

MINUTES OF THE VERNAL CITY COUNCIL REGULAR MEETING HELD
JANUARY 21, 2015 at 7:00 p.m. in the Vernal City Council room, 374 East Main,
Vernal, Utah 84078.

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

WELCOME: Mayor Norton welcomed everyone to the meeting.

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

PLEDGE OF ALLEGIANCE: The pledge of Allegiance was led by Councilmember JoAnn Cowan.

APPROVAL OF CITY COUNCIL MINUTES OF JANUARY 7, 2015: *Councilmember Bert Clark moved to approve the minutes of January 7, 2015. Councilmember Samantha Scott seconded the motion. The motion passed with Councilmembers Munford, Cowan, Everett, Scott and Clark voting in favor.*

INTRODUCTION OF NEW DEPUTY COURT CLERK, CELESTIA FREESTONE-BLACKBURN: Judge Ray Richards introduced Celestia Freestone/Blackburn as the new deputy court clerk for the City's Justice Court. He explained she recently married Ryan Blackburn, who also works for Vernal City. She comes to the City from 8th District Court where she was working for Judge Peterson. The justice court utilizes the same software as District Court so the training has been very smooth. Councilmember Cowan stated she is delighted to have Celestia working for the City. Judge Richards stated he is confident that his department will not need another clerk with the knowledge that Celestia has. The Mayor and Council welcomed Celestia to Vernal City.

REQUEST FOR APPROVAL OF A MINOR SUBDIVISION FOR VERONICA BIRD FOR THE PROPERTY LOCATED AT 577 SOUTH 400 WEST, VERNAL, UTAH: Allen Parker explained that this request is to divide an existing one acre lot into two ½ acre lots. The request has been reviewed and meets engineering standards and City code. The Planning Commission considered the request is forwarding a positive recommendation. Councilmember Cowan asked if there is any reason the Council should not approve this subdivision request. Allen Parker answered no. Councilmember Ted Munford moved to approve the minor subdivision request for Veronica Bird located at 577 South 400 West. 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.

REQUEST FOR APPROVAL OF A MINOR SUBDIVISION FOR DENNIS MOTT FOR THE ORR SUBDIVISION LOCATED AT 1407 WEST HIGHWAY 40, VERNAL, UTAH:

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Allen Parker explained that this is another request to divide property. However, this is an unusual request to split off a portion of the front of a 1/4 acre lot in a commercial zone. Most subdivision requests are in residential zones where there are specific standards required for the development of a lot. In commercial zones there are no specific dimensional requirements so the property can be adapted to fit the business use. In this case, the front section of the lot will be transferred to the Orr family so they can maintain the memorial that has been placed on that land. Councilmember Munford asked if this request met all City requirements. Allen Parker answered that it does, and the Planning Commission is forwarding a positive recommendation. One question is whether the three lots to the south have access from the frontage road as it is not known if there is an easement or only a descriptive easement. Councilmember Cowan noted there is better visibility on Main Street for this memorial; however, the Orr family may be more comfortable having it closer to the park where benches etc. can be placed to honor their family member. Mayor Norton stated that the memorial was moved from Jensen due to vandalism, but the State recently made all families remove crosses along the highway that were in the public right-of-way. Councilmember Cowan stated this would be an issue if it were on public land. After further discussion, Councilmember Ted Munford moved to approve the subdivision for 1407 West Highway 40 for the Orr Family Memorial. Councilmember Dave Everett 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.

PUBLIC HEARING: REQUEST FOR APPROVAL TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING & ZONING CODE – SECTION 16.24.060 – FLAG LOTS PERMITTED – ORDINANCE NO. 2015-01: Allen Parker reminded the Council that there was a discrepancy in the City Code pertaining to flag lots. When a subdivision is platted, the frontage for each lot must meet a minimum standard. Presently if a flag lot is platted, there is no minimum width for the main body of the lot. The Council asked the Planning Commission to review the dimensions for a flag lot so there would be a standard lot size for development. Ordinance No. 2015-01 adds language to the City code that makes it clear that all dimensional requirements pertain to all lots – flag or otherwise. The Planning Commission looked at this issue and is recommending approval of Ordinance No. 2015-01. Councilmember Clark asked if a fire hydrant only has to be within 250 feet of the access to a flag lot. Allen Parker explained that the fire marshal looks at the placement of the structures for the location of a fire hydrant. Mayor Norton asked if the leg of the flag lot has a maximum length before it opens up. Allen Parker stated there is no specific standard and developers can be creative how they plat the lots. This ordinance does require a lot to be dimensionally buildable. Councilmember Clark asked what the minimum width is for the entrance of a flag lot. Allen Parker stated it must be 25 feet wide. Mayor Norton opened the public hearing and asked for input. Councilmember Cowan explained the definition of a flag lot and why someone would want to develop one. There were no public comments and the public hearing was closed. Councilmember Dave Everett

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moved to approve Ordinance No. 2015-01. 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;
Councilmember Clark.....aye.

