MRO report stands for. Ken Bassett stated that is the medical review officer. After further discussion, *Councilmember Sonja Norton moved to approve amendments to the Personnel Policies and Procedures, Resolution No. 2013-13. Councilmember Bert Clark 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 TO COMBINE VOTING PRECINCTS: Ken Bassett explained that in order to simplify the election process, the voting districts are combined into two polling locations. This year the polling centers will be at the Golden Age Center and the Western Park. Because of security issues, it is being suggested that voting not be held at any school if it can be avoided. Councilmember Cowan asked if there will be any early voting. Roxanne Behunin answered that it is not required, and the City allowed absentee voting instead during the last election. Mayor Showalter asked if the City had ever considered voting by mail. Ken Bassett stated that the cost would be in the postage. He noted that there would be a greater turnout in voting. Councilmember Cowan asked why the declaration of candidacy time frame was shortened. Roxanne Behunin stated the State changed the date for the primary election which squeezed the time frame down to get the ballots out overseas. *Councilmember Clark moved to combine the voting precincts as presented. 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.

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REQUEST TO AMEND FEE SCHEDULE FOR UTILITY RATES - RESOLUTION NO.

2013-10: Mayor Gary Showalter stated that the utility rate increase being suggested is modest, and the City is fortunate the rates can be kept this low. Ken Bassett stated that Resolution No. 2013-10 follows the discussion from the last meeting. *Councilmember Bert Clark moved to amend the utility rates approving Resolution No. 2013-10. 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 TO ADOPT PRE-DISASTER MITIGATION PLAN:

Ken Bassett explained that it is required by FEMA to have a pre-disaster mitigation plan in order to receive reimbursement when there is a disaster. The plan looks at the kinds of disasters that could happen in the Uintah Basin and how to mitigate or lessen the impact. Once the plan is adopted, a letter will be sent to the Uintah Basin Association of Governments (UBAG) who will document with FEMA that the City has a plan. Councilmember Clark asked if this plan will affect the flood plain areas that were recently eliminated. Allen Parker stated that an extensive revision was done to the flood plain map in 2010, and this plan does not change it. In some areas of the country waterways have been modified extensively by people who cause problems downstream. *Councilmember JoAnn Cowan moved to adopt the Pre-Disaster Mitigation Plan as presented and send a letter to UBAG. Councilmember Sonja Norton seconded the motion. The motion passed with Councilmembers Cowan, Norton, Everett, Munford and Clark voting in favor.*

DISCUSSION ON LONG TERM DISABILITY COVERAGE FOR TIER II URS RETIREMENT EMPLOYEES:

Ken Bassett explained that the Legislature made dramatic changes to the Utah Retirement System adding Tier II for new employees hired after July 2011 and placed them into this system. The purpose was to decrease the costs and keep the liability of the system down. City employees are currently eligible for long term disability if they are in the Tier I system with the rates being built into that system. The new Tier II system does not have the rates built in and Utah Retirement is requiring the employer to pay the retirement contribution for any employee placed on long term disability during the period they are on disability. That amount can be anywhere from 12% to 31% of their wage. He noted that the newer employees of the City do not have the same benefits as older employees, and now the Council has to consider dropping the long term disability for the newer employees. The City can only afford so much for benefits. The City currently has two employees on long term disability. Ken recommended the City not fund long term disability for Tier II employees. *Councilmember Sonja Norton moved to not cover long term disability for Tier II employees and find a comparable program that the employee can pay for themselves. Councilmember JoAnn Cowan seconded the motion. The motion passed with the following roll call vote:*

Councilmember Ted Munford.....aye;

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

REPORT FROM ALLEN PARKER ON LAS VEGAS TRIP: Allen: Parker explained that he attended ICSC convention in Las Vegas the end of May with representatives from Uintah County, Naples City and Economic Development. The trip was very busy and rewarding. A reception was hosted by Mountain Rest on Sunday night and their broker, Scott Brady, wanted to meet with him. Appointments were set up throughout the week with brokers who are interested in development in the community. A restaurant franchiser will be visiting Vernal as a result of his meeting at the conference. Also, Mr. Hawkins has had a long term interest in Vernal City, and he has plans to visit. There was also a lot of talk about COSTCO, who indicated Vernal is not an area where they want to spend money yet. All in all, there was a lot of positive feedback. Mayor Showalter asked if the active retail organizations come to the representatives themselves or are they handled through a broker. Allen Parker answered that most have a broker except one discount retailer did seek them out.

ADMINISTRATIVE REPORTS:

Airport Land Acquisition.

Councilmember Bert Clark asked Ken to stay in touch with the airport Board on the land acquisitions as it will be critical to communicate on those issues.

Chamber of Commerce Dinner:

Ken Bassett reminded the Council that the Chamber of Commerce dinner will be held June 13th at the Western Park.

Budget Reopener:

Ken Bassett asked the Council to mark their calendars for a special meeting for the FY2013 budget reopener meeting on June 26th at 4 pm. Councilmember Munford noted that he would not be able to attend. The remainder of the Council and Mayor stated they would be available.

July 3rd Council Meeting:

Ken Bassett explained that he has the opportunity to attend National Boy Scout training in New Mexico the week of July 4th, and a regular City Council meeting is scheduled for July 3rd. He asked if the Council would like to cancel that meeting or reschedule. The consensus of the Council was to cancel the meeting and hold a special meeting if necessary.

Vernal Excitement:

Councilmember Sonja Norton stated that the Vernal Excitement Association will have the first performance tomorrow night featuring Hal Massey and a balloon twister.

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ADJOURN: There being no further business, Councilmember Ted Munford moved to adjourn. Councilmember JoAnn Cowan 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)