

**M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD  
APRIL 2, 2014 at 7:00 p.m. in the Vernal City Council room, 374 East Main, Vernal,  
Utah 84078.

**PRESENT:** Councilmembers Samantha Scott, Bert Clark, Dave Everett, JoAnn Cowan and Ted Munford, Mayor Sonja Norton.

**WELCOME:** Mayor Norton 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 JoAnn Cowan.

**APPROVAL OF CITY COUNCIL MINUTES OF MARCH 19, 2014:** Councilmember Bert Clark asked if the disposition of the sign on Main Street will be discussed at the next City / County meeting. Ken Bassett answered yes; it will be on the April 7<sup>th</sup> meeting. Councilmember Bert Clark moved to approve the minutes of March 19, 2014. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Munford, Everett, Scott and Clark voting in favor and Councilmember Cowan abstained.

**JUNIOR LIVESTOCK SHOW REQUEST FOR FUNDS - MRS. HARRISON:** Mrs. Harrison, representing the Junior Livestock Show, explained she is here to request funding for the upcoming 2014 show. Councilmember Cowan asked how many kids participate in the show. Mrs. Harrison stated that there are around 300. Councilmember Cowan asked how many of those participants are from out of the area. Mrs. Harrison answered about one-third. Councilmember Clark asked what the time frame is for the event. Mrs. Harrison stated the show is scheduled for the first week in June with the weigh-in on Monday. The event includes a pigmy goat show, showing of lambs, pigs and cows, with the final sale on Thursday. A dinner and awards banquet is also held. Councilmember JoAnn Cowan moved to continue support of Junior Livestock Show in the amount of \$1500. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

*Councilmember Munford.....aye;*  
*Councilmember Cowan.....aye.*  
*Councilmember Everett .....aye;*  
*Councilmember Scott.....aye;*  
*Councilmember Clark.....aye.*

**REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE - TAXI CAB REGULATIONS - ORDINANCE NO. 2014-13:** Ken Bassett explained that the Administrative Committee met and discussed this issue as well as the Council at the last meeting. Representatives of the Vernal Cab Company expressed their concerns at both of those meetings asking the Council to consider regulating taxi-cab businesses and drivers. Ordinance No. 2014-13 has been drafted to incorporate the items of concern that were presented at those meetings. He asked the Council to review the Ordinance and consider this the first reading to make sure it covers all the safety issues. Councilmember Munford commented that many times the best legislation is none at all, or to at least keep it simple. Councilmember JoAnn Cowan

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expressed her concern that background checks be conducted nationwide. Also, add regulation to address a driver that has numerous driving offenses. Ken Bassett agreed that the Ordinance needs to address the driving record. Councilmember Cowan also noted that the size of the sign on the outside of the cab needs to be larger. Ken Bassett agreed that needed to be reworded. Councilmember Munford stated he did not like the section on loud or unusual noises. Ken Bassett stated it would be taken out. Councilmember Bert Clark mentioned that a section is needed to require photo identification for the driver. Ken Bassett stated he would add that section. He noted that the City Attorney will also need to review this Ordinance. Councilmember Cowan asked what the penalty would be for someone operating a cab without a license. Ken Bassett stated this Ordinance does say it is unlawful and subject to a penalty. Councilmember Munford stated that the section limiting a cab to fewer than eight passengers should be modified to twelve or fifteen passengers as there are some vans that will hold that many people. Ken Bassett answered that the intent was to keep it to the smaller conveyance vehicles as the State regulates buses. He stated he would put that in the ordinance.

Mr. Bill Love, new taxicab owner, stated that he is happy to see regulations and will comply. He noted that having a sticker on the cab is a good idea so patrons understand who is licensed and certified to drive a cab. Ken Bassett stated that this Ordinance does not address how the fare is metered. If a customer does not pay, then it would be referred to the police department. Ken Bassett stated he will bring this ordinance back for review at the next meeting.

**REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE PUBLIC WORKS SPECIFICATIONS UPDATE - ORDINANCE NO. 2014-14:**

Ken Bassett explained that over the past few months the Public Works staff has reviewed these new specifications which were drafted by the engineers. Councilmember Ted Munford asked if there was anything substantially changed from the previous specs. Ken Bassett stated that there are some additional provisions when a project is bid. He noted that local contractors may see a few differences. Councilmember Clark asked if there are provisions for the bonding and warranty when contractors work in the right-of-way. Ken Bassett answered yes, those requirements are covered under the encroachment permit. Councilmember Ted Munford moved to approve Ordinance No. 2014-14. Councilmember Dave Everett seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munford.....aye;*
- Councilmember Cowan.....aye.*
- Councilmember Everett .....aye;*
- Councilmember Scott.....aye;*
- Councilmember Clark.....aye.*

**REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE MANUFACTURED HOME SETBACK REQUIREMENTS FOR TRAVEL TRAILERS – ORDINANCE NO. 2014-01:**

Allen Parker reminded the Council that at the last meeting there was some additional language suggested to better clarify how corner lots would be addressed. That language has now been incorporated into the Ordinance for review. The changes shown in the Ordinance specify that the setback requirement for storing a travel trailer is from the edge of the right-of-way. From the front of the lot and on corner lots, there will be a setback requirement of a minimum of 10

