

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
NOVEMBER 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, JoAnn Cowan, Samantha Scott and Mayor Sonja Norton.

WELCOME: Mayor Norton welcomed everyone to the meeting.

UPLIFTING THOUGHT: An uplifting thought was given by Councilmember JoAnn Cowan.

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

APPROVAL OF CITY COUNCIL MINUTES OF OCTOBER 15, 2014: *Councilmember JoAnn Cowan moved to approve the minutes of October 15, 2014. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Scott and Clark voting in favor.*

APPROVAL OF CITY COUNCIL MINUTES OF OCTOBER 20, 2014: *Councilmember Bert Clark moved to approve the minutes of October 20, 2014. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Scott and Clark voting in favor.*

AIRPORT FUNDING AND MANAGEMENT – COMMISSIONER MIKE MCKEE: Mayor Norton explained that this item has to be postponed until the November 19th meeting as Commissioner McKee had to travel out of the City.

REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE – TITLE 6 – ANIMALS – ORDINANCE NO. 2014-32 (2ND READING): Mayor Norton commented that this is the second review of this Ordinance and representatives from the Uintah Animal District and Division of Wildlife Resources are present to answer questions which the Council may have. Ken Bassett explained that the main purpose of this Ordinance is to have more unified rules among the local entities in the Ashley Valley for the Uintah Animal District to administer. There were a few questions from the last meeting, with the first question being how wild animals are handled in the City limits. Councilmember JoAnn Cowan agreed that there are concerns with how animals such as skunks, rats, pigeons or raccoons are dealt with. Officer Rick Bell stated that the animal control officers only deal with domesticated animals, although occasionally they will help out older residents and give people suggestions on how to appropriately get rid of these animals. Mr. Randall Thacker with the Division of Wildlife Resources stated that his office will also help, especially if an animal has been injured. Councilmember Clark asked if any exotic animals from the new pet store are creating any concerns. Rick Bell stated that they have not had any calls yet, but it will happen. Councilmember Dave Everett asked if there were any organizations or exterminators that could take care of these problems. Mr. Thacker stated there is a company that they refer people to for this area. He noted that there is a big distinction between domesticated and wild animals.

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However, the Division of Wildlife Resources can help mitigate problems such as bats or predators that kill livestock or pets. The position of the State of Utah is that these animals are not protected, and although there is no obligation to help, the Division does want to, at the very least, direct residents to resources or provide tools that can help. If an animal is trapped, the trapper cannot take the animal to another location and release it as that may spread disease. The best option is to euthanize the animal. Councilmember Cowan asked if the trapper is told the best way to euthanize the animal. Mr. Thacker stated they explain what is legally recommended and the most humane ways to do it. Mayor Norton asked what happens if it is a more dangerous animal such as a cougar or bear. Mr. Thacker stated that if it is a public safety issue, the animal control officers help contain the animal until DWR officers can respond. Animal control also has the authority to tranquilize or euthanize these animals if they have to. He noted that DWR has the authority to remove any wild animal anywhere, anytime. Mayor Norton explained she had a porcupine in her yard before, and there did not seem to be any concern. Mr. Thacker agreed that porcupines are not a huge concern. He thought that educating the public would help with these situations. Councilmember Samantha Scott asked what to do if there are prairie dogs nesting in your front yard. Mr. Thacker stated those animals are not protected so the property owner can euthanize or remove them.

Councilmember JoAnn Cowan asked if this ordinance addresses how to handle situations such as the one in Salt Lake where an officer had to walk into a yard and shoot the dog that was aggressive. Rick Bell stated they receive extensive training for these situations. Councilmember Cowan asked what the formula will be for the number of cats or dogs allowed in a household. Ken Bassett stated at the last meeting the consensus of the Council was keep the combination of four domestic animals regardless of the zone. Rick Bell stated it has been four animals within the City for quite some time and that number seems to work well. Councilmember Clark asked about kennel licenses. Rick Bell stated there are not any within Vernal City, and there are no guidelines to allow for a kennel.

