

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
MARCH 5, 2014 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 and JoAnn Cowan. Mayor Sonja Norton was excused and Councilmember Samantha Scott was absent.

MAYOR PRO TEMPORE: Councilmember Bert Clark moved to appoint JoAnn Cowan as the Mayor Pro Tempore for this meeting. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Clark, Everett, Munford and Cowan voting in favor.

WELCOME: Councilmember JoAnn Cowan welcomed everyone to the meeting and mentioned that it is a pleasure to see students in the audience.

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 FEBRUARY 19, 2014: Ken Bassett updated the Council on items from the last Council meeting. *Councilmember Bert Clark moved to approve the minutes of February 19, 2014. Councilmember Dave Everett seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett and Clark voting in favor.*

PROCLAMATION OF UHS DRILL TEAM DAY – FRIDAY, MARCH 7, 2014: Mayor Pro Tempore JoAnn Cowan explained that the community would like to honor the Uintah High School Drill Team for their recent success at the national finals competition. The Council is being asked to declare Friday as U’Ette’s day in Vernal City. Ken Bassett read the proclamation honoring the Drill Team. *Councilmember Ted Munford moved to approve the proclamation making Friday, March 7th U’Ette’s Day in Vernal City. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett and Clark voting in favor.*

Councilmember Cowan request the staff make copies of the proclamation for all the drill team members and coaching staff.

REQUEST FOR SPONSORSHIP OF UINTAH HIGH SCHOOL GRADUATION NIGHT: Councilmember JoAnn Cowan stated that traditionally the City helps sponsor the Uintah High School graduation night activities and representatives of the High School Committee are here to explain the upcoming event. Laurie Sprouse explained that there will be a lot of activities planned for the graduating class again this year. The evening will start out with a dance for all the high school students and will be held at the Junior High this year due to the construction happening at the High School. At 11 p.m. the seniors will be invited to check in and stay the evening at the school. Councilmember Munford thanked the Committee for providing the graduates the opportunity to participate in fun activities other than getting into trouble. Marcie

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Merkley explained that it is the purpose of this event to provide a safe environment for their graduation celebration. Laurie Sprouse stated that the parents are notified if the student leaves the building during the evening activities. Councilmember Cowan noted that the City has budgeted \$2500 for this event. *Councilmember Dave Everett moved to authorize the \$2500 to sponsor this event. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munford.....aye;*
- Councilmember Cowan.....aye.*
- Councilmember Everettaye;*
- Councilmember Clark.....aye.*

PUBLIC HEARING: REQUEST TO VACATE 300 EAST STREET FROM 100 SOUTH TO 200 SOUTH - UINTAH COUNTY COMMISSION - ORDINANCE NO. 2014-10:

Mayor Pro Tempore JoAnn Cowan explained that the Uintah County Commissioners have submitted a formal request to abandon 300 East Street so they can build a convention center. The proposed site plan has the building sitting on that street. The public hearing was opened for public comment. Councilmember Ted Munford asked if the request is to vacate 200 South in front of the Western Park as well. Ken Bassett stated that the County Commissioners have not submitted a formal request for that yet. Councilmember Bert Clark asked if there were any comments received by the staff. Ken Bassett answered no. He noted that the property on either side of this road is now owned by Uintah County so there is no impact to any property owners that would have concerns with egress or ingress on 300 East. There being no further public comments, the public hearing was closed. *Councilmember Bert Clark moved to approve Ordinance No. 2014-10 to vacate 300 East Street from 100 South to 200 South. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munford.....aye;*
- Councilmember Cowan.....aye.*
- Councilmember Everettaye;*
- Councilmember Clark.....aye.*

PUBLIC HEARING: REQUEST TO VACATE 500 NORTH STREET BY VERNAL AVENUE ORDINANCE NO. 2014-11- BERT STAGG:

Councilmember JoAnn Cowan reminded the Council that this request is to vacate eight feet of right-of-way next to Mr. Stagg’s home to allow him to have ownership of property he is taking care of now. The concern from the Planning Commission was to preserve the right-of-way as a possible turn lane if 500 North becomes a larger traffic artery. The public hearing was opened for comments.

Mr. Bert Stagg explained that there is a total of 24 feet from his home to the edge of the sidewalk. If the roadway were widened the full length of the right-of-way, the turn lane would actually be 12 feet from his home. He asked the Council to consider vacating eight feet giving him twenty feet from the right-of-way, which is still four feet behind the current sidewalk. Councilmember Dave Everett stated that it would be a concern to have traffic that close to your bedroom window, however the Council often has to consider what is best for the City as well as individual citizens. Councilmember Ted Munford stated that the City may, someday, use the remainder of the right-of-way. In the meantime, Mr. Stagg has been taking care of the property as part of his yard.

