

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING
JANUARY 15, 2014 HELD at 7:00 p.m. in the Vernal City Council room, 374 East
Main, Vernal, Utah 84078.

PRESENT: Councilmembers Ted, JoAnn, Dave, Samantha, Bert Clark, Mayor Sonja Norton.

WELCOME: Mayor Norton welcomed everyone to the meeting.

UPLIFTING THOUGHT: An uplifting thought was given by Councilmember Dave Everett.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Councilmember Ted Munford.

SWEARING IN OF NEW COUNCIL MEMBER FILLING VACATED SEAT: Mayor Norton turned the time over to Judge Ray Richards who asked Samantha Scott to recite the oath of office. Judge Richards welcomed Samantha aboard. Ms. Scott took her place with the Council.

APPROVAL OF CITY COUNCIL MINUTES OF DECEMBER 18, 2013: Councilmember Dave Everett moved to approve the minutes of December 18, 2013 as written. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Scott and Clark voting in favor.

APPROVAL OF CITY COUNCIL MINUTES OF JANUARY 6, 2014: Councilmember JoAnn Cowan moved to approve the minutes of January 6, 2014 as written. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Scott and Clark voting in favor.

ESSENTIAL AIR SERVICE CONTRACT WITH SKYWEST AIRLINES: Kelly Harvey, airport manager, explained that the Federal Aviation Administration issued an order for SkyWest Airlines to begin air service from Salt Lake City to Vernal in March. Usually the new contract for the essential air service is awarded in September, however, this year it was not issued until December 6th which did not give the airline enough time to begin service at the first of the year. The County is also negotiating with a private individual to provide air transportation to Denver. That possibility is still in the beginning stages so it is not known if it will be feasible. One major problem is that Great Lakes airline, which has the current contract for essential air service, will stop providing any air service on the 20th of January leaving a gap in coverage. With recent events, the FAA is requiring more training for pilots making it hard for Great Lakes to provide the trained personnel required to continue air service. Ken Bassett asked how many flights per day are anticipated with SkyWest. Kelly Harvey stated they are looking at three flights each day around 7 am, 4 pm and back at 10 pm. The final itinerary has not been set yet. He noted that SkyWest is affiliated with Delta so those flights will coincide with Delta's blocking time to meet connecting flights. The plane will be a Brasília that seats 30 passengers with a flight attendant which is a big step up for the airport. People are already calling and booking flights. Councilmember JoAnn Cowan noted that there are many oil companies in the area that are concerned about losing the Denver connection, and she thanked Mr. Harvey for working on trying to get a Denver connection which would benefit the oil and gas industry.

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD JANUARY 15, 2014

Kelly Harvey agreed it would be beneficial. The Mayor and Council thanked Mr. Harvey for the update.

LEGISLATIVE REPORT FROM SENATOR VANTASSELL: Mayor Norton commented that Senator VanTassell was not able to make it to the meeting so this report will be rescheduled.

FY2013 AUDIT REPORT: Doug Rasmussen, with Smuin, Rich and Marsing CPA firm, presented the FY2013 financial audit report for the City. He noted that it is a pleasure to perform the City's audit and working with the finance department. The auditors opinion that is required to be given, presents fairly the respective financial positions of the City. What that means is the City is receiving an unqualified, clean opinion which is the standard that needs to be achieved. Mr. Rasmussen then presented the highlights of the audit report showing that the assets exceed the liabilities by \$55 million dollars. There is \$2.5 million dollars that are unrestricted in the general fund with a net decrease of \$12,165. The sales tax revenue decreased by \$65,000 and the total debt payments were almost \$1 million dollars. Also, the special revenue funds experienced a decrease of \$324,000. Councilmember Everett noted that the report shows a total debt payment of \$970,000,000. Doug Rasmussen clarified that the debt payment amount is \$970,000. This past year, the utility funds had a net loss of \$78,000 which is better than last year which was an overall combined loss of \$250,000. He noted that there are a few things that the City needs to address. The first item is the accounts payable invoice dates must be recorded in the correct fiscal year. The second item deals with the Utah transparency website. The City is required to post on the State website the revenues and expenses for each quarter, and as of right now, the 2013 information has not been submitted yet. The problem is either the City needs to change the account numbers, or map the current account numbers to match the State system. He recommended the City map the numbers. Councilmember JoAnn Cowan asked Mr. Rasmussen to explain to the audience what an audit is and why the City must do one. Mr. Rasmussen explained that all government agencies and non-profit corporations are required to be audited if their revenues are \$500,000 or more. That audit, completed by an independent CPA firm, reviews the financial information by looking at the expenses, revenues, fixed assets, buildings, equipment, payroll and debt obligations for a specific time period to make sure they are materially accurate and following State statute. Councilmember Munford stated that the audit should dispel the rumor that the City is in a financial crisis. He stated that the citizens need to understand that the City is being managed well and ethically. Mr. Rasmussen stated that is an accurate statement. The Mayor and Council thanked Mr. Rasmussen for his report.