Ken Bassett stated that the other issue brought up by the Council was the operating hours of the animal shelter and how those hours are conducive to adoption or customer service needs of the community. Sherry Gines, shelter manager, explained that the shelter is open Monday, Tuesday, Thursday and Friday from 10:00 am to 4 p.m. and Saturdays from 10:00 am to noon for the public. The staff is there much longer hours to clean the shelter before the doors are opened. Over the years different operating hours have been tried, and this schedule seems to work the best to keep the overtime down. The public does not come to the shelter earlier than 10 am, and the staff does stay late if someone calls and cannot come in before 4 pm. If there is an animal that needs to be brought into the shelter when it is closed to the public, they can contact animal control. Mayor Norton asked if the best way to contact animal control was through dispatch. Sherry Gines answered yes. Councilmember Clark asked if the dog chipping program was successful. Sherry Gines answered it is extremely successful. There was some discussion regarding euthanasia statistics and emergency preparedness.

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Sherry Gines noted that the new quarantine building will be finished the middle of November which will take more time from staff to clean, and there will not be any additional personnel hired. However, it is hoped that the quarantine building will cut down on the need for euthanasia. Councilmember Cowan expressed her appreciation to Mr. Bell, Mr. Thacker and Ms. Gines for attending the meeting and answering questions. Mayor Norton asked if there is any possibility of getting more mineral lease funds to hire more employees so they could open the shelter on Wednesdays. Sherry Gines answered that they have asked. *Councilmember JoAnn Cowan moved to adopt Ordinance No. 2014-32. 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;
Councilmember Scott.....aye.

REQUEST FOR APPROVAL OF FINAL PLAT FOR SPLIT MOUNTAIN PHASE III (GARDNER DEVELOPMENT) LOCATED AT 450 EAST 600 SOUTH, VERNAL, UTAH:

Allen Parker presented an amended final plat for the Split Mountain Phase III development. He explained that the amendment to the plat includes the development of 600 South Street connecting Vernal Avenue to 500 East. The changes to the plat are in compliance with City code and have been reviewed by the Planning Commission who forwarded a positive recommendation to the Council. An escrow account will need to be set up for the public infrastructure before the plat can be recorded. Councilmember Bert Clark asked if there would be a garbage containment areas. Scott Gardner explained that phase I included public roads so the residents take their refuse to the street as other subdivisions. The second phase has private drives, however the garbage company is still willing to drive in and pick up individual garbage cans. The garbage collection for Phase III will be handled the same way. Ken Bassett stated there has been good communication with the garbage hauler, and the City will continue to help facilitate that communication. Councilmember Clark asked how snow removal is handled. Scott Gardner answered that the development will be built to allow the snow to be pushed into the landscaping. Mayor Norton asked if there is an area for parking items that do not fit into the garage. Scott Gardner stated there is an area next to each building. Mayor Norton asked what is required for the escrow. Allen Parker stated that funds are placed into an account equaling 130% of the estimated cost for the infrastructure with 30% being retained for the warranty. Mayor Norton asked what is the estimated completion date. Allen Parker stated that the completion is set based on the complexity of development. *Councilmember Dave Everett moved to approve the amended final plat for Split Mountain Phase III. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Everett, Munford, Cowan, Clark and Scott voting in favor.*

REVIEW OF BIDS AND PURCHASE OF DUMP TRUCK – RICK GREEN: Ken Bassett explained that the City received three bids for the ten wheel dump truck, and the recommendation is to approve the bid from Wheeler Machinery #2 in the amount of

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\$129,970.02. Rick Green explained that the lower bid from Wheeler Machinery did not meet the amended specifications. Ken Bassett stated that the plow, dump body etc. will be purchased by using the State contract process, and the total cost will be under budget. *Councilmember JoAnn Cowan moved to approve the bid from Wheeler Machinery in the amount of \$129,970.02. 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;
Councilmember Scott.....aye.

