

1 **M**INUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
2 **DECEMBER 3, 2014** at 7:00 p.m. in the Vernal City Council room, 374 East Main,
3 Vernal, Utah 84078.

4

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

7
8 **WELCOME:** Mayor Norton welcomed everyone to the meeting.

9
10 **INVOCATION OR UPLIFTING THOUGHT:** An invocation was given by Councilmember
11 Bert Clark.

12
13 **PLEDGE OF ALLEGIANCE:** The pledge of Allegiance was led by Councilmember Samantha
14 Scott.

15
16 **APPROVAL OF CITY COUNCIL MINUTES OF NOVEMBER 19, 2014:**
17 *Councilmember Bert Clark moved to approve the minutes of November 19, 2014 with one*
18 *correction. Councilmember Dave Everett seconded the motion. The motion passed with*
19 *Councilmembers Munford, Cowan, Everett, Scott and Clark voting in favor.*

20
21 **AIRPORT FUNDING PROPOSAL FROM UINTAH COUNTY:** Mayor Sonja Norton
22 explained to the Council that after the special joint meeting with the County Commission
23 regarding the transfer of the management of the airport to the Transportation District, several
24 items need to be considered. First, the contribution to the County in the amount of \$200,000 for
25 the new conference center will not begin until the start of the next fiscal year and should be paid
26 quarterly. The agreement for the contribution will be for five years and then reviewed. Next,
27 the financial obligation due by the City for the airport will end on December 31, 2014 for
28 expenses completed, and the amount committed will need to be paid by June 30, 2015. The City
29 will remain as 25% owner with a seat on the Airport Advisory Board. Cheri McCurdy, director
30 of the Transportation District, stated the goal of the County Commission was to make the
31 transition effective January 1st. Councilmember Bert Clark stated that he has been serving on the
32 Airport Advisory Board and would like to see it continue. The members on that committee
33 have airport expertise. Cheri McCurdy stated that it would be up to the Commission or the
34 Board. She noted that good communication will be needed. Mayor Norton stated that with the
35 City still an owner, the District will need to include them in the discussions. Councilmember
36 JoAnn Cowan agreed that they need to be informed as the airport is important to the economy of
37 the community. Cheri McCurdy stated that she understood that the airport is an important part of
38 Vernal and committed to good communication. Ken Bassett reminded the Council that financial
39 commitments for the airport beyond January would be difficult with the convention center
40 obligation. Councilmember JoAnn Cowan stated that the City appreciates the support from the
41 Transportation District the last few years. Ken Bassett indicated that an Interlocal agreement will
42 be drafted outlining all the items discussed. Mayor Norton stated she would speak with
43 Commissioner McKee regarding the City's concerns. *Councilmember JoAnn Cowan moved to*
44 *draft an agreement and negotiate with the County with the items discussed and proceed, pending*
45 *formal adoption. Councilmember Ted Munford seconded the motion. The motion passed with*
46 *Councilmembers Cowan, Munford, Everett, Clark and Scott voting in favor.*

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47 **REQUEST TO AMEND THE VERNAL CITY MUNICIPAL CODE - TAXI-CAB**
48 **APPLICANTS / DOOR-TO-DOOR SOLICITORS - INVESTIGATION OF APPLICANT**
49 **- ORDINANCE NO. 2014-40:** Mayor Norton explained that there was an issue with an
50 applicant who applied for a taxi-cab license who was not able to get a background check from
51 Arizona because it is a “closed record state”. These applicants must apply to the FBI for their
52 criminal backgrounds which takes up to 12 weeks. Councilmember JoAnn Cowan asked how
53 many states are closed. Ken Bassett answered that he does not know, but it does cause delays
54 in issuing the license. Ordinance No. 2014-40 allows the City to issue a temporary license
55 while the applicant waits for their background check. The City Attorney reviewed this issue and
56 suggested an affidavit be signed by the applicant indicating he is not aware of any criminal
57 convictions that would prevent him from receiving a license. Once they sign the affidavit, the
58 applicant will have 120 days to get their backgrounds checks turned in. If the background check
59 does have information that disqualifies the applicant, the license would be revoked. This same
60 issue may come up with the door-to-door solicitor’s license. Councilmember Munford asked if
61 the application or affidavit specifies a crime that is committed or on a conviction. Ken Bassett
62 stated the City can only consider convictions. The ordinance also clarifies that the Chief of
63 Police has ten days to review the application with the background checks. Mr. Dalton Mitchell,
64 taxi-cab driver applicant, whose address is 1125 No 3000 West, stated that this has been a huge
65 problem for him with states that will not disclose backgrounds. Mr. Bill Love, owner of a
66 taxi-cab company, indicated that they also place new employees on a thirty day probation period,
67 and all rides are dispatched through the company. He indicated that he appreciates the City
68 checking backgrounds for drivers. Ken Bassett stated that if this ordinance is adopted, an
69 affidavit will be prepared with the City Attorney’s review. *Councilmember Bert Clark moved to*
70 *approve Ordinance No. 2014-40. Councilmember Samantha Scott seconded the motion. The*
71 *motion passed with the following roll call vote:*

- 72 *Councilmember Munford.....aye;*
- 73 *Councilmember Cowan.....aye;*
- 74 *Councilmember Everettaye;*
- 75 *Councilmember Scott.....aye;*
- 76 *Councilmember Clark.....aye.*