PUBLIC HEARING: REQUEST TO CONSIDER VACATING 300 WEST STREET FROM 650 NORTH TO APPROXIMATELY 669 NORTH: Allen Parker reminded the Council that this item was discussed a few meetings ago after being reviewed by the Planning Commission who forwarded a positive recommendation to start the formal process to vacate this roadway. The Council decided to move forward with the public hearing to receive comments from neighboring property owners before making a final decision. Councilmember Munford stated that the roadway is actually owned by the public so they need to voice their concerns before any decision is made. Ken Bassett noted that the petition to vacate this road stub has been signed

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JANUARY 15, 2014**

by the two property owners on either side of road. If the road is vacated, that parcel will be split between those property owners. Mayor Norton opened the public hearing.

Sonja Seeley, owner of the land to the north of this road which is not in the City, stated that she does protest this action as her property has not been developed yet. The property does extend to Vernal Avenue, however, UDOT does not want traffic to go that way, and connecting to this road would help the traffic flow. She stated that she has never seen a road abandoned when it could potentially be useful for future development. Mayor Norton stated that it is hard to know what will happen until that property is developed and if vacated, would leave quite a gap before another road could go to the north. Sonja Seeley stated that simply because the property has not been developed and was laid out a long time ago is not a good reason to abandon this roadway. Mayor Norton stated that the vacant land to the north is not one solid piece that connects to 500 West or Vernal Avenue which could land lock the smaller parcel if this road is abandoned.

LaDonna Zeller, property owner at 326 W 650 North, stated she has been taking care of this piece of property for 25 years, and simply needs six feet of property to build a garage. She shared pictures with the Council of properties that have recently built garages that are not in compliance with City code. Councilmember Cowan questioned if there is an alternative way to allow the Zeller's to build a garage. Allen Parker stated that the setback requirements for residential zones have changed over the years, and possibly some different options can be explored for this property. One of the problems is that it is considered a corner lot. Ken Bassett explained that the codes do change, allowing different construction regulations; however, the one that was recently built, possibly without a permit will need to be investigated. Mrs. Zeller stated that the garage would be set back from the main road so it would not cause a traffic hazard. Councilmember Munford asked the staff to look at the ordinance to see if it is really necessary to have a 20 foot setback all the way to the property line if there is not a public safety or vision concern. He noted that he would like to look at this issue to have better, orderly ordinances that make sense. Councilmember Clark stated that he looked at this property, and it would be hard to fit a garage any other way because of how the backyard and entrance to the house is laid out. There being no further comments the public hearing was closed. Councilmember Munford moved to decline the vacation request for this stubbed roadway with the condition that the Council considers amending the setback ordinances. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:

Councilmember Munford.....aye;
Councilmember Cowan..... aye.
Councilmember Everettaye;
Councilmember Scott.....aye;
Councilmember Clark..... aye.

Councilmember Clark asked that this issue be handled quickly. Allen Parker stated it will take approximately 45 days. Councilmember Cowan asked that the staff keep them informed on what is happening with the building that was erected illegally. Robert Zeller asked the City to clean-up the stubbed road area as well. Ken Bassett stated that it is the City's responsibility and it will be taken care of by the City.