REQUEST FOR APPROVAL OF AWARD OF CONTRACT FOR NORTH VERNAL AVENUE WATERLINE PROJECT: Ken Bassett explained that the City received several bids for this project after the specifications were revised. The recommendation of the staff and engineers is to accept the low bid of \$610,525 from Hubes Construction. The bid is within budget, and the engineers have reviewed this bid which does meet the requirements of the City. Councilmember Everett noted that mobilization is a key factor for the differences in the bids. *Councilmember Ted Munford moved to accept the bid from Hubes Construction in the amount of \$610,525. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:*

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

REQUEST FOR RIGHT-OF-WAY AND EASEMENT – QUESTAR GAS: Ken Bassett explained that Questar is extending a gas line to the new building at the golf course and needs an easement to install the line. The Recreation District manages the golf course, however, the City owns the property so the easement needs to be approved by the City. Councilmember JoAnn Cowan questioned why this issue is coming up now as the work has already been done. Ken Bassett stated he did not know why they did the work first, but he would ask Shelley Fenn with Questar. *Councilmember Samantha Scott moved to approve the right-of-way and easement for Questar for the golf course line since the work has already been done. Councilmember Bert Clark seconded the motion. The motion passed with Councilmember Scott, Clark, Munford, Everett and Cowan voting in favor.*

REQUEST FOR APPROVAL OF AMENDING THE VERNAL CITY MUNICIPAL CODE – DUMPSTERS IN CITY STREET – ORDINANCE NO. 2014-37: Mayor Norton explained that this ordinance provides clarification for code enforcement when dumpsters are in the wrong place. Ken Bassett agreed that individuals have been placing dumpsters in the roadway, which may cause a problem with traffic. It becomes an issue for the City when an

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accident occurs. Many times the property owner is not happy when they have to move it, and this ordinance will make it easier to enforce. *Councilmember Ted Munford moved to approve Ordinance No. 2014-37. 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;*
- Councilmember Scott.....aye.*

FEDERAL, STATE, AND FOUNDATION GRANTS – CIVIS: Ken Bassett explained that he would like to subscribe to an on-line grant publication through a company called eCIVIS. This company helps locate grants that are available through foundations or government programs that may help with projects such as the victim advocacy program or other needs of the community. The cost for this service is \$2000 a year with an obligation of three years. *Councilmember JoAnn Cowan moved to authorize the subscription for the eCIVIS program. 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;*
- Councilmember Scott.....aye.*

REQUEST FOR APPROVAL OF PURCHASING POLICY – CONTRACTS FOR SERVICES – RESOLUTION NO. 2014-16: Ken Bassett explained that periodically the City needs to purchase services over \$5000 but less than the amount set out in State law, and the purchasing policy needs to clarify how those purchases should be done. *Councilmember Bert Clark moved to approve Resolution No. 2014-16. 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;*
- Councilmember Scott.....aye.*

REQUEST FOR APPROVAL OF THE VERNAL CITY PERSONNEL POLICIES & PROCEDURES – DONATION OF HOURS BY PART-TIME EMPLOYEES – RESOLUTION NO. 2014-17: Mayor Norton noted that if a part-time employee wanted to donate leave hours to another employee, it is not in the City personnel policy to allow that to happen. Resolution No. 2014-17 changes the policy to allow part-time employees to donate leave similar to full-time employees. *Councilmember Bert Clark moved to approve Resolution No.*

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2014-17. Councilmember Samantha Scott seconded the motion. The motion passed with the following roll call vote:

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

ADMINISTRATIVE REPORTS:

Joint Meeting with Planning Commission:

Councilmember Samantha Scott stated that the Planning Commission would like to hold a joint meeting to go over the general plan. The consensus of the Council was to meet on Thursday, November 13th at 6 pm. Councilmember Bert Clark asked how many vacancies are on the Planning Commission. Allen Parker answered two. Councilmember Munford and Mayor Norton indicated they would not be able to attend the meeting.

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 Sonja Norton

ATTEST:

Roxanne Behunin, Deputy Recorder

(S E A L)