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78
79 **REQUEST FOR ACCEPTANCE OF MUNICIPAL WASTEWATER REPORT –**
80 **RESOLUTION NO. 2014-19:** Ken Bassett presented the Municipal Wastewater Report
81 prepared by Superintendent Mike Davis. He noted that there were issues that have been worked
82 out with the Division of Water Quality, and they are waiting for the submission of this report.
83 Councilmember Bert Clark stated that the report shows there is no expansion plans. However,
84 the Sewer Management Board has an updated list and they are always working on that list. Ken
85 Bassett stated that can be added to the report. *Councilmember Dave Everett moved to approve*
86 *Resolution No. 2014-19 accepting the 2013 Wastewater Report. Councilmember Ted Munford*
87 *seconded the motion. The motion passed with the following roll call vote:*

- 88 *Councilmember Munford.....aye;*
- 89 *Councilmember Cowan.....aye;*
- 90 *Councilmember Everettaye;*
- 91 *Councilmember Scott.....aye;*

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92 *Councilmember Clark.....aye.*
93

94 **EMPLOYEE CHRISTMAS BONUS – JOANN COWAN:** Councilmember JoAnn Cowan
95 stated that the philosophy has been to give the City employees some kind of Christmas bonus
96 base on the budget. Last year the employees received a \$325 bonus, and she suggested the
97 same amount be given this year. Also, with Christmas falling on a Thursday, she suggested the
98 offices be closed on Friday giving the employees an extended weekend and showing
99 appreciation to the employees for all they do. Councilmember Ted Munford stated he would be
100 in favor of allowing the employees to have ½ day off on Christmas Eve also. After further
101 discussion, *Councilmember Ted Munford moved to give the employees ½ day off on Christmas*
102 *Eve, a \$325 Christmas Bonus and the day after Christmas off with pay. Councilmember JoAnn*
103 *Cowan seconded the motion. The motion passed with the following roll call vote:*

104 *Councilmember Munford.....aye;*
105 *Councilmember Cowan.....aye;*
106 *Councilmember Everettaye;*
107 *Councilmember Scott.....aye;*
108 *Councilmember Clark.....aye.*
109

110 **PUBLIC HEARING: REQUEST FOR RECOMMENDATION TO CONSIDER**
111 **AMENDING THE VERNAL CITY MUNICIPAL PLANNING & ZONING CODE –**
112 **SECTION 16.58.510 – ENFORCEMENT & PERMITS – ORDINANCE NO. 2014-39:**

113 Allen Parker explained that the City code currently requires the entire public infrastructure to be
114 in place for a new subdivision before issuing building permits for the lots. This has not always
115 been the case as the developers were allowed to do the improvements at the same time as
116 building the homes with no occupancy allowed until the infrastructure was in place. There was
117 a problem with one subdivision, and the code was changed in 2011. However, the contractors
118 have a short building season in Vernal, making it hard to get all the improvements in and then
119 start building before winter. The City code has been strengthened requiring financial
120 guarantees for the public utilities so that problem would not happen again. Councilmember
121 Clark asked what would happen with the other utilities. Allen Parker stated that some of those
122 utilities are not necessary such as the phone lines. The City only requires the public
123 infrastructure. Ken Bassett explained that the City requires a 150% escrow or bond be in place
124 for the construction of the utilities and other infrastructure which protects the City. Allen
125 Parker stated that the Planning Commission reviewed this ordinance and forwarded a positive
126 recommendation with a few corrections. Ken Bassett suggested the public infrastructure be
127 identified in paragraph 3, and notify the private utility providers so they do not tear up the road.
128 Mayor Norton asked if there is a definition of public improvements. Allen Parker stated they
129 are listed in the guarantee section of the code and they can be entered again in this section if it is
130 necessary. Mayor Norton opened the public hearing. She explained to the audience that when a
131 developer wants to build a residential subdivision and sell lots for homes, they cannot build the
132 homes without the public infrastructure in place such as the water and sewer, roads and street
133 lights. Michelle Cook asked why this would cause a problem. Mayor Norton stated the
134 contractors want to pour the foundations for the homes at the same time they build the roads and
135 install the utilities. The subdivision on 500 West and around 900 South started to do this and
136 ran out of money so they did not finish the infrastructure leaving those home owners unable to

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137 move in to the homes. This ordinance will protect the public so that does not happen if the City
138 allows them to build at the same time. There being no further comments, the public hearing was
139 closed. *Councilmember Bert Clark moved to approve Ordinance No. 2014-39 with corrections*
140 *from the Planning Commission. Councilmember Samantha Scott seconded the motion. The*
141 *motion passed with the following roll call vote:*

- 142 *Councilmember Munford.....aye;*
- 143 *Councilmember Cowan.....aye;*
- 144 *Councilmember Everettaye;*
- 145 *Councilmember Scott.....aye;*
- 146 *Councilmember Clark.....aye.*

147
148 **Administrative Reports:**

149
150 Street Cuts:

151 Councilmember Ted Munford stated that there are several areas along 500 West where the
152 roadway has sunk and needs to be addressed.

153
154 Nursing Simulation Room:

155 Mayor Norton explained that the Impact Mitigation District received funding through a donation
156 from Ashley Regional Medical Center for a nursing simulation room. This will provide
157 specialized training for nurses and allow the instructors to observe what is happening separate
158 from the classroom

159
160 Holly Days:

161 The Council asked the staff to let everyone involved with Holly Days know how much they are
162 appreciated for their hard work.

163
164 **ADJOURN:** There being no further business, Councilmember Ted Munford moved to adjourn.
165 Councilmember JoAnn Cowan seconded the motion. The motion passed with a unanimous
166 vote and the meeting was declared adjourned.

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170 _____
Mayor Sonja Norton

171 ATTEST:
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173 _____
174 Roxanne Behunin, Deputy Recorder

(S E A L)

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