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JANUARY 15, 2014**

Mr. Jayden Davis asked if the City has an ordinance preventing a certain type of fence on a corner lot. He explained that in his neighborhood, off 1500 South not in the City, there is a six foot solid wood fence on the corner, and his mother hit a kid on a scooter that came out from behind that fence. Ken Bassett stated that the City does regulate fencing for that reason. He suggested Mr. Davis contact the County to have a County inspector look at the fence and possibly make the property owner redo it to safety standards. Mayor Norton stated that she does encourage citizens to contact the City when they see development or have concerns.

APPROVAL OF CIB IMPROVEMENT PRIORITY LIST: Ken Bassett explained that every year, through the Association of Governments and the County, the City is required to submit a priority list of projects that potentially could be submitted to the Community Impact Board for funding. A one-year list as well as a 2 - 5 year list must be submitted. The current list has projects for streets, water, sewer and storm water so projects that fall under those 4 categories can be submitted each year. If a project is not on the one-year list, the CIB Board will not address it unless there is an emergency situation. Councilmember Cowan asked what the community park is that is listed on the five year list. Ken Bassett stated that at one time the Council discussed adding more parks. Councilmember Cowan suggested that be changed to Community Park / urban trails. Ken Bassett pointed out that he did add trails. He noted that Glade Allred is also suggesting adding downtown parking, and property to expand the public works yard. There was some discussion regarding an irrigation system. Councilmember Cowan agreed that funding may need to be earmarked for parking, although a specific parcel of land should not be identified. If the parking revitalizes downtown and encourages growth, then the City should be involved. Ken Bassett stated he would add that to the five year list. After further discussion, Councilmember JoAnn Cowan moved to approve the one year list and amend the 2-5 year priority list by adding urban trails and downtown parking. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Cowan, Munford, Scott, Everett and Clark voting in favor.

COUNCIL APPOINTMENTS TO COUNCIL COMMITTEES: Mayor Norton presented the Council a list of the 2014 committee assignments and asked them to look them over. Councilmember Ted Munford moved to accept the list as presented. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Everett, Clark, Cowan and Scott voting in favor.

APPROVAL OF PLANNING COMMISSION 2014 MEETING SCHEDULE - RESOLUTION NO. 2014-01: Mayor Norton explained that the Planning Commission is meeting on the 2nd Tuesday of each month and would like to continue with that schedule. Councilmember Dave Everett moved to approve Resolution 2014-01 setting the Planning Commission schedule for the 2nd Tuesday of each month. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:

Councilmember Munford.....aye;
Councilmember Cowan.....aye.
Councilmember Everettaye;
Councilmember Scott.....aye;

**MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JANUARY 15, 2014**

Councilmember Clark..... aye.

APPOINTMENTS TO THE VERNAL CITY PLANNING COMMISSION: Mayor Norton pointed out that there are three residents on the Planning Commission whose terms expired at the end of 2013, and there is still a vacancy for an alternate position. Allen Parker stated that all of the members with expired terms are willing to serve another four year term and there is a person interested in filling the vacancy. That name will be brought to the Council for consideration at the next meeting. Councilmember Ted Munford moved to reappoint Ken Latham, Mike Drechsel and Anders Fillerup to the Planning Commission Board. Councilmember JoAnn Cowan seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Scott and Clark voting in favor for a unanimous vote.

APPOINTMENT OF VERNAL CITY TREASURER AND RECORDER: Mayor Norton explained that Brenda Nold is serving as the treasurer and Ken Bassett is serving as the recorder. The City must appoint a treasurer and recorder after the election. Councilmember JoAnn Cowan moved to reappoint Brenda Nold and Ken Bassett. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Cowan, Scott, Munford, Clark and Everett voting in favor for a unanimous vote.

ADMINISTRATIVE AREPORTS:

Joint City / County Meetings:

Ken Bassett explained that he and the Mayor met with the County Commission and they would like to host a joint meeting on February 4th at 3 pm. Councilmember Munford asked that the meeting time be closer to 3:30 pm. Mayor Norton suggested they also discuss a future meeting schedule.

500 South Street:

Councilmember Bert Clark asked the staff to look at the roadway along 500 South and get someone to fix the large sink holes. Ken Bassett stated that the roadway will be repaved this summer.

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

Mayor Sonja Norton

ATTEST:

Roxanne Behunin, Deputy Recorder

(S E A L)