REQUEST FOR APPROVAL TO CONSIDER AMENDING THE VERNAL CITY PLANNING COMMISSION BYLAWS – RESOLUTION NO. 2015-01: Allen Parker explained that the Planning Commission discussed changing the by-laws for the Commission by requiring alternates to attend meetings the same as a regular member. The Planning Commission is forwarding a positive recommendation. Councilmember Munford asked what will happen if they do not attend. Allen Parker stated the Commission can recommend their removal. He noted that they can only miss two meetings as unexcused during the year. Councilmember Samantha Scott moved to amend the Planning Commission By-Laws - Resolution 2015-01. 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.

PLANNING COMMISSION MEMBER APPOINTMENT: Mayor Sonja Norton stated that Scott Gessell is being proposed to be a member of the Planning Commission. Allen Parker stated he did contact Mr. Gessell, and he is willing to serve. Councilmember Ted Munford moved to appoint Scott Gessell as a regular member of the Planning Commission. Councilmember Dave Everett seconded the motion. Councilmembers Munford, Everett, Cowan, Clark and Scott voted in favor for a unanimous vote.

REQUEST FOR APPROVAL OF THE PERMANENT COMMUNITY IMPACT BOARD PROJECT LIST: Ken Bassett reminded the Council that every year the City needs to submit a list to the Permanent Community Impact Board (PCIB) through the Uintah Basin Association of Governments (UBAG) of potential projects to be submitted for funding consideration during the year. The lists are for 1-year projects and 2-5 year projects. One item that has been included onto the 2015 list is improvements to the public works building. There was some discussion regarding the work that needed to be done a public works. Ken Bassett stated that water, sewer, street and storm water projects are always on the one-year list. The 2-5 year list includes items such as downtown parking, community parks, and storm water improvements. Councilmember JoAnn Cowan moved to adopt and accept the 1-year and 2-5 year lists for PCIB projects for 2015. Councilmember Ted Munford seconded the motion. The motion passed with Councilmembers Cowan, Munford, Scott, Clark and Everett voting in favor for a unanimous vote.

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REQUEST FOR APPROVAL OF THE CDBG PROJECT SELECTION: Ken Bassett reminded the Council that at the last meeting a public hearing was held to discuss different types of projects that could be considered using Community Development Block Grant (CDBG) funds. The City has to compete for the federal funds through the Uintah Basin Association of Governments. The local housing authority is asking for help to make needed repairs to the Golden Age Manor apartments located at 300 North 200 West, consisting of 12 units that house seniors and the disabled. A recent HUD inspection of this property found several concerns including the parking lot and outside lighting. Councilmember Cowan stated that there are very few senior housing projects in the community, and this complex is the oldest with residents ranging in age. After further discussion, Councilmember Cowan moved to apply for CDBG funding to make necessary repairs to the Golden Age Manor senior - disabled housing complex. Councilmember Bert Clark seconded the motion. The motion passed with Councilmembers Cowan, Clark, Munford, Everett and Scott voting in favor.

REQUEST FOR APPROVAL OF AMENDING PERSONNEL POLICIES & PROCEDURES – WORKPLACE PRIVACY RESOLUTION NO. 2015-02: Ken Bassett explained that from time to time it is necessary to update the City’s personnel policies and procedures. There was a recent incident that the attorneys looked at and suggested the policy be updated to allow the City to search City property or computers and keep track of what employees are doing. Resolution No. 2015-02 adds wording for workplace privacy and safety. Councilmember Cowan asked if an employee could keep a handgun in their desk. Ken Bassett stated that with the open carry law for Utah, the gun would have to be kept on the employee at all times. The City could not stop them from carrying a gun, although there is a concern about employees concealing unregistered guns. The policy needs to also include wording for offices and cubicles. The second section of the ordinance deals with the recording of conversations and telephone calls. Occasionally it may be necessary to record a conversation which has to be done according to State law. Utah is a one-party consent State which allows conversations to be recorded by one of the parties involved in that conversation. The next section is a policy on tracking devices which can be used to track City property or vehicles. In the case of police officers, this technology can monitor their whereabouts for safety. Councilmember Cowan asked if the City had a policy on texting and telephone use. Ken Bassett stated those items are part of the IT policy. Councilmember Cowan asked that the employees be notified of any personnel policy changes. Roxanne Behunin stated that the policy is now on-line, and the employees are notified. After further discussion, Councilmember JoAnn Cowan moved to adopt Resolution No. 2015-02 with the changes noted. 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.*

Administrative Reports:

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Joint City - County Meeting:

Ken Bassett explained that a joint City / County meeting has been scheduled for February 3rd at the County building starting at 4 p.m.

Elected Officials Day:

The Utah League of Cities and Towns will be hosting the Local Officials Day at the Legislature on Wednesday, January 28th. There are 14-15 Youth Council members signed up to go. This year the YCC will be involved with the debate on a bill that is being proposed that affect the students.

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)