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Mr. Christian White, 1030 West 2000 North, stated he thought Mr. Stagg should be allowed to have the land for safety reasons.

Mr. John Wood asked where this property was located. Councilmember Ted Munford answered on 500 North Street off Vernal Avenue. Mr. Wood asked why the street was wider in that area than the rest of the street. Councilmember Ted Munford speculated that it is an arterial road and may have been set aside for a turn lane. Ken Bassett stated it was originally platted this way and the wider right-of-way on 500 North only applies to Mr. Stagg’s property which is a truck route. Mr. Wood asked if there are any other streets this way. Ken Bassett stated there could be. Councilmember JoAnn Cowan stated that it did not make a lot of sense to use that property for a turn lane based on the direction the traffic would be traveling. Councilmember Ted Munford agreed that using 500 North for a heavily traveled truck route would be tough. There being no further public comments, the public hearing was closed. *Councilmember Ted Munford moved to approve the request to vacate 8 feet of right-of-way on 500 North, adopting Ordinance No. 2014-11. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munford.....aye;*
- Councilmember Cowan.....aye.*
- Councilmember Everettaye;*
- Councilmember Clark.....aye.*

REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE: SECTIONS 6.04.260 AND 6.12.110 - WILD ANIMALS - ORDINANCE NO. 2014-08:

Councilmember JoAnn Cowan explained that the City has a new retail development opening - a PETCO store. The City ordinances outlines what kind of pets can be sold in the community, and this store asked the Council to consider amending the rules so they can sell different kinds of pets. Allen Parker explained that the current ordinance lists snakes, lizard, spiders and ferrets as wild animals which cannot be sold. The proposed changes in Ordinance No. 2014-08 will prohibit venomous snakes, poisonous spiders and insects and allow other types of animals to be sold. Councilmember JoAnn Cowan asked what the difference is between regular ferrets and noxious ferrets. Allen Parker stated they are raised in captivity and have the scent glands removed. Councilmember Bert Clark questioned if this ordinance has been written to be compatible with animal control practices of the Animal District. Allen Parker explained that there will be a larger animal control ordinance presented in the near future which contains similar wording. Councilmember JoAnn Cowan noted that the animal control officers would not handle these animals anyway. Allen Parker agreed. Ken Bassett explained that he did speak with the Animal District director, and she is in agreement with this ordinance which is very typical of what is allowed in cities throughout the nation. *Councilmember Dave Everett moved to approve Ordinance No. 2014-08. Councilmember Bert Clark seconded the motion. The motion passed with the following roll call vote:*

- Councilmember Munford.....aye;*
- Councilmember Cowan.....aye.*
- Councilmember Everettaye;*
- Councilmember Clark.....aye.*

SECTION 8.04.030 - NUISANCE DEFINED & DESIGNATED - ORDINANCE NO. 2014-09:

Councilmember JoAnn Cowan explained that there are several things that are classified

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as nuisances so the residents can live civilly in the community. A concern has been brought up by citizens regarding businesses that clean parking lots who create a dust hazard and disrupt the neighbors. Allen Parker stated that Ordinance No 2014-09 proposes that vehicles used to clean parking lots be required to have dust control mechanisms in good working order or be considered a nuisance. Ken Bassett mentioned that a few months ago the nuisance ordinances were amended, based on the recommendation of the City Attorney, making the code more parallel to State law. When that revision was done, this type of nuisance was left out. Councilmember JoAnn Cowan asked if it is realistic to have a dust mechanism on these vehicles and still sweep. Allen Parker answered it depends on if they use a vacuum system with a filter or water. The company that brought this issue to light has corrected their system. After further discussion, *Councilmember Bert Clark moved to approve Ordinance No. 2014-09. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:*

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

ADMINISTRATIVE REPORTS

Budget Schedules:

Ken Bassett brought the Council’s attention to the budget schedule presented by the Finance Director and asked them to set aside time during the last week of March for budget Committee meetings. Councilmember Everett and Cowan noted that they would not be available. Ken Bassett suggested he contact each Councilmember after speaking with the Mayor to set meeting dates.

Utah League of Cities and Towns Conference:

Ken reminded the Council of the upcoming conference in St. George in April.

Building permit fees:

Councilmember Ted Munford stated that Mr. Dusty Mortenson mentioned that the permit fees for his office building have doubled and asked why the fees have increased that much in two years. Allen Parker stated it may be the plan review fees and he would check into it.

ADJOURN: *There being no further business, Councilmember Bert Clark moved to adjourn. Councilmember Dave Everett seconded the motion. The motion passed with a unanimous vote and the meeting was declared adjourned.*

Mayor Pro Tempore JoAnn Cowan

ATTEST:

Roxanne Behunin, Deputy Recorder

(S E A L)