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feet on the exterior side of the lot unless there is a fence then the trailer can be directly behind the fence. Councilmember Clark complained that this allows his neighbor to place his camp trailer close to his bedroom window. Ken Bassett explained that this Ordinance would be for the entire City. If the property owner has a back fence, they could place their travel trailer next to that fence if this ordinance is approved. Allen Parker displayed an example of how a trailer could be stored on a corner lot. Allen Parker noted that currently the trailer would need to be placed 30 feet from the back property line. Councilmember Munford clarified that the only reason for a twenty foot front setback is for aesthetics. Ken Bassett answered yes. Allen Parker stated that ten feet is needed for safety so the property owners have good visibility as they back out of their driveways. Mayor Norton asked if there would be enough clear vision on a corner lot. Allen Parker stated that the code specifies that in all cases there must be 10 feet clearance on a corner. If a fence has been allowed, the placement of the fence has already been checked for clear vision compliance before the permit was issued. Councilmember Cowan asked if the trailers being displayed are in violation of the current law, what is being done to move them. Allen Parker stated that enforcement has been put on hold until the Council decides what should be allowed. Based on the current code, it would be extremely hard for anyone in a residential zone to store a trailer on their lot. Councilmember Clark showed the Council that the placement of a trailer next to his home impacts his vision. He noted that his neighbor not only has a camp trailer, he has a flatbed trailer. Allen Parker stated this ordinance only addresses travel trailers. Ken Bassett stated that the way this ordinance is worded, the City would only be concerned with the front yards for the storage of trailers leaving the back property to be used as the property owner would like. If the Council wants to address the backyard, the ordinance will need to be changed. Councilmember Munford suggested the backyards be left alone and only deal with the safety issue in the front. Councilmember Cowan agreed. Councilmember Clark stated that property owners place other things near the fence such as animal cages etc. Ken Bassett stated the City does not regulate those. Mayor Norton stated that other types of vehicles should not impede vision and should be reviewed. Allen Parker agreed and stated that another ordinance will need to be drafted to deal with other types of recreational vehicles. Councilmember Clark suggested this be put in one section of the code. After further discussion, Councilmember JoAnn Cowan moved to approve Ordinance No. 2014-10 with the amendment of a ten foot setback. Councilmember Ted Munford seconded the motion. The motion passed with the following roll call vote:

*Councilmember Munford.....aye;*  
*Councilmember Cowan.....aye.*  
*Councilmember Everett .....aye;*  
*Councilmember Scott.....aye;*  
*Councilmember Clark.....nay.*

**DISCUSSION TO LOOK AT SIDE SETBACK REQUIREMENTS – MAYOR SONJA NORTON:**

Mayor Sonja Norton asked for clarification on the setback footage to build an accessory building. She asked with the change just discussed to store travel trailers, why does a property owner have to have twenty foot setbacks for a garage. Councilmember Munford questioned the placement of a fence as well. Mayor Norton stated that this point was brought up regarding a garage that extends to the sidewalk. Allen Parker stated the staff can try to harmonize these sections of the code more closely although there is a difference between a

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fourteen foot tall structure compared to a six foot fence. Ken Bassett reminded the Council that because legislation changing these regulations has already been adopted, the Planning Commission will need to review it first.

**PUBLIC HEARING: FY2014 BUDGET REOPENER #1 – ORDINANCE NO. 2014-15:**

Ken Bassett explained that the Council Committees have reviewed changes to the budget with the staff to bring the revenues and expenses more in line with what is taking place. The general fund, because the way sales tax is coming in right now, had to be cut by \$317,000 which is significant. There was also \$150,000 given to the general fund for the Ashley Park Estates project for the legal fees coming from the CIB grant. Ken Bassett noted that the City is very fiscally sound. Councilmember Cowan asked if the County had approached the City for expenses to build a new airport terminal at a cost of \$10 million dollars. Ken Bassett stated that most of the funding would be requested from the FAA, but there has not been any discussion with the County yet. Ken Bassett explained that one item that needs to be addressed is the refurbishing of the pink dinosaur named Dinah. The original budget was \$5000 and the proposal for the repairs is actually \$26,000. The dinosaur was originally fabricated in the 1950's and is now deteriorating from the outside in and the inside out. Councilmember Dave Everett stated that he was approached by representatives of Halliburton who want to paint Dinah and possibly they would be willing to help defray the cost of repairs. Ken Bassett stated he would have Glade Allred contact them. Councilmember Clark asked if \$21,000 had been added to that budget. Ken Bassett answered yes. Mayor Norton opened the public hearing for the budget. There being no public comments, the hearing was closed. Councilmember Dave Everett moved to approve Ordinance No. 2014-15 adopting FY Budget reopener #1. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:

- Councilmember Munford.....aye;*
- Councilmember Cowan.....aye.*
- Councilmember Everett .....aye;*
- Councilmember Scott .....aye;*
- Councilmember Clark.....aye.*

Ken Bassett thanked the Finance Department for their hard work dealing with the budget and annual audits.

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

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Mayor Sonja Norton

ATTEST:

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Roxanne Behunin, Deputy Recorder

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